

REFERENCE TITLE: empowerment scholarships; expansion; phase-in.

State of Arizona  
House of Representatives  
Fifty-second Legislature  
Second Regular Session  
2016

## **HB 2482**

Introduced by  
Representatives Olson, Borrelli, Senators Begay, Burges, Smith, Yarbrough:  
Representatives Barton, Campbell, Fann, Finchem, Gray, Mesnard, Norgaard,  
Thorpe, Senators Barto, Farnsworth D

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 pupils with disabilities that is located in this  
17 state 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 any of the following:  
21 (i) Identified as having a disability under section 504 of the  
22 rehabilitation act of 1973 (29 United States Code section 794).  
23 (ii) Identified by a school district or by an independent third party  
24 pursuant to section 15-2403, subsection I 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 or who is currently  
30 eligible to attend kindergarten and who resides within the attendance  
31 boundary of a school that has been assigned a letter grade of D or F pursuant  
32 to section 15-241.  
33 (v) A previous recipient of a scholarship issued pursuant to section  
34 15-891 or this section.  
35 (vi) A child of a parent who is a member of the armed forces of the  
36 United States and who is on active duty or was killed in the line of duty. A  
37 child who meets the requirements of this item is not subject to subdivision  
38 (b) of this paragraph.  
39 (vii) A child with a guardian who is a member of the armed forces of  
40 the United States and who is on active duty or was killed in the line of  
41 duty. A child who meets the requirements of this item is not subject to  
42 subdivision (b) of this paragraph.  
43 (viii) A child who is a ward of the juvenile court and who is residing  
44 with a prospective permanent placement pursuant to section 8-862 and the case  
45 plan is adoption or permanent guardianship.

- 1 (ix) A child who was a ward of the juvenile court and who achieved  
2 permanency through adoption or permanent guardianship.
- 3 (x) A child who is the sibling of a current or previous empowerment  
4 scholarship account recipient.
- 5 (xi) A child who resides within the boundaries of an Indian  
6 reservation in this state.
- 7 (xii) BEGINNING IN THE 2016-2017 SCHOOL YEAR, ANY CHILD WHO ATTENDS A  
8 PUBLIC SCHOOL IN A KINDERGARTEN PROGRAM OR ANY OF GRADES ONE THROUGH FIVE. A  
9 CHILD WHO MEETS THE REQUIREMENTS OF THIS ITEM IS NOT SUBJECT TO SUBDIVISION  
10 (b) OF THIS PARAGRAPH.
- 11 (xiii) BEGINNING IN THE 2017-2018 SCHOOL YEAR, ANY CHILD WHO ATTENDS A  
12 PUBLIC SCHOOL IN A KINDERGARTEN PROGRAM OR ANY OF GRADES ONE THROUGH EIGHT.  
13 A CHILD WHO MEETS THE REQUIREMENTS OF THIS ITEM IS NOT SUBJECT TO SUBDIVISION  
14 (b) OF THIS PARAGRAPH.
- 15 (xiv) BEGINNING IN THE 2018-2019 SCHOOL YEAR AND EACH SCHOOL YEAR  
16 THEREAFTER, ANY CHILD WHO ATTENDS A PUBLIC SCHOOL IN A KINDERGARTEN PROGRAM  
17 OR ANY OF GRADES ONE THROUGH TWELVE. A CHILD WHO MEETS THE REQUIREMENTS OF  
18 THIS ITEM IS NOT SUBJECT TO SUBDIVISION (b) OF THIS PARAGRAPH.
- 19 (b) And, except as provided in subdivision (a), items (vi), ~~and~~ (vii),  
20 (xii), (xiii) AND (xiv) of this paragraph, who meets any of the following  
21 requirements:
- 22 (i) Attended a governmental primary or secondary school as a full-time  
23 student as defined in section 15-901 for at least the first one hundred days  
24 of the prior fiscal year and who transferred from a governmental primary or  
25 secondary school under a contract to participate in an empowerment  
26 scholarship account.
- 27 (ii) Previously participated in the empowerment scholarship account  
28 program.
- 29 (iii) Received a scholarship under section 43-1505 and who continues  
30 to attend a qualified school if the student attended a governmental primary  
31 or secondary school as a full-time student as defined in section 15-901 for  
32 at least ninety days of the prior fiscal year or one full semester prior to  
33 attending a qualified school.
- 34 (iv) Was eligible for an Arizona scholarship for pupils with  
35 disabilities and received monies from a school tuition organization pursuant  
36 to section 43-1505 or received an Arizona scholarship for pupils with  
37 disabilities but did not receive monies from a school tuition organization  
38 pursuant to section 43-1505 and who continues to attend a qualified school if  
39 the student attended a governmental primary or secondary school as a  
40 full-time student as defined in section 15-901 for at least ninety days of  
41 the prior fiscal year or one full semester prior to attending a qualified  
42 school.
- 43 (v) Has not previously attended a governmental primary or secondary  
44 school but is currently eligible to enroll in a kindergarten program in a  
45 school district or charter school in this state.

- 1           (vi) Has not previously attended a governmental primary or secondary
- 2 school but is currently eligible to enroll in a program for preschool
- 3 children with disabilities in this state.
- 4           7. "Treasurer" means the office of the state treasurer.