

REFERENCE TITLE: **out-of-state students; admission**

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1462

Introduced by
Senator Hale; Representatives Kirkpatrick, Tom; Senators Aguirre, Burton
Cahill, Miranda, Rios, Soltero; Representatives Brown, Miranda B

AN ACT

**AMENDING TITLE 15, CHAPTER 8, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING
SECTION 15-825.03; 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. Title 15, chapter 8, article 2, Arizona Revised Statutes,
3 is amended by adding section 15-825.03, to read:

4 15-825.03. Superintendent of public instruction; compacts with
5 adjacent states; admission of out-of-state
6 students

7 A. THE SUPERINTENDENT OF PUBLIC INSTRUCTION MAY ENTER INTO COMPACTS
8 WITH AN ADJACENT STATE LOCATED WITHIN THE UNITED STATES, A FEDERALLY
9 RECOGNIZED INDIAN TRIBE OR A DEPARTMENT OR AGENCY OF THE UNITED STATES
10 GOVERNMENT. THESE COMPACTS SHALL RELATE ONLY TO SCHOOL DISTRICTS LOCATED ON
11 THE BORDER OF THIS STATE AND SCHOOL DISTRICTS LOCATED ON THE BORDER IN AN
12 ADJACENT STATE LOCATED WITHIN THE UNITED STATES. THE COMPACTS SHALL ALLOW
13 ADMISSION INTO THE SCHOOL DISTRICT OF THIS STATE OF PUPILS WHO RESIDE ON THAT
14 PORTION OF AN INDIAN RESERVATION THAT IS LOCATED IN AN ADJACENT STATE WITH
15 SELECTION PROCEDURES UNIFORMLY APPLIED TO ALL ELIGIBLE PUPILS. ELIGIBILITY
16 FOR ADMISSION SHALL BE DEFINED IN THE COMPACT. FOR THE PURPOSE OF SCHOOL
17 ATTENDANCE, THOSE PUPILS WHO ARE ADMITTED TO SCHOOLS IN THIS STATE PURSUANT
18 TO THE COMPACT SHALL BE CONSIDERED RESIDENTS OF THIS STATE.

19 B. FOR EACH COMPACT THAT IS ENTERED INTO PURSUANT TO SUBSECTION A OF
20 THIS SECTION, THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL PREPARE A
21 REPORT. THE REPORT SHALL INCLUDE INFORMATION THAT DETAILS THE NUMBER AND
22 RESIDENCE OF PUPILS WHO ARE AFFECTED BY THE COMPACT, THE COSTS TO THIS STATE
23 AND TO THE ADJACENT STATE OF EDUCATING NONRESIDENT PUPILS AND ANY OTHER
24 INFORMATION REQUIRED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION. THE
25 SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL SUBMIT THE REPORT TO THE PRESIDENT
26 OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE
27 CHAIRPERSONS OF THE HOUSE EDUCATION COMMITTEE AND THE SENATE EDUCATION
28 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES. THE SUPERINTENDENT OF PUBLIC
29 INSTRUCTION SHALL PROVIDE A COPY OF THE REPORT TO THE SECRETARY OF STATE AND
30 THE DIRECTOR OF THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

31 C. A TUITION RATE OR OTHER FORM OF COMPENSATION SHALL BE NEGOTIATED IF
32 SIGNIFICANTLY MORE PUPILS FROM AN ADJACENT STATE ARE ADMITTED TO SCHOOLS IN
33 THIS STATE THAN PUPILS IN THIS STATE ARE ADMITTED TO SCHOOLS IN THE ADJACENT
34 STATE PURSUANT TO THE INTERSTATE COMPACT. NOTHING IN THIS SUBSECTION SHALL
35 BE CONSTRUED TO LIMIT THE RIGHT OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION
36 TO NEGOTIATE A TUITION RATE FOR PUPILS WHO ATTEND SCHOOLS IN THIS STATE
37 PURSUANT TO AN INTERSTATE COMPACT.

38 D. A GOVERNING BOARD OF A SCHOOL DISTRICT THAT IS LOCATED ON THE
39 BORDER OF THIS STATE MAY INFORM THE SUPERINTENDENT OF PUBLIC INSTRUCTION OF
40 THE NECESSITY TO ENTER INTO A COMPACT WITH AN ADJACENT STATE, WITH A
41 FEDERALLY RECOGNIZED INDIAN TRIBE OR WITH A DEPARTMENT OR AGENCY OF THE
42 UNITED STATES GOVERNMENT PURSUANT TO SUBSECTION A OF THIS SECTION. IF
43 AUTHORIZED TO DO SO UNDER AN INTERSTATE COMPACT, THE SCHOOL DISTRICT SHALL
44 ADMIT PUPILS WHO RESIDE ON THE BORDER OF THAT STATE WITHOUT PAYMENT OF
45 TUITION. FOR THE PURPOSE OF SCHOOL ATTENDANCE, THOSE PUPILS WHO ARE ADMITTED

1 TO SCHOOLS IN THIS STATE PURSUANT TO AN INTERSTATE COMPACT SHALL BE
2 CONSIDERED RESIDENTS OF THIS STATE.

3 E. NOTWITHSTANDING SECTIONS 15-905 AND 15-915, A SCHOOL DISTRICT THAT
4 IS LOCATED ENTIRELY OR PARTLY ON A RESERVATION OF A FEDERALLY RECOGNIZED
5 INDIAN TRIBE THAT HAS ADMITTED PUPILS WHO RESIDE ON THAT SAME RESERVATION IN
6 AN ADJACENT STATE BEFORE THE EFFECTIVE DATE OF THIS SECTION SHALL NOT BE
7 REQUIRED TO REIMBURSE THE DEPARTMENT OF EDUCATION FOR STATE AID RECEIVED FOR
8 THOSE PUPILS AND SHALL NOT BE SUBJECT TO A REDUCTION IN ITS BUDGET LIMIT OR A
9 REDUCTION IN STATE AID RECEIVED FOR THOSE PUPILS.