

REFERENCE TITLE: empowerment scholarships accounts; expansion.

State of Arizona
Senate
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2014

SB 1236

Introduced by
Senators Yee, Barto, Murphy; Representatives Barton, Boyer, Lesko,
Livingston, Montenegro, Seel; Senators Melvin, Ward, Yarbrough;
Representatives Allen, Mesnard

AN ACT

AMENDING SECTION 15-2401, ARIZONA REVISED STATUTES; RELATING TO ARIZONA
EMPOWERMENT SCHOLARSHIP ACCOUNTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-2401, Arizona Revised Statutes, is amended to
3 read:

4 15-2401. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Curriculum" means a complete course of study for a particular
7 content area or grade level, including any supplemental materials required by
8 the curriculum.

9 2. "Department" means the department of education.

10 3. "Eligible postsecondary institution" means a community college as
11 defined in section 15-1401, a university under the jurisdiction of the
12 Arizona board of regents or an accredited private postsecondary institution.

13 4. "Parent" means a resident of this state who is the parent or legal
14 guardian of a qualified student.

15 5. "Qualified school" means a nongovernmental primary or secondary
16 school or a preschool for handicapped students that is located in this state
17 and that does not discriminate on the basis of race, color or national
18 origin.

19 6. "Qualified student" means a resident of this state who:

20 (a) Is, or if the child is currently eligible to attend kindergarten,
21 the department determines would be, any of the following:

22 (i) Identified as having a disability under section 504 of the
23 rehabilitation act of 1973 (29 United States Code section 794).

24 (ii) Identified by a school district as a child with a disability as
25 defined in section 15-761.

26 (iii) A child with a disability who is eligible to receive services
27 from a school district under section 15-763.

28 (iv) Attending a school or school district that has been assigned a
29 letter grade of D or F pursuant to section 15-241.

30 (v) A previous recipient of a scholarship issued pursuant to section
31 15-891 or this section.

32 (vi) A child of a parent who is a member of the armed forces of the
33 United States and who is on active duty.

34 (vii) A child with a guardian who is a member of the armed forces of
35 the United States and who is on active duty.

36 (viii) A child who is a ward of the juvenile court and who is residing
37 with a prospective permanent placement pursuant to section 8-862 and the case
38 plan is adoption or permanent guardianship.

39 (ix) A child who was a ward of the juvenile court and who achieved
40 permanency through adoption or permanent guardianship.

41 (x) BEGINNING IN THE 2016-2017 SCHOOL YEAR, A CHILD WHO MEETS THE
42 ECONOMIC ELIGIBILITY REQUIREMENTS ESTABLISHED UNDER THE NATIONAL SCHOOL LUNCH
43 AND CHILD NUTRITION ACTS (42 UNITED STATES CODE SECTIONS 1751 THROUGH 1793)
44 FOR FREE OR REDUCED PRICE LUNCHES.

1 (xi) BEGINNING IN THE 2017-2018 SCHOOL YEAR, A CHILD WHOSE FAMILY
2 INCOME EXCEEDS BY NO MORE THAN FIFTEEN PER CENT THE ECONOMIC ELIGIBILITY
3 REQUIREMENTS ESTABLISHED UNDER THE NATIONAL SCHOOL LUNCH AND CHILD NUTRITION
4 ACTS (42 UNITED STATES CODE SECTIONS 1751 THROUGH 1793) FOR FREE OR REDUCED
5 PRICE LUNCHES. BEGINNING IN THE 2018-2019 SCHOOL YEAR, THE FAMILY INCOME
6 THRESHOLD PRESCRIBED IN THIS ITEM SHALL BE INCREASED BY AN ADDITIONAL FIFTEEN
7 PER CENT EACH SCHOOL YEAR.

8 (xii) A CHILD OF A PARENT WHO IS A POLICE OFFICER, FIREFIGHTER OR
9 EMERGENCY MEDICAL TECHNICIAN OR ANY OTHER PERSON WHO IS EMPLOYED IN A
10 FULL-TIME, PART-TIME OR SEASONAL CAPACITY BY A PUBLIC AGENCY AND WHOSE
11 EMPLOYMENT DUTIES INCLUDE IMMEDIATELY RESPONDING TO THE SCENE OF AN ACCIDENT,
12 EMERGENCY, FIRE OR NATURAL DISASTER.

13 (xiii) A CHILD WHO IS THE SIBLING OF A CURRENT OR PREVIOUS EMPOWERMENT
14 SCHOLARSHIP ACCOUNT RECIPIENT.

15 (b) And who meets any of the following requirements:

16 (i) Attended a governmental primary or secondary school as a full-time
17 student as defined in section 15-901 for at least the first one hundred days
18 of the prior fiscal year and who transferred from a governmental primary or
19 secondary school under a contract to participate in an empowerment
20 scholarship account.

21 (ii) Previously participated in the empowerment scholarship account
22 program.

23 (iii) Received a scholarship under section 43-1505 and who continues
24 to attend a qualified school.

25 (iv) Was eligible for an Arizona scholarship for pupils with
26 disabilities and received monies from a school tuition organization pursuant
27 to section 43-1505 or received an Arizona scholarship for pupils with
28 disabilities but did not receive monies from a school tuition organization
29 pursuant to section 43-1505 and who continues to attend a qualified school.

30 (v) Has not previously attended a governmental primary or secondary
31 school but is currently eligible to enroll in a kindergarten program in a
32 school district or charter school in this state.

33 7. "Treasurer" means the office of the state treasurer.