



ARIZONA STATE SENATE
Fifty-Seventh Legislature, Second Regular Session

AMENDED

FACT SHEET FOR H.B. 2142

ADE; school safety; center; programs
(NOW: school safety; ESAs; fingerprinting; revisions)

Purpose

Establishes the School Safety Center (Center) within the Arizona Department of Education (ADE) and the School Safety Center Council (Council). Outlines Council membership and duties and requirements on the Center, including administering the School Safety Program (Safety Program). Modifies requirements relating to the Arizona Empowerment Scholarship Account Program (ESA Program), including requirements for qualified school personnel to obtain a fingerprint clearance card (FPCC) and for the State Treasurer to transfer monies out of an ESA that exceeds the maximum prior year carryforward. Appropriates 15 FTEs from the state General Fund (state GF) in FY 2027 to ADE to administer the ESA Program.

Background

School Safety Program

The Safety Program supports, promotes and enhances safe and effective learning environments for all students by supporting the costs of placing school resource officers (SROs), juvenile probation officers (JPOs), school safety officers (SSOs), school counselors and school social workers on school campuses. A school district or charter school may apply to participate in the Safety Program for up to three fiscal years by submitting a Safety Program proposal that contains specified information to ADE. ADE must review and administer the Safety Program proposals and, subject to review and approval by the State Board of Education (SBE), distribute monies to the school districts and charter schools that comply with Safety Program requirements. If the SBE approves a school district's or charter school's Safety Program proposal and the school district or charter school cannot place one or more of the SROs, JPOs, SSOs, school counselors or social workers included in the approved Safety Program proposal, the school district or charter school may submit an alternate Safety Program proposal as outlined for supporting the costs of purchasing safety technology, safety training and infrastructure improvements for its school campuses.

Any appropriations for approved Safety Program proposals are exempt from lapsing. All Safety Program monies that are not used for an approved Safety Program proposal during the fiscal year for which the monies were appropriated revert to ADE for distribution in the following fiscal year. ADE must evaluate the effectiveness of all the approved Safety Program proposals and annually report on Safety Program activities and participants to the Senate President, the Speaker of the House of Representatives and the Governor by November 1 and provide a copy of this report to the Secretary of State ([A.R.S. § 15-154](#)).

ESA Program

The parent of a qualified student may enroll the student for an ESA, which is funded at 90 percent of the Base Support Level and charter additional assistance that a student would have been allocated if the student were attending a charter school. ESA monies may be used for permissible expenses, including: 1) tuition or fees at a qualified school that requires teaching staff and other personnel to be fingerprinted; 2) textbooks, curricula and supplementary materials; and 3) outlined goods and services, including tutoring or teaching services provided by an individual who is not subject to disciplinary action by the State Board of Education (SBE). The parent must agree to prescribed terms, which include an agreement to not enroll the student in a school district or charter school and to use a portion of ESA monies as outlined to provide an education in at least the specified subjects of reading, grammar, mathematics, social studies and science ([A.R.S. § 15-2402](#)).

Statute prescribes categories of *qualified students* who are eligible for an ESA. In 2022, the Legislature expanded ESA eligibility to include an Arizona resident who is eligible to enroll in an Arizona public school and who does not otherwise qualify for an ESA (A.R.S. §§ [15-2401](#) and [15-2401.01](#)).

H.B. 2142 appropriates 15 FTEs from the state GF in FY 2027 to ADE.

Provisions

School Safety Program, Center and Council

1. Establishes the Center within ADE.
2. Requires the Center, with support from the Council, to:
 - a) use school safety subject matter expertise to identify best practices for enhancing school safety;
 - b) provide statewide training and professional development to school safety personnel, including training related to emergency preparedness, threat response, campus safety protocols and prevention measures that promote school safety;
 - c) administer the Safety Program, including reviewing grant applications, monitoring grant recipients to ensure compliance with all Safety Program requirements, reviewing Safety Program performance and enforcing corrective action requirements;
 - d) provide technical assistance to school districts and charter schools for the development of emergency response plans and Safety Program proposals;
 - e) research and evaluate Safety Programs, initiatives, outcomes and prevention measures that promote school safety;
 - f) conduct school safety risk assessments;
 - g) adopt guidelines for threat vulnerability assessments and physical campus planning;
 - h) adopt guidelines for coordination between schools, the Division of Emergency Management within DEMA, the Department of Public Safety and any local LEA and emergency medical services provider or fire department that provides services to schools; and
 - i) provide technical assistance to state and local LEAs to enhance each agency's ability to respond to online threats against one or more schools.

3. Specifies that the Center may offer specific recommendations to a school based on the findings of a risk assessment that is conducted as prescribed.
4. Establishes the Council to support the Center, consisting of:
 - a) one member who represents the Center and is appointed by the Superintendent of Public Instruction (SPI);
 - b) one member who represents a statewide association of chiefs of police and is appointed by the SPI;
 - c) one member who represents a statewide association of sheriffs and is appointed by the SPI;
 - d) the Department of Emergency and Military Affairs (DEMA) Director or the DEMA Director's designee;
 - e) one member who represents a statewide association of SROs and is appointed by the SPI;
 - f) one member who is a superintendent of a school operated by a rural school district and is appointed by the SPI;
 - g) one member who is a superintendent of a school operated by a school district and is appointed by the SPI;
 - h) one member who is employed by an Arizona public school as a certificated teacher and is appointed by the SPI;
 - i) one member who is employed by a school district to oversee school safety and is appointed by the SPI;
 - j) one member who represents a nonprofit corporation that operates as a risk retention pool for public schools and community college districts and is appointed by the SPI;
 - k) one member who represents a statewide organization that supports school counselors and social workers and is appointed by the SPI;
 - l) one member who represents the public universities, researches school safety and is appointed by the SPI;
 - m) the president of an association of fire chiefs in Arizona or the president's designee;
 - n) one member appointed by the Speaker of the House of Representatives; and
 - o) one member appointed by the Senate President.
5. Requires the Council members to select a chairperson from among the Council members each calendar year.
6. Determines that Council members are not eligible to receive compensation but are eligible for reimbursement of statutorily outlined expenses.
7. Requires the initial Council members to assign themselves by lot to terms of two, three and four years in office.
8. Determines that all subsequent Council members serve four-year terms of office.
9. Requires the Council chairperson to notify the SPI, the Speaker of the House of Representatives and the Senate President of the terms of office.
10. Requires ADE to provide meeting space and administrative support to the Council.

11. Transfers, from ADE to the Center, oversight of and administrative requirements relating to the Safety Program, including:
 - a) reviewing and administering Safety Program proposals that a school district or charter school submits;
 - b) evaluating the effectiveness of all the approved Safety Program proposals submitted;
 - c) distributing Safety Program monies to participating school districts and charter schools;
 - d) adopting a Safety Program guidance manual; and
 - e) ensuring compliance with the emergency response plan requirements.
12. Prohibits the Center from using more than \$6,500,000 per year from the unexpended and unencumbered monies that were appropriated for the Safety Program in a previous fiscal year, if any, for Safety Program and Center administrative costs.
13. Requires any SRO, JPO, SSO, school counselor or school social worker who is placed on a school campus pursuant to an approved Safety Program proposal to:
 - a) obtain an FPCC before the individual may have contact with students that is not supervised; and
 - b) maintain a valid FPCC during the period of the individual's placement at the school campus.
14. Defines *rural*.

ESA Program Modifications

15. Adds noneducational items or luxury goods to the list of goods and services for which ESA monies may not be used, including household furniture, fixtures, items that are not primarily used for educational purposes, commercial or household appliances or machinery, home or property improvements, jewelry, lingerie, admission to water parks or amusement parks, home swimming pools, hot tubs, saunas, gift cards or certificates, out-of-state or international travel, museums or excursions, child care, babysitting, restaurant dining, hotels, lodging, bounce houses, water slides, motor vehicles and motorized watercraft.
16. Applies the requirements on school district and charter school personnel relating to applying for a identify verified fingerprint card to:
 - a) all teaching staff, school personnel and any other individuals who has unsupervised contact at a qualified school; and
 - b) individuals who accept ESA monies for tutoring or teaching services.
17. Adds qualified schools that accept ESA monies for tuition and fees to the list of entities that the Department of Public Safety (DPS) Director must authorize the exchange of criminal justice information between the Central State Repository or Arizona Criminal Justice Information System.
18. Requires a qualified school that accepts ESA monies for tuition and fees to require all teaching staff, school personnel and any other individuals who have unsupervised contact with students to apply for an FPCC as prescribed and have an FPCC before the individual may provide services directly to students or engage in unsupervised contact with students, rather than be fingerprinted.

19. Prohibits ADE, until at least one year after the general effective date, from determining that tuition or fees at a qualified school is not an allowable ESA expense solely because one or more employees, contractors or other individuals who have not yet obtained an FPCC provide services directly to qualified students or have contact with students that is not supervised.
20. Adds, to the requirements for an individual to accept ESA monies for tutoring or teaching services, that the individual be at least 18 years old and have a valid FPCC.
21. Requires ADE to remove any individual who provides tutoring or teaching services and fails to maintain a valid FPCC from all platforms that ADE provides to parents and qualified students for the purchase of goods or educational services using ESA monies.
22. Requires ADE to notify a parent as prescribed that their qualified student's ESA will be closed if the parent does not renew the qualified student's ESA for one academic year, rather than a period of three academic years.
23. Specifies that, if a parent does not renew an ESA or respond to the prescribed notification relating to the ESA's closure, ADE must close the qualified student's ESA and the State Treasurer must transfer any remaining monies to the state GF.
24. Requires, if the amount of unexpended and unencumbered monies remaining in a qualified student's ESA on June 30 exceeds the maximum prior year carryforward, the State Treasurer to transfer the excess amount to the state GF beginning in the 2027-2028 school year.
25. Specifies that the *maximum prior year carryforward* is:
 - a) \$50,000, for the ESA of a qualified student who is identified as a child with a disability; or
 - b) \$24,000, for the ESA of a qualified student who is not identified as a child with a disability.
26. Prohibits, if an ESA has a balance that exceeds the maximum prior year carryforward amount on the general effective date, the State Treasurer from transferring monies from the ESA to the state GF.
27. Allows ADE to deposit, in the ESA Program Fund, monies that ADE would otherwise allocate to a qualified student's prior school district or expected school district of attendance in an amount that is not more than 0.5 percent of the sum of the Base Support Level and charter additional assistance generated by the qualified student if they were attending a charter school.
28. Specifies that ADE must separately account for the outlined monies that are transferred to the ESA Program Fund as prescribed.
29. Authorizes ESA Program Fund monies to be used on technology and personnel necessary for verifying eligibility, reviewing expenditures and managing accounts.
30. Requires ADE, by August 1 of each year, to present to the State Board of Education (SBE) a detailed expenditure plan for the ESA Program Fund.
31. Stipulates that, if the costs to administer the ESA Program increase, the SBE must submit to the Staff of the Joint Legislative Budget Committee (JLBC) and the Governor's Office of Strategic Planning and Budgeting (OSPB), by October 1, a report that explains the increased costs and recommends an increase in the amount of monies that are deposited into the ESA Program Fund.

32. Defines terms.
33. Specifies that the provisions of this legislation relating to ESA Program modifications do not become effective if one of the following measures is placed on the ballot at the next general election:
 - a) the Protect Education, Accountability Now Act (I-06-2026);
 - b) the Protect Education Act (I-09-2026); or
 - c) the Arizona Empowerment Scholarship Accounts Reform and Accountability Act (I-10-2026).

Miscellaneous

34. Appropriates 15 FTEs from the state GF in FY 2027 to ADE to administer the ESA Program.
35. Allows individuals who are placed at a school pursuant to a Program proposal, are qualified school personnel or accept ESA monies for tutoring or teaching services to use an expired FPCC to satisfy the FPCC requirements if the individual signs the prescribed affidavit.
36. Makes technical and conforming changes.
37. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Modifies the Center's authority to use monies appropriated to the Safety Program.
2. Requires an individual who is placed on a school campus pursuant to an approved Safety Program proposal to obtain and maintain a valid FPCC as outlined.
3. Modifies the Council's membership.
4. Adds noneducational items or luxury goods to the list of goods and services for which ESA monies may not be used.
5. Applies the requirements on public school personnel to obtain an identity verified fingerprint card to qualified school personnel and individuals who accept ESA monies for tutoring or teaching services.
6. Requires the DPS Director to authorize the exchange of criminal justice information between the Central State Repository or Arizona Criminal Justice Information System for qualified schools.
7. Requires qualified school personnel and individuals who accept ESA monies for tutoring or teaching services to have an FPCC as outlined.
8. Prohibits ADE, until at least one year after the general effective date, from determining that tuition and fees at a qualified school are not an allowable expense solely because qualified school personnel have not yet obtained an FPCC.

9. Requires an individual who accepts ESA monies for tutoring or teaching services to be at least 18 years old.
10. Narrows the amount of time, from a period of three academic years to one academic year, before ADE must close the ESA of a qualified student who did not renew the ESA.
11. Specifies that ADE must close the ESA of a qualified student who did not renew and the State Treasurer must transfer any remaining monies to the state GF.
12. Requires the State Treasurer to transfer the excess amount of an ESA that exceeds the maximum prior year carryforward to the state GF beginning in the 2027-2028 school year, except as outlined.
13. Prescribes the *maximum prior year carryforward*.
14. Allows ADE to deposit specified monies in the ESA Program Fund.
15. Requires ADE to separately account for outlined monies that are transferred to the ESA Program Fund as prescribed.
16. Allows ESA Program Fund monies to be used on technology and personnel necessary for verifying eligibility, reviewing expenditures and managing accounts.
17. Requires ADE to annually present to the SBE a detailed expenditure plan for the ESA Program Fund.
18. Requires the SBE to submit a report to JLBC and OSPB Staff as outlined if the costs to administer the ESA Program increase.
19. Specifies that the provisions of this legislation relating to ESA Program modifications do not become effective if outlined measures are placed on the ballot at the next general election.
20. Appropriates 15 FTEs from the state GF in FY 2027 to ADE.
21. Allows outlined individuals who must obtain an FPCC to use an expired FPCC to satisfy the requirement if the individual signs the prescribed affidavit.
22. Defines terms.
23. Makes technical and conforming changes.

House Action

Senate Action

ED	1/13/26	DP	6-4-1-1	ED	3/18/26	DP	4-2-1
3 rd Read	3/3/26		34-21-4-0-1				

Prepared by Senate Research

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