

House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 147

HOUSE BILL 2494

AN ACT

AMENDING SECTION 15-184, ARIZONA REVISED STATUTES; RELATING TO CHARTER SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-184, Arizona Revised Statutes, is amended to
3 read:

4 15-184. Charter schools; admissions requirements

5 A. A charter school shall enroll all eligible pupils who submit a
6 timely application, unless the number of applications exceeds the capacity of
7 a program, class, grade level or building.

8 B. A charter school shall give enrollment preference to pupils
9 returning to the charter school in the second or any subsequent year of its
10 operation and to siblings of pupils already enrolled in the charter school.

11 C. A charter school that is sponsored by a school district governing
12 board shall give enrollment preference to eligible pupils who reside within
13 the boundaries of the school district where the charter school is physically
14 located.

15 D. A charter school may give enrollment preference to and reserve
16 capacity for pupils who EITHER:

17 1. Are children, GRANDCHILDREN OR LEGAL WARDS of ANY OF THE FOLLOWING:

18 (a) Employees of the school. ~~—~~

19 (b) Employees of the charter holder. ~~—~~

20 (c) Members of the governing body of the school. ~~or~~

21 (d) Directors, officers, partners or board members of the charter
22 holder. ~~or~~

23 2. ~~a pupil who~~ Attended another charter school or ARE the siblings of
24 that pupil if the charter school previously attended by the pupil has the
25 identical charter holder, board and governing board membership as the
26 enrolling charter school, ~~provided that any school that elects to give such~~
27 ~~enrollment preferences shall be treated as a single charter school for the~~
28 ~~purpose of establishing support level weights for purposes of section 15-943~~
29 OR IS MANAGED BY THE SAME EDUCATIONAL MANAGEMENT ORGANIZATION, CHARTER
30 MANAGEMENT ORGANIZATION OR EDUCATIONAL SERVICE PROVIDER AS DETERMINED BY THE
31 CHARTER AUTHORIZER.

32 E. If remaining capacity is insufficient to enroll all pupils who
33 submit a timely application, the charter school shall select pupils through
34 an equitable selection process such as a lottery except that preference shall
35 be given to siblings of a pupil selected through an equitable selection
36 process such as a lottery.

37 ~~B.~~ F. Except as provided in ~~subsection C or~~ SUBSECTIONS A THROUGH D
38 of this section, a charter school shall not limit admission based on
39 ethnicity, national origin, gender, income level, disabling condition,
40 proficiency in the English language or athletic ability.

41 ~~C.~~ G. A charter school may limit admission to pupils within a given
42 age group or grade level.

43 ~~D.~~ H. A charter school may provide instruction to pupils of a single
44 gender with the approval of the sponsor of the charter school. An existing
45 charter school may amend its charter to provide instruction to pupils of a

1 single gender, and if approved by the sponsor of the charter school, may
2 provide instruction to pupils of a single gender at the beginning of the next
3 school year.

4 E. I. A charter school shall admit pupils who reside in the
5 attendance area of a school or who reside in a school district that is under
6 a court order of desegregation or that is a party to an agreement with the
7 United States department of education office for civil rights directed toward
8 remediating alleged or proven racial discrimination unless notice is received
9 from the resident school that the admission would violate the court order or
10 agreement. If a charter school admits a pupil after notice is received that
11 the admission would constitute such a violation, the charter school is not
12 allowed to include in its student count the pupils wrongfully admitted.

13 F. J. A charter school may refuse to admit any pupil who has been
14 expelled from another educational institution or who is in the process of
15 being expelled from another educational institution.

APPROVED BY THE GOVERNOR APRIL 29, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 30, 2013.

Passed the House February 18, 2013

Passed the Senate April 25, 2013

by the following vote: 58 Ayes,

by the following vote: 29 Ayes,

0 Nays, 2 Not Voting

0 Nays, 1 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

25 day of April, 2013

at 3:30 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 29th day of

April

at 5:12 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 30th day of April, 2013

at 9:35 o'clock a M.

[Signature]
Secretary of State

H.B. 2494