

House Engrossed

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HOUSE BILL 2392

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING
SECTION 15-248; RELATING TO THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001.

(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 2, article 2, Arizona Revised Statutes,
3 is amended by adding section 15-248, to read:

4 15-248. No child left behind; budget request; opt out

5 A. BEGINNING IN FISCAL YEAR 2010-2011, THE DEPARTMENT OF EDUCATION
6 SHALL REQUEST A SEPARATE LINE ITEM APPROPRIATION IN THE BUDGET ESTIMATE
7 SUBMITTED PURSUANT TO SECTION 35-113 TO OFFSET THE POTENTIAL LOSS OF FEDERAL
8 MONIES THAT WOULD RESULT IF THIS STATE OPTED OUT OF THE NO CHILD LEFT BEHIND
9 ACT.

10 B. IF THE LEGISLATURE APPROPRIATES MONIES TO FUND THE LINE ITEM BUDGET
11 REQUEST SUBMITTED PURSUANT TO SUBSECTION A OF THIS SECTION, THIS STATE SHALL
12 OPT OUT OF PARTICIPATION IN THE NO CHILD LEFT BEHIND ACT OF 2001
13 (P.L. 107-110, 115 STAT. 1425).

14 Sec. 2. Cost study of opting out of the no child left behind
15 act; report

16 A. The department of education, in conjunction with the state board of
17 education and the school facilities board, shall conduct a study on the
18 potential costs if this state were to opt out of the no child left behind act
19 of 2001 (P.L. 107-110; 115 Stat. 1425). The cost study shall examine each of
20 the following:

21 1. The potential loss of federal monies.

22 2. Potential sanctions against school districts and charter schools.

23 3. Whether and to what extent this state, school districts and charter
24 schools would be required to follow the mandates of the no child left behind
25 act if this state opted out of participation in the no child left behind act.

26 4. The current impact on school districts and charter schools that do
27 not currently accept federal monies.

28 5. The current amount spent in this state to comply with the no child
29 left behind act and the amount of recurring or projected expenditures that
30 would be necessary in the future to comply.

31 6. The amount of funding, if any, that would need to be appropriated
32 to offset the potential loss of federal monies if this state opts out of
33 participation in the no child left behind act.

34 B. The department of education shall complete the cost study and
35 submit its final report to the governor, the president of the senate and the
36 speaker of the house of representatives on or before June 30, 2009. The
37 department of education shall provide a copy of this report to the secretary
38 of state and the director of the Arizona state library, archives and public
39 records.