

REFERENCE TITLE: schools; data; noncitizen students

State of Arizona
Senate
Forty-ninth Legislature
Second Regular Session
2010

SB 1097

Introduced by
Senators Pearce R: Gorman; Representatives Burges, Seel

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-249; RELATING TO THE DEPARTMENT OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 2, article 2, Arizona Revised Statutes,
3 is amended by adding section 15-249, to read:

4 15-249. Students who are not citizens; data collection; annual
5 report; withholding of state aid

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

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

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

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

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