



HB 2853 Arizona empowerment scholarship accounts; appropriation (Toma)

This bill is a universal expansion of the ESA program to all students K-12, including incoming Kindergartners.

Provisions:

- Lowers the number of required hours a student must participate in an Arizona Online Instruction (AOI) program to be eligible to apply for an ESA by 50% from current levels.
- Expands the eligibility for direct enrollment in the ESA program to Kindergarten students to students under 7 if the student has not completed a Kindergarten program and is not enrolled in 1st grade in the current year.
- Makes special education students placed at a private school at public expense eligible for the ESA program.
- Expands eligibility to all students enrolled in public school beginning in the 2022-2023 school year.
- Specifies a student can't be required to withdraw from a public school to submit an ESA application as long as the student withdraws prior to receiving any ESA funds.
- States a student can't be prohibited from applying for an ESA in advance of the following school year.
- Allows ESA funds to be used for the following new uses:
 - Public transportation services or "transportation network services" (Uber or Lyft) between home and school.
 - Computer hardware and technological devices primarily used for educational purposes.
- Requires an ESA student who is eligible under the expansion of the program and who is enrolled and pays tuition as a full-time student in grades 3-12 at a private school to take one of the following:
 - A nationally standardized norm-reference test
 - The approved statewide assessment adopted by SBE
 - A college entrance exam that assesses reading and math
- Requires the test results to be made available to the student's parent
- Requires a school that enrolls 50 or more students who do not otherwise qualify for an ESA under the current program to make test results available to parents of students and prospective students.
- Allows parents to allow non-attorney representatives to assist them in ESA appeals.



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- Provides for an alternative process for special education identification if the department of education does not award a contract for third party evaluation services
- Appropriates \$2.2M and 26 FTE to the department of education for ESA administration
- Is retroactive to June 30, 2022