

REFERENCE TITLE: schools; open enrollment; OCR agreements

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2119

Introduced by
Representatives Biggs, Murphy

AN ACT

AMENDING SECTION 15-184, ARIZONA REVISED STATUTES; REPEALING SECTION 15-816.02, ARIZONA REVISED STATUTES; RELATING TO SCHOOL ENROLLMENT.

(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; admission 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. A charter school shall give
8 enrollment preference to pupils returning to the charter school in the second
9 or any subsequent year of its operation and to siblings of pupils already
10 enrolled in the charter school. A charter school that is sponsored by a
11 school district governing board shall give enrollment preference to eligible
12 pupils who reside within the boundaries of the school district where the
13 charter school is physically located. If capacity is insufficient to enroll
14 all pupils who submit a timely application, the charter school shall select
15 pupils through an equitable selection process such as a lottery except that
16 preference shall be given to siblings of a pupil selected through an
17 equitable selection process such as a lottery.

18 B. Except as provided in subsection C, a charter school shall not
19 limit admission based on ethnicity, national origin, gender, income level,
20 disabling condition, proficiency in the English language or athletic ability.

21 C. A charter school may limit admission to pupils within a given age
22 group or grade level.

23 ~~D. A charter school shall admit pupils who reside in the attendance
24 area of a school or who reside in a school district that is under a court
25 order of desegregation or that is a party to an agreement with the United
26 States department of education office for civil rights directed toward
27 remediating alleged or proven racial discrimination unless notice is received
28 from the resident school that the admission would violate the court order or
29 agreement. If a charter school admits a pupil after notice is received that
30 the admission would constitute such a violation, the charter school is not
31 allowed to include in its student count the pupils wrongfully admitted.~~

32 ~~E.~~ D. A charter school may refuse to admit any pupil who has been
33 expelled from another educational institution or who is in the process of
34 being expelled from another educational institution.

35 Sec. 2. Repeal

36 Section 15-816.02, Arizona Revised Statutes, is repealed.