

COMMITTEE ON WAYS & MEANS
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2803
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

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 qualified
8 student who meets the criteria specified in paragraph 7, subdivision (a),
9 item (i), (ii) or (iii) of this section to determine ongoing annual
10 eligibility through the school year in which the qualified student reaches
11 twenty-two years of age and whether the student may be eligible pursuant to
12 section 36-2981 and should be referred for eligibility determination.

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

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

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

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

23 6. "Qualified school" means a nongovernmental primary or secondary
24 school or a preschool for pupils with disabilities that is located in this
25 state or, for qualified students who reside within the boundaries of an

1 Indian reservation in this state, that is located in an adjacent state and
2 that is within two miles of the border of the state in which the qualified
3 student resides, and that does not discriminate on the basis of race, color
4 or national origin.

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

6 (a) Is any of the following:

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

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

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

14 (iv) Attending a school or school district that was assigned a
15 letter grade of D or F pursuant to section 15-241 for the most recent year
16 in which letter grades were assigned or is currently eligible to attend
17 kindergarten and resides within the attendance boundary of a school that
18 was assigned a letter grade of D or F pursuant to section 15-241 for the
19 most recent year in which letter grades were assigned. A child who meets
20 the requirements of this item and who meets the income eligibility
21 requirements for free and reduced-price lunches under the national school
22 lunch and child nutrition acts (42 United States Code sections 1751 through
23 1793) is not subject to subdivision (b) of this paragraph.

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

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

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

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

6 (ix) A child who is the sibling of a current or previous Arizona
7 empowerment scholarship account recipient or of an eligible qualified
8 student who accepts the terms of and enrolls in an Arizona empowerment
9 scholarship account.

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

13 (xi) A child of a parent who is legally blind or deaf or hard of
14 hearing as defined in section 36-1941.

15 (xii) THE ALLEGED VICTIM OF ASSAULT PURSUANT TO SECTION 13-1203,
16 HARASSMENT, HAZING, KIDNAPPING PURSUANT TO SECTION 13-1304, AGGRAVATED
17 ASSAULT PURSUANT TO SECTION 13-1204, THEFT PURSUANT TO SECTION 13-1802,
18 BURGLARY PURSUANT TO SECTION 13-1506, 13-1507 OR 13-1508, SEXUAL
19 HARASSMENT, A SEXUAL OFFENSE AS DEFINED IN SECTION 13-1420, THREATENING OR
20 INTIMIDATING PURSUANT TO SECTION 13-1202, FIGHTING, SEX TRAFFICKING
21 PURSUANT TO SECTION 13-1307 OR TRAFFICKING OF PERSONS FOR FORCED LABOR OR
22 SERVICES PURSUANT TO SECTION 13-1308 AND THE INCIDENT OCCURRED ON SCHOOL
23 GROUNDS, ON A SCHOOL BUS, AT A SCHOOL BUS STOP OR AT A SCHOOL-SPONSORED
24 EVENT OR ACTIVITY, INCLUDING THROUGH THE USE OF ELECTRONIC TECHNOLOGY OR AN
25 ELECTRONIC COMMUNICATION ON A SCHOOL COMPUTER, NETWORK, FORUM OR MAILING
26 LIST.

27 (b) And, except as provided in subdivision (a), items (iv) and (vi)
28 of this paragraph, who meets any of the following requirements:

29 (i) Attended a governmental primary or secondary school as a
30 full-time student as defined in section 15-901 for at least forty-five days
31 of the current or prior fiscal year and who transferred from a governmental
32 primary or secondary school under a contract to participate in an Arizona

1 empowerment scholarship account. Kindergarten students who are enrolled in
2 Arizona online instruction must receive two hundred hours of logged
3 instruction to be eligible pursuant to this item. First, second and third
4 grade students who are enrolled in Arizona online instruction must receive
5 four hundred hours of logged instruction to be eligible pursuant to this
6 item. Fourth, fifth and sixth grade students who are enrolled in Arizona
7 online instruction must receive five hundred hours of logged instruction to
8 be eligible pursuant to this item. Seventh and eighth grade students who
9 are enrolled in Arizona online instruction must receive five hundred fifty
10 hours of logged instruction to be eligible pursuant to this item. High
11 school students who are enrolled in Arizona online instruction must receive
12 five hundred hours of logged instruction to be eligible pursuant to this
13 item.

14 (ii) Previously participated in an Arizona empowerment scholarship
15 account.

16 (iii) Received a scholarship under section 43-1505 and who continues
17 to attend a qualified school if the student attended a governmental primary
18 or secondary school as a full-time student as defined in section 15-901 for
19 at least ninety days of the prior fiscal year or one full semester before
20 attending a qualified school.

21 (iv) Was eligible for an Arizona scholarship for pupils with
22 disabilities and received monies from a school tuition organization
23 pursuant to section 43-1505 or received an Arizona scholarship for pupils
24 with disabilities but did not receive monies from a school tuition
25 organization pursuant to section 43-1505 and who continues to attend a
26 qualified school if the student attended a governmental primary or
27 secondary school as a full-time student as defined in section 15-901 for at
28 least ninety days of the prior fiscal year or one full semester before
29 attending a qualified school.

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

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

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

9 Sec. 2. Title 15, chapter 19, article 1, Arizona Revised Statutes,
10 is amended by adding section 15-2405, to read:

11 15-2405. Incident reports; school district obligations;
12 department obligations

13 A. ON RECEIPT OF A POLICE REPORT OR AN ADMINISTRATIVE OR COURT
14 PLEADING INVOLVING AN INCIDENT OF ASSAULT, HARASSMENT, HAZING, KIDNAPPING,
15 AGGRAVATED ASSAULT, THEFT, BURGLARY, SEXUAL HARASSMENT, A SEXUAL OFFENSE,
16 THREATENING OR INTIMIDATION, FIGHTING, SEX TRAFFICKING OR TRAFFICKING OF
17 PERSONS FOR FORCED LABOR OR SERVICES AS PRESCRIBED IN SECTION 15-2401,
18 PARAGRAPH 7, SUBDIVISION (a), ITEM (xii), THE SCHOOL PRINCIPAL OR THE
19 PRINCIPAL'S DESIGNEE SHALL PROVIDE A COPY OF THE REPORT TO THE PARENT OF
20 THE STUDENT WHO IS THE ALLEGED VICTIM OF THE INCIDENT AND INVESTIGATE THE
21 INCIDENT. WITHIN TWENTY-FOUR HOURS AFTER RECEIVING THE REPORT, THE
22 PRINCIPAL OR THE PRINCIPAL'S DESIGNEE SHALL PROVIDE A COPY OF THE REPORT TO
23 THE PARENT OF THE ALLEGED OFFENDER IF THE ALLEGED OFFENDER IS A MINOR AND
24 TO THE SUPERINTENDENT OF THE SCHOOL DISTRICT OR THE CHIEF ADMINISTRATIVE
25 OFFICER OF THE CHARTER SCHOOL. ON CONCLUSION OF THE INVESTIGATION OR
26 WITHIN FIFTEEN DAYS AFTER THE INCIDENT WAS REPORTED, WHICHEVER OCCURS
27 FIRST, THE SCHOOL DISTRICT OR CHARTER SCHOOL SHALL NOTIFY THE PARENT OF THE
28 ALLEGED VICTIM ABOUT ELIGIBILITY FOR AN ARIZONA EMPOWERMENT SCHOLARSHIP
29 ACCOUNT.

1 B. IN ADDITION TO ANY OTHER DUTIES PRESCRIBED IN THIS CHAPTER, THE
2 DEPARTMENT SHALL:

3 1. CROSS-CHECK THE LIST OF QUALIFIED STUDENTS WITH THE PUBLIC SCHOOL
4 ENROLLMENT LISTS TO AVOID DUPLICATION.

5 2. CONTRACT WITH AN INDEPENDENT ENTITY TO PROVIDE AN ANNUAL REPORT.
6 IN PREPARING THE ANNUAL REPORT, THE INDEPENDENT ENTITY SHALL DO ALL OF THE
7 FOLLOWING:

8 (a) REVIEW EACH PUBLIC SCHOOL'S INCIDENT PREVENTION PROGRAM TO
9 DETERMINE AREAS IN THE SCHOOL OR SCHOOL DISTRICT PROCEDURES INVOLVING
10 REPORTING, INVESTIGATING AND COMMUNICATING PARENT AND STUDENT RIGHTS THAT
11 NEED IMPROVEMENT. AT A MINIMUM, THE REVIEW MUST:

12 (i) ASSESS THE INVESTIGATION TIME AND QUALITY OF THE RESPONSE OF THE
13 SCHOOL OR CHARTER SCHOOL.

14 (ii) ASSESS THE EFFECTIVENESS OF COMMUNICATION PROCEDURES WITH THE
15 STUDENTS INVOLVED IN AN INCIDENT, THE STUDENTS' PARENTS AND THE SCHOOL
16 DISTRICT OR CHARTER SCHOOL PERSONNEL.

17 (iii) ANALYZE PUBLIC SCHOOL INCIDENT AND DISCIPLINE DATA.

18 (iv) ASSESS THE CHALLENGES AND OBSTACLES RELATING TO IMPLEMENTING
19 RECOMMENDATIONS FROM THE REVIEW.

20 (b) REVIEW EACH PUBLIC SCHOOL'S INCIDENT PREVENTION PROGRAM IN ORDER
21 TO IDENTIFY BEST PRACTICES AND MAKE RECOMMENDATIONS TO THE PUBLIC SCHOOL AT
22 WHICH AN INCIDENT OCCURRED.

23 (c) CONDUCT A SURVEY OF PARENTS OF QUALIFIED STUDENTS TO ASSESS
24 ACADEMIC PERFORMANCE, SAFETY CONCERNS AND OVERALL SATISFACTION AND TO
25 IDENTIFY ANY CHALLENGES TO OR OBSTACLES IN ADDRESSING THE INCIDENTS OR
26 RELATING TO THE USE OF ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS.

1 Sec. 3. Appropriation; department of education; electronic
2 incident prevention programs

3 The sum of \$150,000 is appropriated from the state general fund in
4 fiscal year 2022-2023 to the department of education for the purposes of
5 awarding student safety grants to public schools. A public school that
6 receives a student safety grant under this section shall use the grant
7 monies to procure and implement an electronic incident prevention program.

8 Sec. 4. Short title

9 This act may be cited as the "Lifeline for Student Crime Victims
10 Act."

11 Amend title to conform

And, as so amended, it do pass

SHAWNNA LM BOLICK
CHAIRMAN

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