

COMMITTEE ON APPROPRIATIONS
SENATE AMENDMENTS TO S.B. 1141
(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Section 15-802, Arizona Revised Statutes, is amended to read:

15-802. School instruction; exceptions; violations; classification; definitions

A. Every child between the ages of six and sixteen years shall attend a school and shall be provided instruction in at least the subjects of reading, grammar, mathematics, social studies and science. The person who has custody of the child shall choose a public, private, charter or home school as defined in this section to provide instruction.

B. The parent or person who has custody shall do the following:

1. If the child will attend a public, private or charter school, enroll the child in and ensure that the child attends a public, private or charter school for the full time school is in session. IN ACCORDANCE WITH GUIDELINES ADOPTED BY THE DEPARTMENT OF EDUCATION, SCHOOL DISTRICTS AND CHARTER SCHOOLS SHALL REQUIRE AND MAINTAIN VERIFIABLE DOCUMENTATION OF RESIDENCY IN THIS STATE FOR PUPILS WHO ENROLL IN THE SCHOOL DISTRICT OR CHARTER SCHOOL. If a child attends a school ~~which~~ THAT is operated on a year-round basis, the child shall regularly attend during school sessions that total not less than one hundred seventy-five school days or two hundred school days, as applicable, or the equivalent as approved by the superintendent of public instruction.

2. If the child will attend a private school or home school, file an affidavit of intent with the county school superintendent stating that the child is attending a regularly organized private school or is being provided with instruction in a home school. The affidavit of intent shall include:

(a) The child's name.

(b) The child's date of birth.

(c) The current address of the school the child is attending.

(d) The names, telephone numbers and addresses of the persons who currently have custody of the child.

1 3. If the child will attend home school, the child has not reached
2 eight years of age by September 1 of the school year and the person who has
3 custody of the child does not desire to begin home instruction until the
4 child has reached eight years of age, file an affidavit of intent pursuant to
5 paragraph 2 of this subsection stating that the person who has custody of the
6 child does not desire to begin home school instruction.

7 C. An affidavit of intent shall be filed within thirty days from the
8 time the child begins to attend a private school or home school and is not
9 required thereafter unless the private school or the home school instruction
10 is terminated and then resumed. The person who has custody of the child
11 shall notify the county school superintendent within thirty days of the
12 termination that the child is no longer being instructed at a private school
13 or a home school. If the private school or home school instruction is
14 resumed, the person who has custody of the child shall file another affidavit
15 of intent with the county school superintendent within thirty days.

16 D. A person is excused from the duties prescribed by subsection A or B
17 of this section if any of the following ~~are~~ IS shown to the satisfaction of
18 the school principal or the school principal's designee:

19 1. The child is in such physical or mental condition that instruction
20 is inexpedient or impracticable.

21 2. The child has completed the high school course of study necessary
22 for completion of grade ten as prescribed by the state board of education.

23 3. The child has presented reasons for nonattendance at a public
24 school ~~which~~ THAT are satisfactory to the school principal or the school
25 principal's designee. For THE purposes of this paragraph, the principal's
26 designee may be the school district governing board.

27 4. The child is over fourteen years of age and is EMPLOYED, with the
28 consent of the person who has custody of him, ~~employed~~ at some lawful wage
29 earning occupation.

30 5. The child is enrolled in a work training, career education, career
31 and technical education, vocational education or manual training program
32 ~~which~~ THAT meets the educational standards established and approved by the
33 department of education.

1 6. The child was either:

2 (a) Suspended and not directed to participate in an alternative
3 education program.

4 (b) Expelled from a public school as provided in article 3 of this
5 chapter.

6 7. The child is enrolled in an education program provided by a state
7 educational or other institution.

8 E. Unless otherwise exempted in this section or section 15-803, a
9 parent of a child between six and sixteen years of age or a person who has
10 custody of a child, who does not provide instruction in a home school and who
11 fails to enroll or fails to ensure that the child attends a public, private
12 or charter school pursuant to this section is guilty of a class 3
13 misdemeanor. A parent who fails to comply with the duty to file an affidavit
14 of intent to provide instruction in a home school is guilty of a petty
15 offense.

16 F. For the purposes of this section:

17 1. "Home school" means a school conducted primarily by the parent,
18 guardian or other person who has custody of the child or instruction provided
19 in the child's home.

20 2. "Private school" means a nonpublic institution, other than the
21 child's home, where academic instruction is provided for at least the same
22 number of days and hours each year as a public school."

23 Amend title to conform

2/17/11
10:13 AM
S: KY/tf