

REFERENCE TITLE: schools; selective admissions requirements; prohibition

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2483

Introduced by
Representative Parker B

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 15-111.01 AND 15-111.02; AMENDING TITLE 15, CHAPTER 13, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 15-1626.02 AND 15-1626.03; RELATING TO STUDENT ADMISSIONS.

(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 1, article 1, Arizona Revised
3 Statutes, is amended by adding sections 15-111.01 and 15-111.02, to read:

4 15-111.01. Selective admissions process; criteria; posting;
5 reporting requirements

6 A. ON OR BEFORE AUGUST 1, 2025, AND EACH YEAR THEREAFTER, EACH
7 PUBLIC SCHOOL THAT HAS A SELECTIVE ADMISSIONS PROCESS SHALL POST ON ITS
8 WEBSITE A LIST OF ALL INFORMATION USED BY THE PUBLIC SCHOOL OR
9 REPRESENTATIVES OF THE PUBLIC SCHOOL TO EVALUATE APPLICATIONS FOR
10 ADMISSION FROM PROSPECTIVE STUDENTS. THE LIST MUST INCLUDE ANY OF THE
11 FOLLOWING INFORMATION THAT THE PUBLIC SCHOOL USES OR MAY USE DURING THE
12 ADMISSIONS PROCESS:

13 1. THE PROSPECTIVE STUDENT'S ACADEMIC PERFORMANCE, INCLUDING GRADE
14 POINT AVERAGE, STANDARDIZED TEST SCORES AND CLASS RANK.

15 2. THE PROSPECTIVE STUDENT'S EXTRACURRICULAR ACTIVITIES, INCLUDING
16 COMMUNITY SERVICE AND LEADERSHIP EXPERIENCE.

17 3. ANY WRITINGS AUTHORED BY THE PROSPECTIVE STUDENT, INCLUDING
18 PERSONAL ESSAYS AND STATEMENTS OF PURPOSE.

19 4. LETTERS RECOMMENDING THE PROSPECTIVE STUDENT FOR ADMISSION TO
20 THE PUBLIC SCHOOL.

21 5. THE PROSPECTIVE STUDENT'S SPECIAL TALENTS, ACHIEVEMENTS OR
22 AWARDS.

23 6. THE PROSPECTIVE STUDENT'S SOCIOECONOMIC BACKGROUND AND OTHER
24 DIVERSITY-RELATED CONSIDERATIONS.

25 7. WHETHER A PARENT OR OTHER FAMILY MEMBER OF THE PROSPECTIVE
26 STUDENT ATTENDED OR GRADUATED FROM THE PUBLIC SCHOOL.

27 8. FINANCIAL OR IN-KIND DONATIONS MADE TO THE PUBLIC SCHOOL BY THE
28 PROSPECTIVE STUDENT OR ANY PERSON, INCLUDING A BUSINESS OR FAMILY MEMBER,
29 WHO IS ASSOCIATED WITH THE PROSPECTIVE STUDENT.

30 9. ANY OTHER INFORMATION THAT MAY BE USED OR CONSIDERED FOR
31 EVALUATING AN APPLICATION FOR ADMISSION FROM A PROSPECTIVE STUDENT.

32 B. ON OR BEFORE AUGUST 1, 2025, AND EACH YEAR THEREAFTER, EACH
33 PUBLIC SCHOOL THAT HAS A SELECTIVE ADMISSIONS PROCESS SHALL REPORT TO THE
34 DEPARTMENT OF EDUCATION:

35 1. ALL INFORMATION USED BY THE PUBLIC SCHOOL OR REPRESENTATIVES OF
36 THE PUBLIC SCHOOL DURING THE PREVIOUS SCHOOL YEAR FOR EVALUATING
37 APPLICATIONS FOR ADMISSION FROM PROSPECTIVE STUDENTS.

38 2. THE WEIGHT OR SIGNIFICANCE ASSIGNED TO EACH PIECE OF
39 INFORMATION, IF APPLICABLE.

40 3. ANY CHANGES MADE TO THE ADMISSIONS PROCESS, INCLUDING CHANGES TO
41 THE INFORMATION THAT IS COLLECTED OR USED, THE CRITERIA THAT ARE APPLIED
42 BY THE PUBLIC SCHOOL OR ITS REPRESENTATIVES FOR THE PURPOSE OF EVALUATING
43 APPLICATIONS FOR ADMISSION AND THE WEIGHT OR SIGNIFICANCE THAT IS ASSIGNED
44 TO EACH PIECE OF INFORMATION.

1 C. THE DEPARTMENT OF EDUCATION SHALL COMPILE AND SUMMARIZE THE
2 INFORMATION REPORTED PURSUANT TO SUBSECTION B OF THIS SECTION AND ANNUALLY
3 POST THE CONSOLIDATED REPORT ON THE DEPARTMENT'S WEBSITE. THE
4 CONSOLIDATED REPORT SHALL PROVIDE AN OVERVIEW OF THE INFORMATION THAT IS
5 USED BY PUBLIC SCHOOLS FOR SELECTIVE ADMISSIONS IN THIS STATE AND OF THE
6 RELATIVE IMPORTANCE OF EACH PIECE OF INFORMATION, IF AVAILABLE.

7 15-111.02. Selective admissions process; requirements;
8 prohibition; civil remedies; burdens of proof;
9 definitions

10 A. A PUBLIC SCHOOL THAT HAS A SELECTIVE ADMISSIONS PROCESS SHALL:

11 1. GRANT OR DENY APPLICATIONS FOR ADMISSION WITHOUT CONSIDERING THE
12 PROSPECTIVE STUDENT'S RELIGION, RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR
13 NATIONAL ORIGIN.

14 2. ENSURE THAT POLICIES AND STANDARDS ADOPTED PURSUANT TO SECTION
15 15-816.01 COMPLY WITH THIS SECTION.

16 B. A PUBLIC SCHOOL THAT HAS A SELECTIVE ADMISSIONS PROCESS MAY NOT:

17 1. DISCRIMINATE AGAINST OR GRANT PREFERENTIAL TREATMENT TO ANY
18 INDIVIDUAL STUDENT OR GROUP OF PROSPECTIVE STUDENTS ON THE BASIS OF
19 RELIGION, RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN.

20 2. USE A FACIALLY NEUTRAL FACTOR THAT, WHEN CONSIDERED ALONE OR
21 TOGETHER WITH OTHER FACIALLY NEUTRAL FACTORS, CORRELATES WITH RELIGION,
22 RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN FOR THE PURPOSE
23 OF DISCRIMINATING AGAINST OR GRANTING PREFERENTIAL TREATMENT TO ANY
24 INDIVIDUAL STUDENT OR GROUP OF PROSPECTIVE STUDENTS ON THE BASIS OF
25 RELIGION, RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN.

26 3. COLLECT INFORMATION ABOUT A PROSPECTIVE STUDENT'S RELIGION,
27 RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN DURING THE
28 ADMISSIONS PROCESS UNLESS THE COLLECTION IS REQUIRED BY FEDERAL LAW. IF
29 FEDERAL LAW REQUIRES THE PUBLIC SCHOOL TO COLLECT INFORMATION DESCRIBED IN
30 THIS PARAGRAPH, THE PUBLIC SCHOOL MUST REMOVE THE INFORMATION FROM THE
31 APPLICATION MATERIALS THAT ARE PROVIDED TO ANY INDIVIDUAL WHO EVALUATES OR
32 HAS DECISION-MAKING AUTHORITY OVER APPLICATIONS FOR ADMISSION.

33 C. A PUBLIC SCHOOL DOES NOT VIOLATE SUBSECTION B, PARAGRAPH 2 OF
34 THIS SECTION BY USING ONE OR MORE TRADITIONAL ACADEMIC SUCCESS FACTORS
35 THAT THE PUBLIC SCHOOL KNOWS MAY RESULT IN A DISPARATE IMPACT BY RELIGION,
36 RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN. AN INDIVIDUAL
37 WHO ALLEGES THAT A PUBLIC SCHOOL USED ONE OR MORE TRADITIONAL ACADEMIC
38 SUCCESS FACTORS FOR A PURPOSE THAT VIOLATES SUBSECTION B, PARAGRAPH 2 OF
39 THIS SECTION MUST PROVE THAT THE CHALLENGED TRADITIONAL ACADEMIC SUCCESS
40 FACTORS WERE MANIPULATED, WEIGHTED OR OTHERWISE USED WITH THE SPECIFIC
41 INTENT OF DISCRIMINATING AGAINST OR GRANTING PREFERENCE TO AN INDIVIDUAL
42 STUDENT OR GROUP OF PROSPECTIVE STUDENTS ON THE BASIS OF RELIGION, RACE,
43 SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN.

1 D. NOTWITHSTANDING SECTION 15-816.07, THE FOLLOWING PERSONS MAY
2 BRING AN ACTION IN A COURT OF COMPETENT JURISDICTION TO ENJOIN ANY
3 VIOLATION OF THIS SECTION BY ANY PUBLIC SCHOOL, SCHOOL EMPLOYEE OR
4 ADMINISTRATOR OR TO RECOVER REASONABLE ATTORNEY FEES AND COURT COSTS:

5 1. THE ATTORNEY GENERAL.

6 2. A PERSON WHO WAS ADVERSELY AFFECTED BY A VIOLATION OF THIS
7 SECTION.

8 E. IN AN ACTION BROUGHT UNDER SUBSECTION D OF THIS SECTION, IF THE
9 COURT FINDS THAT A VIOLATION OF THIS SECTION OCCURRED, THE COURT SHALL
10 AWARD THE AGGRIEVED PERSON INJUNCTIVE RELIEF FOR THE VIOLATION AND SHALL
11 AWARD REASONABLE COURT COSTS AND REASONABLE ATTORNEY FEES. THE COURT
12 SHALL ALSO AWARD DAMAGES OF \$1,000 OR ACTUAL DAMAGES, WHICHEVER IS
13 GREATER.

14 F. A PERSON SHALL BRING AN ACTION FOR A VIOLATION OF THIS SECTION
15 WITHIN ONE YEAR AFTER THE DATE THE CAUSE OF ACTION ACCRUES. FOR THE
16 PURPOSE OF CALCULATING THE ONE-YEAR LIMITATION PERIOD, EACH DAY THAT THE
17 VIOLATION PERSISTS OR EACH DAY THAT A POLICY IN VIOLATION OF THIS SECTION
18 REMAINS IN EFFECT CONSTITUTES A NEW VIOLATION OF THIS SECTION AND SHALL BE
19 CONSIDERED A DAY THAT THE CAUSE OF ACTION HAS ACCRUED.

20 G. IF AN INDIVIDUAL WHO ALLEGES THAT A PUBLIC SCHOOL VIOLATED
21 SUBSECTION B, PARAGRAPH 2 OF THIS SECTION ESTABLISHES PRIMA FACIE PROOF OF
22 THE VIOLATION USING STATEMENTS, STATISTICAL EVIDENCE, PROJECTIONS OR OTHER
23 EVIDENCE, THE PUBLIC SCHOOL MUST PROVE BOTH OF THE FOLLOWING:

24 1. THE CHALLENGED FACIALLY NEUTRAL FACTOR OR FACTORS WERE SELECTED
25 SOLELY FOR A LAWFUL PURPOSE.

26 2. THE CHALLENGED FACIALLY NEUTRAL FACTOR OR FACTORS WERE NOT USED
27 FOR THE PURPOSE OF DISCRIMINATING AGAINST OR GRANTING PREFERENCE TO ANY
28 INDIVIDUAL STUDENT OR GROUP OF PROSPECTIVE STUDENTS ON THE BASIS OF
29 RELIGION, RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN.

30 H. FOR THE PURPOSES OF THIS SECTION:

31 1. "FACIALLY NEUTRAL FACTOR" INCLUDES ANY OF THE FOLLOWING:

32 (a) CAPS, QUOTAS OR TARGET NUMBERS FOR THE NUMBER OF ADMITTED
33 STUDENTS FROM ONE OR MORE REGIONAL SCHOOLS OR FEEDER SCHOOLS.

34 (b) A PROSPECTIVE STUDENT'S ZIP CODE.

35 (c) GEOGRAPHIC OR SOCIOECONOMIC INFORMATION ABOUT A PROSPECTIVE
36 STUDENT.

37 (d) PEER-GROUP CHARACTERISTICS WITHIN ONE OR MORE REGIONAL SCHOOLS,
38 FEEDER SCHOOLS OR ZONED SCHOOLS.

39 2. "TRADITIONAL ACADEMIC SUCCESS FACTOR" MEANS ACADEMIC GRADES,
40 ACADEMIC RECORDS, EXTRACURRICULAR ACTIVITIES, ACHIEVEMENTS THAT ARE
41 RELEVANT TO ACADEMIC SUCCESS, ACADEMIC RECOMMENDATIONS BY TEACHERS OR
42 SCHOOL OFFICIALS OR STANDARDIZED TEST SCORES THAT ARE NOT NORMED FOR
43 DIFFERENT DEMOGRAPHIC REFERENCE GROUPS.

1 C. THE ARIZONA BOARD OF REGENTS SHALL COMPILE AND SUMMARIZE THE
2 INFORMATION REPORTED PURSUANT TO SUBSECTION B OF THIS SECTION AND ANNUALLY
3 POST THE CONSOLIDATED REPORT ON THE ARIZONA BOARD OF REGENT'S WEBSITE.
4 THE CONSOLIDATED REPORT SHALL PROVIDE AN OVERVIEW OF THE INFORMATION THAT
5 IS USED BY PUBLIC POSTSECONDARY INSTITUTIONS FOR ADMISSIONS AND OF THE
6 RELATIVE IMPORTANCE OF EACH PIECE OF INFORMATION, IF AVAILABLE.

7 D. FOR THE PURPOSES OF THIS SECTION, "PUBLIC POSTSECONDARY
8 INSTITUTION" MEANS EITHER:

9 1. A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF
10 REGENTS.

11 2. A COMMUNITY COLLEGE AS DEFINED IN SECTION 15-1401 THAT HAS A
12 SELECTIVE ADMISSIONS PROCESS.

13 15-1826. Admissions decisions; requirements; prohibition;
14 civil remedies; burdens of proof; definitions

15 A. A PUBLIC POSTSECONDARY INSTITUTION SHALL GRANT OR DENY
16 APPLICATIONS FOR ADMISSION WITHOUT CONSIDERING THE PROSPECTIVE STUDENT'S
17 RELIGION, RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN.

18 B. A PUBLIC POSTSECONDARY INSTITUTION MAY NOT:

19 1. DISCRIMINATE AGAINST OR GRANT PREFERENTIAL TREATMENT TO ANY
20 INDIVIDUAL STUDENT OR GROUP OF PROSPECTIVE STUDENTS ON THE BASIS OF
21 RELIGION, RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN.

22 2. USE A FACIALLY NEUTRAL FACTOR THAT, WHEN CONSIDERED ALONE OR
23 TOGETHER WITH OTHER FACIALLY NEUTRAL FACTORS, CORRELATES WITH RELIGION,
24 RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN FOR THE PURPOSE
25 OF DISCRIMINATING AGAINST OR GRANTING PREFERENTIAL TREATMENT TO ANY
26 INDIVIDUAL STUDENT OR GROUP OF PROSPECTIVE STUDENTS ON THE BASIS OF
27 RELIGION, RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN.

28 3. COLLECT INFORMATION ABOUT A PROSPECTIVE STUDENT'S RELIGION,
29 RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN DURING THE
30 ADMISSION PROCESS UNLESS THE COLLECTION IS REQUIRED BY FEDERAL LAW. IF
31 FEDERAL LAW REQUIRES THE PUBLIC POSTSECONDARY INSTITUTION TO COLLECT
32 INFORMATION DESCRIBED IN THIS PARAGRAPH, THE PUBLIC POSTSECONDARY
33 INSTITUTION MUST REMOVE THE INFORMATION FROM THE APPLICATION MATERIALS
34 THAT ARE PROVIDED TO ANY INDIVIDUAL WHO EVALUATES OR HAS DECISION-MAKING
35 AUTHORITY OVER APPLICATIONS FOR ADMISSION.

36 C. A PUBLIC POSTSECONDARY INSTITUTION DOES NOT VIOLATE SUBSECTION
37 B, PARAGRAPH 2 OF THIS SECTION BY USING ONE OR MORE TRADITIONAL ACADEMIC
38 SUCCESS FACTORS THAT THE PUBLIC POSTSECONDARY INSTITUTION KNOWS MAY RESULT
39 IN A DISPARATE IMPACT BY RELIGION, RACE, SEX, COLOR, ETHNICITY, ANCESTRY
40 OR NATIONAL ORIGIN. AN INDIVIDUAL WHO ALLEGES THAT A PUBLIC POSTSECONDARY
41 INSTITUTION USED ONE OR MORE TRADITIONAL ACADEMIC SUCCESS FACTORS FOR A
42 PURPOSE THAT VIOLATES SUBSECTION B, PARAGRAPH 2 OF THIS SECTION MUST PROVE
43 THAT THE CHALLENGED TRADITIONAL ACADEMIC SUCCESS FACTORS WERE MANIPULATED,
44 WEIGHTED OR OTHERWISE USED WITH THE SPECIFIC INTENT OF DISCRIMINATING

1 AGAINST OR GRANTING PREFERENCE TO AN INDIVIDUAL STUDENT OR GROUP OF
2 PROSPECTIVE STUDENTS ON THE BASIS OF RELIGION, RACE, SEX, COLOR,
3 ETHNICITY, ANCESTRY OR NATIONAL ORIGIN.

4 D. THE FOLLOWING PERSONS MAY BRING AN ACTION IN A COURT OF
5 COMPETENT JURISDICTION TO ENJOIN ANY VIOLATION OF THIS SECTION BY A PUBLIC
6 POSTSECONDARY INSTITUTION, A FACULTY MEMBER OR AN ADMINISTRATOR OR TO
7 RECOVER REASONABLE COURT COSTS AND REASONABLE ATTORNEY FEES:

8 1. THE ATTORNEY GENERAL.

9 2. A PERSON WHO WAS ADVERSELY AFFECTED BY A VIOLATION OF THIS
10 SECTION.

11 E. IN AN ACTION BROUGHT UNDER SUBSECTION D OF THIS SECTION, IF THE
12 COURT FINDS THAT A VIOLATION OF THIS SECTION OCCURRED, THE COURT SHALL
13 AWARD THE AGGRIEVED PERSON INJUNCTIVE RELIEF FOR THE VIOLATION AND SHALL
14 AWARD REASONABLE ATTORNEY FEES AND COURT COSTS. THE COURT SHALL ALSO
15 AWARD DAMAGES OF \$1,000 OR ACTUAL DAMAGES, WHICHEVER IS GREATER.

16 F. A PERSON SHALL BRING AN ACTION FOR A VIOLATION OF THIS SECTION
17 WITHIN ONE YEAR AFTER THE DATE THE CAUSE OF ACTION ACCRUES. FOR THE
18 PURPOSE OF CALCULATING THE ONE-YEAR LIMITATION PERIOD, EACH DAY THAT THE
19 VIOLATION PERSISTS OR EACH DAY THAT A POLICY IN VIOLATION OF THIS SECTION
20 REMAINS IN EFFECT CONSTITUTES A NEW VIOLATION OF THIS SECTION AND SHALL BE
21 CONSIDERED A DAY THAT THE CAUSE OF ACTION HAS ACCRUED.

22 G. IF AN INDIVIDUAL WHO ALLEGES THAT A PUBLIC POSTSECONDARY
23 INSTITUTION VIOLATED SUBSECTION B, PARAGRAPH 2 OF THIS SECTION ESTABLISHES
24 PRIMA FACIE PROOF OF THE VIOLATION USING STATEMENTS, STATISTICAL EVIDENCE,
25 PROJECTIONS OR OTHER EVIDENCE, THE PUBLIC POSTSECONDARY INSTITUTION MUST
26 PROVE BOTH OF THE FOLLOWING:

27 1. THE CHALLENGED FACIALLY NEUTRAL FACTOR OR FACTORS WERE SELECTED
28 SOLELY FOR A LAWFUL PURPOSE.

29 2. THE CHALLENGED FACIALLY NEUTRAL FACTOR OR FACTORS WERE NOT USED
30 FOR THE PURPOSE OF DISCRIMINATING AGAINST OR GRANTING A PREFERENCE TO ANY
31 INDIVIDUAL STUDENT OR GROUP OF PROSPECTIVE STUDENTS ON THE BASIS OF
32 RELIGION, RACE, SEX, COLOR, ETHNICITY, ANCESTRY OR NATIONAL ORIGIN.

33 H. FOR THE PURPOSES OF THIS SECTION:

34 1. "FACIALLY NEUTRAL FACTOR" INCLUDES ANY OF THE FOLLOWING:

35 (a) CAPS, QUOTAS OR TARGET NUMBERS FOR THE NUMBER OF ADMITTED
36 STUDENTS FROM ONE OR MORE REGIONAL SCHOOLS OR FEEDER SCHOOLS.

37 (b) A PROSPECTIVE STUDENT'S ZIP CODE.

38 (c) GEOGRAPHIC OR SOCIOECONOMIC INFORMATION ABOUT A PROSPECTIVE
39 STUDENT.

40 (d) PEER-GROUP CHARACTERISTICS WITHIN ONE OR MORE REGIONAL SCHOOLS,
41 FEEDER SCHOOLS OR ZONED SCHOOLS.

42 2. "PUBLIC POSTSECONDARY INSTITUTION" MEANS EITHER:

43 (a) A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF
44 REGENTS.

1 (b) A COMMUNITY COLLEGE AS DEFINED IN SECTION 15-1401 THAT HAS A
2 SELECTIVE ADMISSIONS PROCESS.

3 3. "TRADITIONAL ACADEMIC SUCCESS FACTOR" MEANS ACADEMIC GRADES,
4 ACADEMIC RECORDS, EXTRACURRICULAR ACTIVITIES, ACHIEVEMENTS THAT ARE
5 RELEVANT TO ACADEMIC SUCCESS, ACADEMIC RECOMMENDATIONS BY TEACHERS OR
6 SCHOOL OFFICIALS OR STANDARDIZED TEST SCORES THAT ARE NOT NORMED FOR
7 DIFFERENT DEMOGRAPHIC REFERENCE GROUPS.