

REFERENCE TITLE: ESAs; qualified schools; personnel qualifications

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1139

Introduced by
Senators Miranda: Alston, Gabaldón, Gonzales, Sundareshan; Representative
Abeytia

AN ACT

AMENDING TITLE 15, CHAPTER 19, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-2407; 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. Title 15, chapter 19, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-2407, to read:

4 15-2407. Qualified schools; personnel; qualifications;
5 definition

6 A. NOTWITHSTANDING SECTIONS 15-161 AND 15-2404, A QUALIFIED SCHOOL
7 THAT ACCEPTS PAYMENT FROM A PARENT OR A QUALIFIED STUDENT PURSUANT TO THIS
8 CHAPTER SHALL REQUIRE ALL SCHOOL PERSONNEL WHO PROVIDE ACADEMIC
9 INSTRUCTION TO HAVE AT LEAST ONE OF THE FOLLOWING:

10 1. A BACCALAUREATE OR HIGHER DEGREE FROM AN ACCREDITED
11 POSTSECONDARY INSTITUTION.

12 2. AT LEAST THREE YEARS OF TEACHING EXPERIENCE, INCLUDING TEACHING
13 IN PUBLIC OR PRIVATE SCHOOLS.

14 3. SPECIALIZED SKILLS, KNOWLEDGE OR EXPERTISE RELATED TO THE
15 CONTENT AREA OR SUBJECT MATTER FOR WHICH THE INDIVIDUAL PROVIDES
16 INSTRUCTION.

17 B. FOR THE PURPOSES OF THIS SECTION, "SCHOOL PERSONNEL" INCLUDES
18 ANY INDIVIDUAL WHO IS INITIALLY HIRED BY THE QUALIFIED SCHOOL AFTER
19 JANUARY 1, 1990 AND WHO IS ANY OF THE FOLLOWING:

20 1. A PAID EMPLOYEE OF THE QUALIFIED SCHOOL.

21 2. AN INDIVIDUAL WHO PROVIDES SERVICES DIRECTLY TO STUDENTS OF THE
22 QUALIFIED SCHOOL AND WHO IS ALL OF THE FOLLOWING:

23 (a) NOT A PAID EMPLOYEE OF THE QUALIFIED SCHOOL.

24 (b) NOT A PARENT OR GUARDIAN OF A STUDENT WHO ATTENDS THE QUALIFIED
25 SCHOOL.

26 (c) NOT UNDER THE DIRECTION OF OR, EXCEPT FOR BRIEF PERIODS OF TIME
27 DURING A SCHOOL DAY OR SCHOOL ACTIVITY, WITHIN SIGHT OF A PAID EMPLOYEE OF
28 THE QUALIFIED SCHOOL WHILE PROVIDING SERVICES TO STUDENTS.

29 (d) REQUIRED OR ALLOWED TO PROVIDE SERVICES DIRECTLY TO STUDENTS.