REFERENCE TITLE: schools; data; noncitizen students

State of Arizona
Senate
Forty-ninth Legislature
First Regular Session
2009

SB 1172

Introduced by
Senator Pearce; Representative Kavanagh: Senators Gorman, Gould, Harper; Representatives Burges, McLain, Seel

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-248; RELATING TO THE DEPARTMENT OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 15, chapter 2, article 2, Arizona Revised Statutes, is amended by adding section 15-248, to read:

15-248. Students who are not citizens; data collection; annual report; withholding of state aid

A. TO THE EXTENT PERMITTED BY FEDERAL LAW, THE DEPARTMENT OF EDUCATION SHALL COLLECT DATA FROM SCHOOL DISTRICTS ON POPULATIONS OF STUDENTS WHO ARE ENROLLED IN SCHOOL DISTRICTS AND WHO ARE ALIENS WHO CANNOT PROVE LAWFUL RESIDENCE IN THE UNITED STATES.

B. THE DEPARTMENT OF EDUCATION SHALL SUBMIT A REPORT ON OR BEFORE DECEMBER 15 OF EACH YEAR TO THE GOVERNOR, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE THAT SUMMARIZES THE DATA COLLECTED ON A DISTRICT BY DISTRICT BASIS PURSUANT TO THIS SECTION. THE DEPARTMENT OF EDUCATION SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS. THE REPORT SHALL INCLUDE THE FOLLOWING INFORMATION:

1. RESEARCH ON THE ADVERSE IMPACT OF THE ENROLLMENT OF STUDENTS WHO CANNOT PROVE LAWFUL RESIDENCE IN THE UNITED STATES.

2. A DETAILED ESTIMATE OF THE TOTAL COST TO THE TAXPAYERS OF THIS STATE FOR THE EDUCATION OF STUDENTS WHO ARE NOT CITIZENS OF THE UNITED STATES, INCLUDING A SEPARATE DETAILED ESTIMATE OF THE TOTAL COST TO THE TAXPAYERS OF THIS STATE FOR THE EDUCATION OF STUDENTS WHO CANNOT PROVE LAWFUL RESIDENCE IN THE UNITED STATES.

C. THE SUPERINTENDENT OF PUBLIC INSTRUCTION MAY WITHHOLD A SCHOOL DISTRICT'S APPORTIONMENT OF STATE AID IF THE SUPERINTENDENT DETERMINES THAT THE SCHOOL DISTRICT IS NOT COMPLYING WITH THE REQUIREMENTS OF THIS SECTION.