

REFERENCE TITLE: military children; special education; enrollment

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 4048

Introduced by
Representative Kupper

AN ACT

AMENDING SECTION 15-823.01, ARIZONA REVISED STATUTES; RELATING TO SCHOOL
ADMISSION REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-823.01, Arizona Revised Statutes, is amended
3 to read:

4 15-823.01. Admission of nonresident children; services or
5 accommodations for children with disabilities;
6 active military duty; posting requirement;
7 definitions

8 A. Notwithstanding any other law, a ~~pupil~~ CHILD complies with the
9 residency requirements for school attendance in a local education agency
10 OR FOR SERVICES OR ACCOMMODATIONS if the parent of the ~~pupil~~ CHILD is
11 transferred to or is pending transfer to a military installation within
12 this state while on active military duty pursuant to an official military
13 order.

14 B. A local education agency shall accept an application for
15 enrollment and course registration by ~~electronic~~ ANY means, INCLUDING BY
16 ELECTRONIC MEANS OR A REMOTE APPLICATION, for a pupil who meets the
17 requirements prescribed in subsection A of this section, including
18 enrollment in a specific school or program within the local education
19 agency.

20 C. The parent of a ~~pupil~~ CHILD who meets the requirement prescribed
21 in subsection A of this section shall provide proof of ~~residence~~ RESIDENCY
22 to the local education agency within ten days after the arrival date
23 provided on official documentation. The parent may use the address of any
24 of the following as proof of ~~residence~~ RESIDENCY for the purposes of this
25 subsection:

- 26 1. A temporary on-base billeting facility.
- 27 2. TEMPORARY OFF-BASE LODGING.
- 28 ~~3.~~ 3. A purchased or leased home or apartment.
- 29 ~~4.~~ 4. Any federal government housing or off-base military housing,
30 including off-base military housing that may be provided through a
31 public-private venture.
- 32 5. ANY OTHER TEMPORARY HOUSING.

33 D. IF A SCHOOL DISTRICT IS NOTIFIED THAT A CHILD WHO MEETS THE
34 REQUIREMENT PRESCRIBED IN SUBSECTION A OF THIS SECTION IS RECEIVING OR
35 MIGHT BE ELIGIBLE TO RECEIVE SERVICES OR ACCOMMODATIONS, THE SCHOOL
36 DISTRICT SHALL:

- 37 1. PROMPTLY COORDINATE WITH THE CHILD'S PARENTS AND THE CHILD'S
38 PREVIOUS SCHOOL, IF ANY, PURSUANT TO SECTION 15-1911 TO ENSURE THE TIMELY
39 EXCHANGE OF RECORDS AND TO REDUCE ANY DELAYS IN THE CHILD RECEIVING
40 COMPARABLE SERVICES OR ACCOMMODATIONS THROUGH THE SCHOOL DISTRICT OR
41 DELAYS IN THE IMPLEMENTATION OF AN INDIVIDUALIZED FAMILY SERVICE PLAN,
42 INDIVIDUALIZED EDUCATION PROGRAM OR SECTION 504 PLAN AS DEFINED IN SECTION
43 15-731.

1 2. ACCEPT UNOFFICIAL RECORDS THAT ARE PROVIDED BY THE CHILD'S
2 PARENT, PENDING VALIDATION BY THE OFFICIAL RECORDS, PURSUANT TO SECTION
3 15-1911, ARTICLE IV, SUBSECTION A.

4 3. ON ENROLLMENT OF THE CHILD PURSUANT TO SUBSECTION B OF THIS
5 SECTION:

6 (a) PROVIDE THE CHILD WITH SERVICES OR ACCOMMODATIONS THAT ARE
7 COMPARABLE TO THE SERVICES OR ACCOMMODATIONS THAT ARE DESCRIBED IN THE
8 CHILD'S PREVIOUSLY APPROVED INDIVIDUALIZED EDUCATION PROGRAM OR SECTION
9 504 PLAN AS DEFINED IN SECTION 15-731, IN CONSULTATION WITH THE CHILD'S
10 PARENTS, UNTIL THE SCHOOL DISTRICT CONDUCTS AN ASSESSMENT OR DEVELOPS A
11 NEW INDIVIDUALIZED EDUCATION PROGRAM, IF APPROPRIATE.

12 (b) EITHER ADOPT AND IMPLEMENT THE CHILD'S PREVIOUSLY APPROVED
13 INDIVIDUALIZED EDUCATION PROGRAM OR DEVELOP, ADOPT AND IMPLEMENT A NEW
14 INDIVIDUALIZED EDUCATION PROGRAM FOR THE CHILD NOT LATER THAN THIRTY
15 CALENDAR DAYS AFTER THE CHILD ENROLLS IN THE SCHOOL DISTRICT.

16 E. THE DEPARTMENT OF EDUCATION SHALL POST INFORMATION ON THE
17 REQUIREMENTS OF THIS SECTION, INCLUDING REQUIREMENTS RELATING TO
18 ELIGIBILITY AND REQUIRED DOCUMENTATION, ON THE DEPARTMENT'S WEBSITE.

19 ~~D.~~ F. For the purposes of this section:

20 1. "Active military duty" means full-time military duty status in
21 the active uniformed service of the United States, including members of
22 the national guard and the state military reserve on active duty orders.

23 2. "Military installation" means a base, camp, post, station, yard,
24 center, homeport facility for any ship or other installation under the
25 jurisdiction of the United States department of defense or the United
26 States coast guard.

27 3. "SERVICES OR ACCOMMODATIONS" MEANS ANY SERVICES OR
28 ACCOMMODATIONS THAT ARE PROVIDED THROUGH A LOCAL EDUCATION AGENCY PURSUANT
29 TO THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT (P.L. 91-260; 84 STAT.
30 175; 20 UNITED STATES CODE SECTIONS 1400 THROUGH 1482), SECTION 504 OF THE
31 REHABILITATION ACT OF 1973 (P.L. 93-112; 87 STAT. 355; 29 UNITED STATES
32 CODE SECTION 794) OR TITLE II OF THE AMERICANS WITH DISABILITIES ACT OF
33 1990 (P.L. 101-336; 104 STAT. 327; 42 UNITED STATES CODE SECTIONS 12131
34 THROUGH 12165).