

REFERENCE TITLE: empowerment scholarship accounts; student victims

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
First Regular Session  
2019

## **HB 2474**

Introduced by  
Representative Bolick

**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. "Annual education plan" means an initial individualized  
7 evaluation and subsequent annual reviews that are developed for a  
8 qualified student who meets the criteria specified in paragraph 7,  
9 subdivision (a), item (i), (ii) or (iii) of this section to determine  
10 ongoing annual eligibility through the school year in which the qualified  
11 student reaches twenty-two years of age and whether the student may be  
12 eligible pursuant to section 36-2981 and should be referred for  
13 eligibility determination.

14 2. "Curriculum" means a complete course of study for content areas  
15 or grade levels, including any supplemental materials required by the  
16 curriculum, approved by the department.

17 3. "Department" means the department of education.

18 4. "Eligible postsecondary institution" means a community college  
19 as defined in section 15-1401, a university under the jurisdiction of the  
20 Arizona board of regents or an accredited private postsecondary  
21 institution.

22 5. "Parent" means a resident of this state who is the parent or  
23 legal guardian of a qualified student.

24 6. "Qualified school" means a nongovernmental primary or secondary  
25 school or a preschool for pupils with disabilities that is located in this  
26 state and that does not discriminate on the basis of race, color or  
27 national origin.

28 7. "Qualified student" means a resident of this state who:

29 (a) Is any of the following:

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

32 (ii) Identified by a school district or by an independent third  
33 party pursuant to section 15-2403, subsection I as a child with a  
34 disability as defined in section 15-731 or 15-761.

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

37 (iv) Attending a school or school district that has been assigned a  
38 letter grade of D or F pursuant to section 15-241 or who is currently  
39 eligible to attend kindergarten and who resides within the attendance  
40 boundary of a school that has been assigned a letter grade of D or F  
41 pursuant to section 15-241.

42 (v) A previous recipient of a scholarship issued pursuant to  
43 section 15-891 or this section, unless the qualified student's parent has  
44 been removed from eligibility in the program for failure to comply  
45 pursuant to section 15-2403, subsection C.

1 (vi) A child of a parent who is a member of the armed forces of the  
2 United States and who is on active duty or was killed in the line of  
3 duty. A child who meets the requirements of this item is not subject to  
4 subdivision (b) of this paragraph.

5 (vii) A child who is a ward of the juvenile court and who is  
6 residing with a prospective permanent placement pursuant to section 8-862  
7 and the case plan is adoption or permanent guardianship.

8 (viii) A child who was a ward of the juvenile court and who  
9 achieved permanency through adoption or permanent guardianship.

10 (ix) A child who is the sibling of a current or previous ARIZONA  
11 empowerment scholarship account recipient or of an eligible qualified  
12 student who accepts the terms of and enrolls in the ARIZONA empowerment  
13 scholarship program.

14 (x) A child who resides within the boundaries of an Indian  
15 reservation in this state as determined by the department of education or  
16 a tribal government.

17 (xi) A child of a parent who is legally blind ~~pursuant to section~~  
18 ~~41-1973, subsection C~~ or deaf or hard of hearing ~~pursuant to~~ AS DEFINED IN  
19 section 36-1941.

20 (xii) THE ALLEGED VICTIM OF BATTERY, HARASSMENT, HAZING,  
21 KIDNAPPING, PHYSICAL ATTACK, ROBBERY, SEXUAL HARASSMENT, SEXUAL ASSAULT,  
22 RAPE, THREATENING, INTIMIDATION, FIGHTING, SEX TRAFFICKING OR HUMAN  
23 TRAFFICKING.

24 (b) And, except as provided in subdivision (a), item (vi) of this  
25 paragraph, who meets any of the following requirements:

26 (i) Attended a governmental primary or secondary school as a  
27 full-time student as defined in section 15-901 for at least the first one  
28 hundred days of the prior fiscal year and who transferred from a  
29 governmental primary or secondary school under a contract to participate  
30 in an ARIZONA empowerment scholarship account. First, second and third  
31 grade students who are enrolled in Arizona online instruction must receive  
32 four hundred hours of logged instruction to be eligible pursuant to this  
33 item. Fourth, fifth and sixth grade students who are enrolled in Arizona  
34 online instruction must receive five hundred hours of logged instruction  
35 to be eligible pursuant to this item. Seventh and eighth grade students  
36 who are enrolled in Arizona online instruction must receive five hundred  
37 fifty hours of logged instruction to be eligible pursuant to this item.  
38 High school students who are enrolled in Arizona online instruction must  
39 receive five hundred hours of logged instruction to be eligible pursuant  
40 to this item.

41 (ii) Previously participated in the ARIZONA empowerment scholarship  
42 account program.

43 (iii) Received a scholarship under section 43-1505 and who  
44 continues to attend a qualified school if the student attended a  
45 governmental primary or secondary school as a full-time student as defined

1 in section 15-901 for at least ninety days of the prior fiscal year or one  
2 full semester ~~prior to~~ BEFORE attending a qualified school.

3 (iv) Was eligible for an Arizona scholarship for pupils with  
4 disabilities and received monies from a school tuition organization  
5 pursuant to section 43-1505 or received an Arizona scholarship for pupils  
6 with disabilities but did not receive monies from a school tuition  
7 organization pursuant to section 43-1505 and who continues to attend a  
8 qualified school if the student attended a governmental primary or  
9 secondary school as a full-time student as defined in section 15-901 for  
10 at least ninety days of the prior fiscal year or one full semester prior  
11 to attending a qualified school.

12 (v) Has not previously attended a governmental primary or secondary  
13 school but is currently eligible to enroll in a kindergarten program in a  
14 school district or charter school in this state or attended a program for  
15 preschool children with disabilities.

16 (vi) Has not previously attended a governmental primary or  
17 secondary school but is currently eligible to enroll in a program for  
18 preschool children with disabilities in this state.

19 8. "Treasurer" means the office of the state treasurer.

20 Sec. 2. Short title

21 This act may be cited as the "Lifeline For Student Crime Victims  
22 Act".