



# ARIZONA HOUSE OF REPRESENTATIVES

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## **SB 1361: exchange programs; certificates of convenience**

**Sponsor: Senator Boyer, LD 20**

**Committee on Education**

### **Overview**

Modifies eligibility, application and reporting requirements for a certificate of educational convenience (CEC). Removes language that limits the number of nonresident foreign students who are in exchange programs and who are recipients of a J-1 visa (J-1 visa students) a school district governing board (governing board) may admit without payment of tuition.

### **History**

A pupil who either is precluded by distance or lack of adequate transportation facilities from attending a school in the school district or county of their residence or who lives in unorganized territory may apply to the county school superintendent for a CEC. The county school superintendent may issue a CEC authorizing the pupil to attend a school in an adjoining school district or county, whether in or out of Arizona. Additionally, statute requires a county school superintendent to issue a CEC to a pupil placed in specified agencies or institutions. Statute outlines the school of enrollment for a pupil with a CEC (A.R.S. §§ [15-825](#), [15-825.01](#)).

Currently, a governing board may admit children of nonresidents of Arizona on payment of a reasonable tuition fixed by the governing board. However, statute outlines exemptions for qualified individuals from the payment of tuition. For example, statute authorizes a governing board to admit the same number of J-1 visa students as the number of enrolled resident students who are currently participating in a foreign exchange program without payment of tuition ([A.R.S. § 15-823](#)).

J-1 visas are nonimmigrant visas for individuals approved to participate in exchange visitor programs in the United States. Secondary students may travel to the United States on a J-1 visa to study at an accredited public or private high school and live with a host family or at an accredited boarding school ([U.S. Department of State](#)).

### **Provisions**

#### ***CEC***

1. Adds that a pupil who is precluded by a parent's or guardian's employment from attending a school in their school district or county of residence may apply for a CEC. (Sec. 2)
2. Requires a pupil to apply to their school district of residence or, if the pupil resides in unorganized territory, the school district of attendance, rather than the county school superintendent, for a CEC. (Sec. 2)
3. Directs a parent of a pupil who seeks to apply for a CEC, resides in unorganized territory and does not have a school district of attendance to:
  - a) Enroll the pupil in a school pursuant to the open enrollment statutes; and
  - b) Apply to the school district that operates the school for a CEC. (Sec. 2)

4. Instructs a school district that receives a CEC application to submit the completed application to the county school superintendent. (Sec. 2)
5. Directs each county school superintendent to report to ADE by January 1 annually the total number of CECs issued during the previous calendar year. (Sec. 2)
6. Mandates ADE maintain the CEC reports issued by county school superintendents. (Sec. 2)

***J-1 Visa Students***

7. Deletes language that caps the number of J-1 visa students a governing board may admit without payment of tuition. (Sec. 1)
8. Authorizes a school district or charter school to:
  - a) Include J-1 visa students in student count; and
  - b) Receive state funding for J-1 visa students. (Sec. 1)

***Miscellaneous***

9. Makes technical changes. (Sec. 2, 3)
10. Makes conforming changes. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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