

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2150

(Reference to printed bill)

1 Page 2, after line 18 insert:

2 "Sec. 2. Section 15-2402, Arizona Revised Statutes, is amended to
3 read:

4 15-2402. Arizona empowerment scholarship accounts; funds

5 A. Arizona empowerment scholarship accounts are established to provide
6 options for the education of students in this state.

7 B. To enroll a qualified student for an empowerment scholarship
8 account, the parent of the qualified student must sign an agreement to do all
9 of the following:

10 1. Provide an education for the qualified student in at least the
11 subjects of reading, grammar, mathematics, social studies and science.

12 2. Not enroll the qualified student in a school district or charter
13 school and release the school district from all obligations to educate the
14 qualified student. This paragraph does not relieve the school district or
15 charter school that the qualified student previously attended from the
16 obligation to conduct an evaluation pursuant to section 15-766.

17 3. Not accept a scholarship from a school tuition organization
18 pursuant to title 43 concurrently with an empowerment scholarship account for
19 the qualified student in the same year a parent signs the agreement pursuant
20 to this section.

21 4. Use the money deposited in the qualified student's Arizona
22 empowerment scholarship account only for the following expenses of the
23 qualified student:

24 (a) Tuition or fees at a qualified school.

25 (b) Textbooks required by a qualified school.

1 (c) Educational therapies or services for the qualified student from a
2 licensed or accredited practitioner or provider, including licensed or
3 accredited paraprofessionals or educational aides.

4 (d) Tutoring services provided by a tutor accredited by a state,
5 regional or national accrediting organization.

6 (e) Curriculum.

7 (f) Tuition or fees for a nonpublic online learning program.

8 (g) Fees for a nationally standardized norm-referenced achievement
9 test, advanced placement examinations or any exams related to college or
10 university admission.

11 (h) Contributions to a coverdell education savings account established
12 pursuant to 26 United States Code section 530 for the benefit of the
13 qualified student, except that money used for elementary or secondary
14 education expenses must be for expenses otherwise allowed under this section.

15 (i) Tuition or fees at an eligible postsecondary institution.

16 (j) Textbooks required by an eligible postsecondary institution.

17 (k) Fees for management of the empowerment scholarship account by
18 firms selected by the treasurer.

19 (l) Services provided by a public school, including individual classes
20 and extracurricular programs.

21 (m) Insurance or surety bond payments as required by the department of
22 education.

23 5. Not file an affidavit of intent to homeschool pursuant to section
24 15-802, subsection B, paragraph 2 or 3.

25 6. Not use monies deposited in the qualified student's account for any
26 of the following:

27 (a) Computer hardware or other technological devices.

28 (b) Transportation of the pupil.

29 (c) Consumable educational supplies, including paper, pens or markers.

30 C. In exchange for the parent's agreement pursuant to subsection B of
31 this section, the department shall transfer from the monies that would
32 otherwise be allocated to a recipient's prior school district, or if the

1 child is currently eligible to attend kindergarten, the monies that the
2 department determines would otherwise be allocated to a recipient's expected
3 school district of attendance, to the treasurer for deposit into an Arizona
4 empowerment scholarship account an amount that is equivalent to ninety per
5 cent of the sum of the base support level and additional assistance
6 prescribed in sections 15-185 and 15-943 for that particular student if that
7 student were attending a charter school. The department may retain up to
8 five per cent of the sum of the base support level and additional assistance
9 prescribed in sections 15-185 and 15-943 for each student with an empowerment
10 scholarship account for deposit in the department of education empowerment
11 scholarship account fund established in subsection D of this section, out of
12 which the department shall transfer one per cent of the sum of the base
13 support level and additional assistance prescribed in sections 15-185 and
14 15-943 for each student with an empowerment scholarship account to the state
15 treasurer for deposit in the state treasurer empowerment scholarship account
16 fund established in subsection E of this section.

17 D. The department of education empowerment scholarship account fund is
18 established consisting of monies retained by the department pursuant to
19 subsection C of this section. The department shall administer the fund.
20 Monies in the fund are subject to legislative appropriation. Monies in the
21 fund shall be used for the department's costs in administering empowerment
22 scholarship accounts under this chapter. Monies in the fund are exempt from
23 the provisions of section 35-190 relating to lapsing of appropriations. If
24 the number of empowerment scholarship accounts significantly increases after
25 fiscal year 2012-2013, the department may request an increase in the amount
26 appropriated to the fund in any subsequent fiscal year in the budget estimate
27 submitted pursuant to section 35-113.

28 E. The state treasurer empowerment scholarship account fund is
29 established consisting of monies transferred by the department to the state
30 treasurer pursuant to subsection C of this section. The state treasurer
31 shall administer the fund. Monies in the fund shall be used for the state
32 treasurer's costs in administering the empowerment scholarship accounts under

1 this chapter. If the number of empowerment scholarship accounts
2 significantly increases after fiscal year 2013-2014, the state treasurer may
3 request an increase in the amount appropriated to the fund in any subsequent
4 fiscal year in the budget estimate submitted pursuant to section 35-113.
5 Monies in the fund are subject to legislative appropriation. Monies in the
6 fund are exempt from the provisions of section 35-190 relating to lapsing of
7 appropriations.

8 F. A parent must renew the qualified student's empowerment scholarship
9 account on an annual basis. Notwithstanding any changes to the student's
10 multidisciplinary evaluation team plan, a student who has previously
11 qualified for an empowerment scholarship account shall remain eligible to
12 apply for renewal until the student finishes high school.

13 G. A signed agreement under this section constitutes school attendance
14 required by section 15-802.

15 H. A qualified school or a provider of services purchased pursuant to
16 subsection B, paragraph 4 of this section may not share, refund or rebate any
17 Arizona empowerment scholarship account monies with the parent or qualified
18 student in any manner.

19 I. On the qualified student's graduation from a postsecondary
20 institution or after any period of four consecutive years after high school
21 graduation in which the student is not enrolled in an eligible postsecondary
22 institution, the qualified student's Arizona empowerment scholarship account
23 shall be closed and any remaining funds shall be returned to the state.

24 J. Monies received pursuant to this article do not constitute taxable
25 income to the parent of the qualified student.

26 K. PUPILS PARTICIPATING IN THE EMPOWERMENT SCHOLARSHIP ACCOUNT PROGRAM
27 SHALL BE SUBJECT TO THE SAME TESTING REQUIREMENTS ESTABLISHED BY THE STATE
28 BOARD OF EDUCATION FOR PUPILS IN PUBLIC SCHOOLS. THE REQUIREMENTS SHALL
29 INCLUDE A STANDARDS BASED COMPETENCY TEST ADOPTED BY THE STATE BOARD OF
30 EDUCATION AND ANY DIAGNOSTIC EXAMS ASSOCIATED WITH THAT TEST. FAILURE TO
31 COMPLY WITH THIS REQUIREMENT WILL RESULT IN THE TERMINATION OF A PUPIL'S
32 PARTICIPATION IN THE EMPOWERMENT SCHOLARSHIP ACCOUNT PROGRAM. THE DEPARTMENT

- 1 OF EDUCATION AND THE STATE BOARD OF EDUCATION SHALL DEVELOP A SYSTEM FOR
- 2 PROVIDING ACCESS TO STUDENTS NEEDING TO TAKE THE COMPETENCY TEST.”
- 3 Amend title to conform

ERIC MEYER

2150-p1-meyer
2/14/14
10:17 AM
H:JJB