

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2722

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 15-823, Arizona Revised Statutes, is amended to
3 read:

4 15-823. Admission; residents of other school districts;
5 nonresidents of this state; tuition

6 A. Except as provided in subsections B, C, D, E and F of this section,
7 children of nonresidents of this state may be admitted upon payment of a
8 reasonable tuition fixed by the governing board.

9 B. The governing board shall admit children of nonresident teaching
10 and research faculty of community college districts and state universities
11 and children of nonresident graduate or undergraduate students of community
12 college districts and state universities whose parent's presence at the
13 district or university is of international, national, state or local benefit
14 without payment of tuition.

15 C. The governing board shall admit children who are residents of the
16 United States but who are nonresidents of this state without payment of
17 tuition if evidence indicates that the child's physical, mental, moral or
18 emotional health is best served by placement with a grandparent, brother,
19 sister, stepbrother, stepsister, aunt or uncle who is a resident within the
20 school district, unless the governing board determines that the placement is
21 solely for the purpose of obtaining an education in this state without
22 payment of tuition.

23 D. The governing board may admit nonresident foreign students who are
24 in exchange programs without payment of tuition or as it may otherwise
25 prescribe.

26 E. The governing board may admit children who are residents of the
27 United States without payment of tuition if evidence indicates that because
28 the parents are homeless or the child is abandoned, as defined in section

1 8-201, the child's physical, mental, moral or emotional health is best served
2 by placement with a person who does not have legal custody of the child and
3 who is a resident within the school district, unless the governing board
4 determines that the placement is solely for the purpose of obtaining an
5 education in this state without payment of tuition.

6 F. The governing board may admit children who are residents of the
7 United States, but who are nonresidents of this state, without payment of
8 tuition if all of the following conditions exist:

9 1. The child is a member of a federally recognized Indian tribe.

10 2. The child resides on Indian lands that are under the jurisdiction
11 of the tribe of which the child is a member.

12 3. The area in the boundaries of the reservation where the child
13 resides is located both in this state and in another state of the United
14 States.

15 4. The governing board enters into an intergovernmental agreement with
16 the governing board of the school district in another state in which the
17 nonresident child resides. The intergovernmental agreement shall specify the
18 number of nonresident children admitted in this state and the number of
19 resident children that are admitted by the governing board in another state.

20 G. The governing board shall charge reasonable tuition for the number
21 of nonresident pupils who reside in another state and who are admitted by a
22 governing board in this state pursuant to subsection F of this section that
23 exceed the number of resident pupils from this state who are admitted into a
24 school district by the other state.

25 H. The governing board of a school district shall pay reasonable
26 tuition for the number of resident pupils who reside in that school district
27 and who are admitted by a school district in another state pursuant to
28 subsection F of this section that exceed the number of nonresident pupils
29 from that other state who are admitted by the governing board into that
30 school district in this state.

31 I. Children admitted under this section shall be counted or not
32 counted as resident pupils as prescribed in section 15-824, subsection D.

1 J. EXCEPT AS PRESCRIBED IN SECTION 15-823, SUBSECTION I AND SECTION
2 15-824, SUBSECTION D, A SCHOOL DISTRICT OR A CHARTER SCHOOL SHALL NOT INCLUDE
3 PUPILS WHO ARE NOT RESIDENTS OF THIS STATE IN THE DISTRICT'S OR CHARTER
4 SCHOOL'S STUDENT COUNT AND SHALL NOT OBTAIN STATE FUNDING FOR THOSE PUPILS."
5 Amend title to conform

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2/16/10
5:07 PM
H:jmb