

COMMITTEE ON EDUCATION
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2022
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.

[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 15, chapter 2, article 2, Arizona Revised
3 Statutes, is amended by adding section 15-249.08, to read:

4 15-249.08. Save our children school safety program; employee
5 certification; fund; eligibility to carry firearm;
6 confidentiality; violation; classification;
7 immunity; biennial report; definition

8 A. THE SAVE OUR CHILDREN SCHOOL SAFETY PROGRAM IS ESTABLISHED
9 WITHIN THE DEPARTMENT TO ENHANCE SCHOOL SAFETY THROUGH EMPLOYEE TRAINING,
10 EMERGENCY PREPAREDNESS AND CRISIS RESPONSE. THE DEPARTMENT MAY ADOPT
11 RULES, POLICIES AND PROCEDURES TO IMPLEMENT THIS SECTION.

12 B. THE DEPARTMENT, IN CONSULTATION WITH THE ARIZONA PEACE OFFICER
13 STANDARDS AND TRAINING BOARD, SHALL DEVELOP AND MAINTAIN A LIST OF
14 TRAINING AND CERTIFICATION PROGRAMS, INCLUDING ANNUAL RECERTIFICATION
15 PROGRAMS, THAT MEET OR EXCEED THE UNIFORM STANDARDS ESTABLISHED PURSUANT
16 TO SECTION 41-1822, SUBSECTION C. THE DEPARTMENT SHALL POST THE LIST ON
17 THE DEPARTMENT'S WEBSITE.

18 C. THE SAVE OUR CHILDREN SCHOOL SAFETY PROGRAM FUND IS ESTABLISHED
19 AND CONSISTS OF LEGISLATIVE APPROPRIATIONS, GIFTS, GRANTS AND OTHER
20 DONATIONS. THE DEPARTMENT SHALL ADMINISTER THE FUND. MONIES IN THE FUND
21 ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF
22 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE DEPARTMENT
23 SHALL USE MONIES IN THE FUND TO PROVIDE REIMBURSEMENTS ON A FIRST-COME,
24 FIRST-SERVED BASIS FOR THE FOLLOWING:

25 1. AN ELIGIBLE SCHOOL THAT HAS EITHER:

26 (a) PAID FOR ONE OR MORE OF THE ELIGIBLE SCHOOL'S EMPLOYEES TO
27 COMPLETE A TRAINING OR CERTIFICATION PROGRAM LISTED PURSUANT TO SUBSECTION
28 B OF THIS SECTION.

1 (b) PURCHASED SCHOOL SAFETY EQUIPMENT, INCLUDING MEDICAL KITS,
2 SAFETY TOOLS AND PROTECTIVE GEAR, FOR USE AT ONE OR MORE SCHOOL SITES.

3 2. AN INDIVIDUAL WHO MEETS ALL OF THE FOLLOWING:

4 (a) IS EMPLOYED BY AN ELIGIBLE SCHOOL.

5 (b) HAS PAID FOR AND SUCCESSFULLY COMPLETED A TRAINING OR
6 CERTIFICATION PROGRAM LISTED PURSUANT TO SUBSECTION B OF THIS SECTION.

7 (c) IS NOT REIMBURSED BY THE ELIGIBLE SCHOOL FOR THE COSTS OF THE
8 TRAINING OR CERTIFICATION PROGRAM.

9 D. AN ELIGIBLE SCHOOL MAY ADOPT POLICIES AND PROCEDURES TO
10 AUTHORIZE ONE OR MORE EMPLOYEES TO POSSESS AND CARRY A FIREARM ON SCHOOL
11 GROUNDS IF THE ELIGIBLE SCHOOL DOES ALL OF THE FOLLOWING:

12 1. NOTIFIES LOCAL LAW ENFORCEMENT AGENCIES AND THE DEPARTMENT OF
13 THE NUMBER OF EMPLOYEES WHO ARE AUTHORIZED TO POSSESS AND CARRY A FIREARM
14 ON SCHOOL GROUNDS PURSUANT TO THIS SUBSECTION.

15 2. ENSURES THAT EACH EMPLOYEE WHO IS AUTHORIZED TO POSSESS AND
16 CARRY A FIREARM ON SCHOOL GROUNDS PURSUANT TO THIS SUBSECTION HAS A VALID
17 CERTIFICATION PURSUANT TO A PROGRAM LISTED PURSUANT TO SUBSECTION B OF
18 THIS SECTION.

19 3. COMPLIES WITH THE CONFIDENTIALITY REQUIREMENTS PRESCRIBED IN
20 SUBSECTION E OF THIS SECTION.

21 E. NOTWITHSTANDING ANY OTHER LAW, THE PERSONALLY IDENTIFIABLE
22 INFORMATION OF EACH SCHOOL EMPLOYEE WHO PARTICIPATES IN A TRAINING OR
23 CERTIFICATION PROGRAM LISTED PURSUANT TO SUBSECTION B OF THIS SECTION OR
24 WHO IS AUTHORIZED TO POSSESS AND CARRY A FIREARM ON SCHOOL GROUNDS
25 PURSUANT TO SUBSECTION D OF THIS SECTION IS CONFIDENTIAL AND MAY NOT BE
26 DISCLOSED TO THE PUBLIC. FOR THE PURPOSES OF THIS SUBSECTION, PERSONALLY
27 IDENTIFIABLE INFORMATION INCLUDES THE EMPLOYEE'S NAME, TRAINING SCHEDULE
28 AND DEPLOYMENT. A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A
29 CLASS 1 MISDEMEANOR.

30 F. NOTWITHSTANDING ANY OTHER LAW, A SCHOOL EMPLOYEE WHO HAS A VALID
31 CERTIFICATION FROM A PROGRAM LISTED PURSUANT TO SUBSECTION B OF THIS
32 SECTION AND WHO ACTS IN GOOD FAITH AND CONSISTENTLY WITH THE CERTIFICATION
33 PROGRAM IS NOT SUBJECT TO CIVIL OR CRIMINAL LIABILITY FOR THE SCHOOL
34 EMPLOYEE'S ACTIONS IN DEFENSE OF STUDENTS, SCHOOL EMPLOYEES OR SCHOOL
35 VISITORS DURING AN ACTIVE THREAT OR CRISIS EVENT.

36 G. ANY POLICIES AND PROCEDURES ADOPTED BY A SCHOOL PURSUANT TO
37 SUBSECTION D OF THIS SECTION CONSTITUTE A PROGRAM APPROVED BY THE SCHOOL
38 FOR THE PURPOSES OF SECTION 13-3102, SUBSECTION I, PARAGRAPH 2.

39 H. ON OR BEFORE DECEMBER 31 OF EACH ODD-NUMBERED YEAR, THE
40 DEPARTMENT SHALL SUBMIT A REPORT ON THE SAVE OUR CHILDREN SCHOOL SAFETY
41 PROGRAM TO THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, THE PRESIDENT OF
42 THE SENATE AND THE GOVERNOR'S OFFICE, SHALL SUBMIT A COPY TO THE SECRETARY
43 OF STATE AND SHALL POST A COPY ON THE DEPARTMENT'S WEBSITE. THE REPORT
44 REQUIRED BY THIS SUBSECTION SHALL INCLUDE ALL OF THE FOLLOWING:

45 1. THE TOTAL NUMBER OF SCHOOL EMPLOYEES WHO HAVE A VALID
46 CERTIFICATION FROM A PROGRAM LISTED PURSUANT TO SUBSECTION B OF THIS
47 SECTION.

1 2. THE TOTAL NUMBER OF SCHOOL EMPLOYEES WHO ARE AUTHORIZED TO
2 POSSESS AND CARRY A FIREARM ON SCHOOL GROUNDS PURSUANT TO SUBSECTION D OF
3 THIS SECTION.

4 3. THE AMOUNT OF MONIES AVAILABLE IN THE FUND ESTABLISHED BY
5 SUBSECTION C OF THIS SECTION.

6 4. INFORMATION REGARDING ANY INCIDENT OR PROGRAM FEEDBACK SUBMITTED
7 BY ELIGIBLE SCHOOLS, SCHOOL EMPLOYEES AND LAW ENFORCEMENT AGENCIES.

8 5. RECOMMENDATIONS, IF ANY, TO IMPROVE THE PROGRAM ESTABLISHED BY
9 THIS SECTION.

10 I. FOR THE PURPOSES OF THIS SECTION, "ELIGIBLE SCHOOL" MEANS A
11 PUBLIC SCHOOL ~~[OR PRIVATE SCHOOL]~~ IN THIS STATE THAT OFFERS INSTRUCTION TO
12 STUDENTS IN A KINDERGARTEN PROGRAM OR ANY OF GRADES ONE THROUGH TWELVE.

13 Sec. 2. Section 15-341, Arizona Revised Statutes, is amended to
14 read:

15 15-341. General powers and duties; immunity; delegation

16 A. ~~The~~ EACH SCHOOL DISTRICT governing board shall:

17 1. Prescribe and enforce policies and procedures to govern the
18 schools that are not inconsistent with the laws or rules prescribed by the
19 state board of education.

20 2. Exclude from schools all books, publications, papers or
21 audiovisual materials of a sectarian, partisan or denominational
22 character. This paragraph does not prohibit the elective course allowed
23 by section 15-717.01.

24 3. Manage and control the school property within its district,
25 except that a district may enter into a partnership with an entity,
26 including a charter school, another school district or a military base, to
27 operate a school or offer educational services in a district building,
28 including at a vacant or partially used building, or in any building on
29 the entity's property pursuant to a written agreement between the parties.

30 4. Acquire school furniture, apparatus, equipment, library books
31 and supplies for the schools to use.

32 5. Prescribe the curricula and criteria for the promotion and
33 graduation of pupils as provided in sections 15-701 and 15-701.01.

34 6. Furnish, repair and insure, at full insurable value, the school
35 property of the district.

36 7. Construct school buildings on approval by a vote of the district
37 electors.

38 8. In the name of the district, convey property belonging to the
39 district and sold by the board.

40 9. Purchase school sites when authorized by a vote of the district
41 at an election conducted as nearly as practicable in the same manner as
42 the election provided in section 15-481 and held on a date prescribed in
43 section 15-491, subsection E, but such authorization shall not necessarily
44 specify the site to be purchased and such authorization shall not be
45 necessary to exchange unimproved property as provided in section 15-342,
46 paragraph 23.

47 10. Construct, improve and furnish buildings used for school
48 purposes when such buildings or premises are leased from the national park
49 service.

1 11. Purchase school sites or construct, improve and furnish school
2 buildings from the proceeds of the sale of school property only on
3 approval by a vote of the district electors.

4 12. Hold pupils to strict account for disorderly conduct on school
5 property.

6 13. Discipline students for disorderly conduct on the way to and
7 from school.

8 14. Except as provided in section 15-1224, deposit all monies
9 received by the district as gifts, grants and devises with the county
10 treasurer who shall credit the deposits as designated in the uniform
11 system of financial records. If not inconsistent with the terms of the
12 gifts, grants and devises given, any balance remaining after expenditures
13 for the intended purpose of the monies have been made shall be used to
14 reduce school district taxes for the budget year, except that in the case
15 of accommodation schools the county treasurer shall carry the balance
16 forward for use by the county school superintendent for accommodation
17 schools for the budget year.

18 15. Provide that, if a parent or legal guardian chooses not to
19 accept a decision of the teacher as provided in paragraph 42 of this
20 subsection, the parent or legal guardian may request in writing that the
21 governing board review the teacher's decision. This paragraph does not
22 release school districts from any liability relating to a child's
23 promotion or retention.

24 16. Provide for adequate supervision over pupils in instructional
25 and noninstructional activities by certificated or noncertificated
26 personnel.

27 17. Use school monies received from the state and county school
28 apportionment exclusively to pay salaries of teachers and other employees
29 and contingent expenses of the district.

30 18. Annually report to the county school superintendent on or
31 before October 1 in the manner and form and on the blanks prescribed by
32 the superintendent of public instruction or county school superintendent.
33 The board shall also report directly to the county school superintendent
34 or the superintendent of public instruction whenever required.

35 19. Deposit all monies received by school districts other than
36 student activities monies or monies from auxiliary operations as provided
37 in sections 15-1125 and 15-1126 with the county treasurer to the credit of
38 the school district except as provided in paragraph 20 of this subsection
39 and sections 15-1223 and 15-1224, and the board shall spend the monies as
40 provided by law for other school funds.

41 20. Establish bank accounts in which the board during a month may
42 deposit miscellaneous monies received directly by the district. The board
43 shall remit monies deposited in the bank accounts at least monthly to the
44 county treasurer for deposit as provided in paragraph 19 of this
45 subsection and in accordance with the uniform system of financial records.

46 21. Prescribe and enforce policies and procedures for disciplinary
47 action against a teacher who engages in conduct that is a violation of the
48 policies of the governing board but that is not cause for dismissal of the
49 teacher or for revocation of the certificate of the teacher. Disciplinary

1 action may include suspension without pay for a period of time not to
2 exceed ten school days. Disciplinary action shall not include suspension
3 with pay or suspension without pay for a period of time longer than ten
4 school days. The procedures shall include notice, hearing and appeal
5 provisions for violations that are cause for disciplinary action. The
6 governing board may designate a person or persons to act on behalf of the
7 board on these matters.

8 22. Prescribe and enforce policies and procedures for disciplinary
9 action against an administrator who engages in conduct that is a violation
10 of the policies of the governing board regarding duties of administrators
11 but that is not cause for dismissal of the administrator or for revocation
12 of the certificate of the administrator. Disciplinary action may include
13 suspension without pay for a period of time not to exceed ten school days.
14 Disciplinary action shall not include suspension with pay or suspension
15 without pay for a period of time longer than ten school days. The
16 procedures shall include notice, hearing and appeal provisions for
17 violations that are cause for disciplinary action. The governing board
18 may designate a person or persons to act on behalf of the board on these
19 matters. For violations that are cause for dismissal, the provisions of
20 notice, hearing and appeal in chapter 5, article 3 of this title apply.
21 The filing of a timely request for a hearing suspends the imposition of a
22 suspension without pay or a dismissal pending completion of the hearing.

23 23. Notwithstanding sections 13-3108 and 13-3120, prescribe and
24 enforce policies and procedures that prohibit a person from carrying or
25 possessing a weapon on school grounds unless the person is a peace officer
26 or has obtained specific authorization from the school administrator. A
27 SCHOOL ADMINISTRATOR MAY AUTHORIZE AN EMPLOYEE TO CARRY OR POSSESS A
28 FIREARM ON SCHOOL GROUNDS ONLY AS PROVIDED BY SECTION 15-249.08,
29 SUBSECTION D.

30 24. Prescribe and enforce policies and procedures relating to the
31 health and safety of all pupils participating in district-sponsored
32 practice sessions or games or other interscholastic athletic activities,
33 including:

34 (a) The provision of water.

35 (b) Guidelines, information and forms, developed in consultation
36 with a statewide private entity that supervises interscholastic
37 activities, to inform and educate coaches, pupils and parents of the
38 dangers of concussions and head injuries and the risks of continued
39 participation in athletic activity after a concussion. The policies and
40 procedures shall require that, before a pupil participates in an athletic
41 activity, the pupil and the pupil's parent sign an information form at
42 least once each school year that states that the parent is aware of the
43 nature and risk of concussion. The policies and procedures shall require
44 that a pupil who is suspected of sustaining a concussion in a practice
45 session, game or other interscholastic athletic activity be immediately
46 removed from the athletic activity and that the pupil's parent or guardian
47 be notified. A coach from the pupil's team or an official or a licensed
48 health care provider may remove a pupil from play. A team parent may also
49 remove the parent's own child from play. A pupil may return to play on

1 the same day if a health care provider rules out a suspected concussion at
2 the time the pupil is removed from play. On a subsequent day, the pupil
3 may return to play if the pupil has been evaluated by and received written
4 clearance to resume participation in athletic activity from a health care
5 provider who has been trained in evaluating and managing concussions and
6 head injuries. A health care provider who is a volunteer and who provides
7 clearance to participate in athletic activity on the day of the suspected
8 injury or on a subsequent day is immune from civil liability with respect
9 to all decisions made and actions taken that are based on good faith
10 implementation of the requirements of this subdivision, except in cases of
11 gross negligence or wanton or wilful neglect. A school district, school
12 district employee, team coach, official or team volunteer or a parent or
13 guardian of a team member is not subject to civil liability for any act,
14 omission or policy undertaken in good faith to comply with the
15 requirements of this subdivision or for a decision made or an action taken
16 by a health care provider. A group or organization that uses property or
17 facilities owned or operated by a school district for athletic activities
18 shall comply with the requirements of this subdivision. A school district
19 and its employees and volunteers are not subject to civil liability for
20 any other person or organization's failure or alleged failure to comply
21 with the requirements of this subdivision. This subdivision does not
22 apply to teams that are based in another state and that participate in an
23 athletic activity in this state. For the purposes of this subdivision,
24 athletic activity does not include dance, rhythmic gymnastics,
25 competitions or exhibitions of academic skills or knowledge or other
26 similar forms of physical noncontact activities, civic activities or
27 academic activities, whether engaged in for the purposes of competition or
28 recreation. For the purposes of this subdivision, "health care provider"
29 means a physician who is licensed pursuant to title 32, chapter 13, 14 or
30 17, an athletic trainer who is licensed pursuant to title 32, chapter 41,
31 a nurse practitioner who is licensed pursuant to title 32, chapter 15, and
32 a physician assistant who is licensed pursuant to title 32, chapter 25.

33 (c) Guidelines, information and forms that are developed in
34 consultation with a statewide private entity that supervises
35 interscholastic activities to inform and educate coaches, pupils and
36 parents of the dangers of heat-related illnesses, sudden cardiac death and
37 prescription opioid use. Before a pupil participates in any
38 district-sponsored practice session or game or other interscholastic
39 athletic activity, the pupil and the pupil's parent must be provided with
40 information at least once each school year on the risks of heat-related
41 illnesses, sudden cardiac death and prescription opioid addiction.

42 25. Establish an assessment, data gathering and reporting system as
43 prescribed in chapter 7, article 3 of this title.

44 26. Provide special education programs and related services
45 pursuant to section 15-764, subsection A to all children with disabilities
46 as defined in section 15-761.

47 27. Administer competency tests prescribed by the state board of
48 education for the graduation of pupils from high school.

1 28. Ensure that insurance coverage is secured for all construction
2 projects for purposes of general liability, property damage and workers'
3 compensation and secure performance and payment bonds for all construction
4 projects.

5 29. Collect and maintain information about each current and former
6 teacher's educational and teaching background and experience in a
7 particular academic content subject area. A school district shall either
8 post the information on the school district's website or make the
9 information available for inspection on request of parents and guardians
10 of pupils enrolled at a school. This paragraph does not require any
11 school to release personally identifiable information in relation to any
12 teacher, including the teacher's address, salary, social security number
13 or telephone number.

14 30. Report to local law enforcement agencies any suspected crime
15 against a person or property that is a serious offense as defined in
16 section 13-706 or that involves a deadly weapon or dangerous instrument or
17 serious physical injury and any conduct that poses a threat of death or
18 serious physical injury to employees, students or anyone on the property
19 of the school. This paragraph does not limit or preclude the reporting by
20 a school district or an employee of a school district of suspected crimes
21 other than those required to be reported by this paragraph. For the
22 purposes of this paragraph, "dangerous instrument", "deadly weapon" and
23 "serious physical injury" have the same meanings prescribed in section
24 13-105.

25 31. In conjunction with local law enforcement agencies and
26 emergency response agencies, develop an emergency response plan for each
27 school in the school district in accordance with minimum standards
28 developed jointly by the department of education and the division of
29 emergency management within the department of emergency and military
30 affairs. Any emergency response plan developed pursuant to this paragraph
31 must address how the school and emergency responders will communicate with
32 and provide assistance to students with disabilities.

33 32. Provide written notice to the parents or guardians of all
34 students enrolled in the school district at least ten days before a public
35 meeting to discuss closing a school within the school district. The
36 notice shall include the reasons for the proposed closure and the time and
37 place of the meeting. The governing board shall fix a time for a public
38 meeting on the proposed closure not less than ten days before voting in a
39 public meeting to close the school. The school district governing board
40 shall give notice of the time and place of the meeting. At the time and
41 place designated in the notice, the school district governing board shall
42 hear reasons for or against closing the school. The school district
43 governing board is exempt from this paragraph if the governing board
44 determines that the school shall be closed because it poses a danger to
45 the health or safety of the pupils or employees of the school. A
46 governing board may consult with the division of school facilities within
47 the department of administration for technical assistance and for
48 information on the impact of closing a school. The information provided
49 from the division of school facilities within the department of

1 administration shall not require the governing board to take or not take
2 any action.

3 33. Incorporate instruction on Native American history into
4 appropriate existing curricula.

5 34. Prescribe and enforce policies and procedures:

6 (a) Allowing pupils who have been diagnosed with anaphylaxis by a
7 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or
8 25 or by a registered nurse practitioner licensed and certified pursuant
9 to title 32, chapter 15 to carry and self-administer emergency
10 medications, including epinephrine auto-injectors, while at school and at
11 school-sponsored activities. The pupil's name on the prescription label
12 on the medication container or on the medication device and annual written
13 documentation from the pupil's parent or guardian to the school that
14 authorizes possession and self-administration is sufficient proof that the
15 pupil is entitled to possess and self-administer the medication. The
16 policies shall require a pupil who uses an epinephrine auto-injector while
17 at school and at school-sponsored activities to notify the nurse or the
18 designated school staff person of the use of the medication as soon as
19 practicable. A school district and its employees are immune from civil
20 liability with respect to all decisions made and actions taken that are
21 based on good faith implementation of the requirements of this
22 subdivision, except in cases of wanton or wilful neglect.

23 (b) For the emergency administration of epinephrine auto-injectors
24 by a trained employee of a school district pursuant to section 15-157.

25 35. Allow the possession and self-administration of prescription
26 medication for breathing disorders in handheld inhaler devices by pupils
27 who have been prescribed that medication by a health care professional
28 licensed pursuant to title 32. The pupil's name on the prescription label
29 on the medication container or on the handheld inhaler device and annual
30 written documentation from the pupil's parent or guardian to the school
31 that authorizes possession and self-administration is sufficient proof
32 that the pupil is entitled to possess and self-administer the medication.
33 A school district and its employees are immune from civil liability with
34 respect to all decisions made and actions taken that are based on a good
35 faith implementation of the requirements of this paragraph.

36 36. Prescribe and enforce policies and procedures to prohibit
37 pupils from harassing, intimidating and bullying other pupils on school
38 grounds, on school property, on school buses, at school bus stops, at
39 school-sponsored events and activities and through the use of electronic
40 technology or electronic communication on school computers, networks,
41 forums and mailing lists that include the following components:

42 (a) A procedure for pupils, parents and school district employees
43 to confidentially report to school officials incidents of harassment,
44 intimidation or bullying. The school shall make available written forms
45 designed to provide a full and detailed description of the incident and
46 any other relevant information about the incident.

47 (b) A requirement that school district employees report in writing
48 suspected incidents of harassment, intimidation or bullying to the
49 appropriate school official and a description of appropriate disciplinary

1 procedures for employees who fail to report suspected incidents that are
2 known to the employee.

3 (c) A requirement that, at the beginning of each school year,
4 school officials provide all pupils with a written copy of the rights,
5 protections and support services available to a pupil who is an alleged
6 victim of an incident reported pursuant to this paragraph.

7 (d) If an incident is reported pursuant to this paragraph, a
8 requirement that school officials provide a pupil who is an alleged victim
9 of the incident with a written copy of the rights, protections and support
10 services available to that pupil.

11 (e) A formal process for documenting reported incidents of
12 harassment, intimidation or bullying and providing for the
13 confidentiality, maintenance and disposition of this documentation.
14 School districts shall maintain documentation of all incidents reported
15 pursuant to this paragraph for at least six years. The school shall not
16 use that documentation to impose disciplinary action unless the
17 appropriate school official has investigated and determined that the
18 reported incidents of harassment, intimidation or bullying occurred. If a
19 school provides documentation of reported incidents to persons other than
20 school officials or law enforcement, all individually identifiable
21 information shall be redacted.

22 (f) A formal process for the appropriate school officials to
23 investigate suspected incidents of harassment, intimidation or bullying,
24 including procedures for notifying the alleged victim and the alleged
25 victim's parent or guardian when a school official or employee becomes
26 aware of the suspected incident of harassment, intimidation or bullying.

27 (g) Disciplinary procedures for pupils who have admitted or been
28 found to have committed incidents of harassment, intimidation or bullying.

29 (h) A procedure that sets forth consequences for submitting false
30 reports of incidents of harassment, intimidation or bullying.

31 (i) Procedures designed to protect the health and safety of pupils
32 who are physically harmed as the result of incidents of harassment,
33 intimidation and bullying, including, if appropriate, procedures to
34 contact emergency medical services or law enforcement agencies, or both.

35 (j) Definitions of harassment, intimidation and bullying.

36 37. Prescribe and enforce policies and procedures regarding
37 changing or adopting attendance boundaries that include the following
38 components:

39 (a) A procedure for holding public meetings to discuss attendance
40 boundary changes or adoptions that allows public comments.

41 (b) A procedure to notify the parents or guardians of the students
42 affected, including assurance that, if that school remains open as part of
43 the boundary change and capacity is available, students assigned to a new
44 attendance area may stay enrolled in their current school.

45 (c) A procedure to notify the residents of the households affected
46 by the attendance boundary changes.

47 (d) A process for placing public meeting notices and proposed maps
48 on the school district's website for public review, if the school district
49 maintains a website.

1 (e) A formal process for presenting the attendance boundaries of
2 the affected area in public meetings that allows public comments.

3 (f) A formal process for notifying the residents and parents or
4 guardians of the affected area as to the decision of the governing board
5 on the school district's website, if the school district maintains a
6 website.

7 (g) A formal process for updating attendance boundaries on the
8 school district's website within ninety days after an adopted boundary
9 change. The school district shall send a direct link to the school
10 district's attendance boundaries website to the department of real estate.

11 38. If the state board of education determines that the school
12 district has committed an overexpenditure as defined in section 15-107,
13 provide a copy of the fiscal management report submitted pursuant to
14 section 15-107, subsection H on its website and make copies available to
15 the public on request. The school district shall comply with a request
16 within five business days after receipt.

17 39. Ensure that the contract for the superintendent is structured
18 in a manner in which up to twenty percent of the total annual salary
19 included for the superintendent in the contract is classified as
20 performance pay. This paragraph does not require school districts to
21 increase total compensation for superintendents. Unless the school
22 district governing board votes to implement an alternative procedure at a
23 public meeting called for this purpose, the performance pay portion of the
24 superintendent's total annual compensation shall be determined as follows:

25 (a) Twenty-five percent of the performance pay shall be determined
26 based on the percentage of academic gain determined by the department of
27 education of pupils who are enrolled in the school district compared to
28 the academic gain achieved by the highest ranking of the fifty largest
29 school districts in this state. For the purposes of this subdivision, the
30 department of education shall determine academic gain by the academic
31 growth achieved by each pupil who has been enrolled at the same school in
32 a school district for at least five consecutive months measured against
33 that pupil's academic results in the 2008-2009 school year. For the
34 purposes of this subdivision, of the fifty largest school districts in
35 this state, the school district with pupils who demonstrate the highest
36 statewide percentage of overall academic gain measured against academic
37 results for the 2008-2009 school year shall be assigned a score of 100 and
38 the school district with pupils who demonstrate the lowest statewide
39 percentage of overall academic gain measured against academic results for
40 the 2008-2009 school year shall be assigned a score of 0.

41 (b) Twenty-five percent of the performance pay shall be determined
42 by the percentage of parents of pupils who are enrolled at the school
43 district who assign a letter grade of "A" to the school on a survey of
44 parental satisfaction with the school district. The parental satisfaction
45 survey shall be administered and scored by an independent entity that is
46 selected by the governing board and that demonstrates sufficient expertise
47 and experience to accurately measure the results of the survey. The
48 parental satisfaction survey shall use standard random sampling procedures
49 and provide anonymity and confidentiality to each parent who participates

1 in the survey. The letter grade scale used on the parental satisfaction
2 survey shall direct parents to assign one of the following letter grades:

- 3 (i) A letter grade of "A" if the school district is excellent.
- 4 (ii) A letter grade of "B" if the school district is above average.
- 5 (iii) A letter grade of "C" if the school district is average.
- 6 (iv) A letter grade of "D" if the school district is below average.
- 7 (v) A letter grade of "F" if the school district is a failure.

8 (c) Twenty-five percent of the performance pay shall be determined
9 by the percentage of teachers who are employed at the school district and
10 who assign a letter grade of "A" to the school on a survey of teacher
11 satisfaction with the school. The teacher satisfaction survey shall be
12 administered and scored by an independent entity that is selected by the
13 governing board and that demonstrates sufficient expertise and experience
14 to accurately measure the results of the survey. The teacher satisfaction
15 survey shall use standard random sampling procedures and provide anonymity
16 and confidentiality to each teacher who participates in the survey. The
17 letter grade scale used on the teacher satisfaction survey shall direct
18 teachers to assign one of the following letter grades:

- 19 (i) A letter grade of "A" if the school district is excellent.
- 20 (ii) A letter grade of "B" if the school district is above average.
- 21 (iii) A letter grade of "C" if the school district is average.
- 22 (iv) A letter grade of "D" if the school district is below average.
- 23 (v) A letter grade of "F" if the school district is a failure.
- 24 (d) Twenty-five percent of the performance pay shall be determined
25 by other criteria selected by the governing board.

26 40. Maintain and store permanent public records of the school
27 district as required by law. Notwithstanding section 39-101, the
28 standards adopted by the Arizona state library, archives and public
29 records for the maintenance and storage of school district public records
30 shall allow school districts to elect to satisfy the requirements of this
31 paragraph by maintaining and storing these records either on paper or in
32 an electronic format, or a combination of a paper and electronic format.

33 41. Adopt in a public meeting and implement policies for principal
34 evaluations. Before adopting principal evaluation policies, the school
35 district governing board shall provide opportunities for public discussion
36 on the proposed policies. The governing board shall adopt policies that:

- 37 (a) Are designed to improve principal performance and improve
38 student achievement.
- 39 (b) Include the use of quantitative data on the academic progress
40 for all students, which shall account for between twenty percent and
41 thirty-three percent of the evaluation outcomes.
- 42 (c) Include four performance classifications, designated as highly
43 effective, effective, developing and ineffective.
- 44 (d) Describe both of the following:
 - 45 (i) The methods used to evaluate the performance of principals,
46 including the data used to measure student performance and job
47 effectiveness.
 - 48 (ii) The formula used to determine evaluation outcomes.

1 42. Prescribe and enforce policies and procedures that define the
2 duties of principals and teachers. These policies and procedures shall
3 authorize teachers to take and maintain daily classroom attendance, make
4 the decision to promote or retain a pupil in a grade in common school or
5 to pass or fail a pupil in a course in high school, subject to review by
6 the governing board in the manner provided in section 15-342,
7 paragraph 11.

8 43. Prescribe and enforce policies and procedures for the emergency
9 administration by an employee of a school district pursuant to section
10 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
11 by the United States food and drug administration.

12 44. In addition to the notification requirements prescribed in
13 paragraph 36 of this subsection, prescribe and enforce reasonable and
14 appropriate policies to notify a pupil's parent or guardian if any person
15 engages in harassing, threatening or intimidating conduct against that
16 pupil. A school district and its officials and employees are immune from
17 civil liability with respect to all decisions made and actions taken that
18 are based on good faith implementation of the requirements of this
19 paragraph, except in cases of gross negligence or wanton or wilful
20 neglect. A person engages in threatening or intimidating if the person
21 threatens or intimidates by word or conduct to cause physical injury to
22 another person or serious damage to the property of another on school
23 grounds. A person engages in harassment if, with intent to harass or with
24 knowledge that the person is harassing another person, the person
25 anonymously or otherwise contacts, communicates or causes a communication
26 with another person by verbal, electronic, mechanical, telephonic or
27 written means in a manner that harasses on school grounds or substantially
28 disrupts the school environment.

29 45. Each fiscal year, provide to each school district employee a
30 total compensation statement that is broken down by category of benefit or
31 payment and that includes, for that employee, at least all of the
32 following:

- 33 (a) Base salary and any additional pay.
- 34 (b) Medical benefits and the value of any employer-paid portions of
35 insurance plan premiums.
- 36 (c) Retirement benefit plans, including social security.
- 37 (d) Legally required benefits.
- 38 (e) Any paid leave.
- 39 (f) Any other payment made to or on behalf of the employee.
- 40 (g) Any other benefit provided to the employee.

41 46. Develop and adopt in a public meeting policies to allow for
42 visits, tours and observations of all classrooms by parents of enrolled
43 pupils and parents who wish to enroll their children in the school
44 district unless a visit, tour or observation threatens the health and
45 safety of pupils and staff. These policies and procedures must be easily
46 accessible from the home page on each school's website.

47 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this
48 section, the county school superintendent may construct, improve and

1 furnish school buildings or purchase or sell school sites in the conduct
2 of an accommodation school.

3 C. If any school district acquires real or personal property,
4 whether by purchase, exchange, condemnation, gift or otherwise, the
5 governing board shall pay to the county treasurer any taxes on the
6 property that were unpaid as of the date of acquisition, including
7 penalties and interest. The lien for unpaid delinquent taxes, penalties
8 and interest on property acquired by a school district:

9 1. Is not abated, extinguished, discharged or merged in the title
10 to the property.

11 2. Is enforceable in the same manner as other delinquent tax liens.

12 D. The governing board may not locate a school on property that is
13 less than one-fourth mile from agricultural land regulated pursuant to
14 section 3-365, except that the owner of the agricultural land may agree to
15 comply with the buffer zone requirements of section 3-365. If the owner
16 agrees in writing to comply with the buffer zone requirements and records
17 the agreement in the office of the county recorder as a restrictive
18 covenant running with the title to the land, the school district may
19 locate a school within the affected buffer zone. The agreement may
20 include any stipulations regarding the school, including conditions for
21 future expansion of the school and changes in the operational status of
22 the school that will result in a breach of the agreement.

23 E. A school district, its governing board members, its school
24 council members and its employees are immune from civil liability for the
25 consequences of adopting and implementing policies and procedures pursuant
26 to subsection A of this section and section 15-342. This waiver does not
27 apply if the school district, its governing board members, its school
28 council members or its employees are guilty of gross negligence or
29 intentional misconduct.

30 F. A governing board may delegate in writing to a superintendent,
31 principal or head teacher the authority to prescribe procedures that are
32 consistent with the governing board's policies.

33 G. Notwithstanding any other provision of this title, a school
34 district governing board shall not take any action that would result in a
35 reduction of pupil square footage unless the governing board notifies the
36 school facilities oversight board established by section 41-5701.02 of the
37 proposed action and receives written approval from the school facilities
38 oversight board to take the action. A reduction includes an increase in
39 administrative space that results in a reduction of pupil square footage
40 or sale of school sites or buildings, or both. A reduction includes a
41 reconfiguration of grades that results in a reduction of pupil square
42 footage of any grade level. This subsection does not apply to temporary
43 reconfiguration of grades to accommodate new school construction if the
44 temporary reconfiguration does not exceed one year. The sale of equipment
45 that results in a reduction that falls below the equipment requirements
46 prescribed in section 41-5711, subsection B is subject to commensurate
47 withholding of school district district additional assistance monies
48 pursuant to the direction of the school facilities oversight board.
49 Except as provided in section 15-342, paragraph 10, proceeds from the sale

1 of school sites, buildings or other equipment shall be deposited in the
2 school plant fund as provided in section 15-1102.

3 H. Subsections C through G of this section apply to a county board
4 of supervisors and a county school superintendent when operating and
5 administering an accommodation school.

6 I. A school district governing board may delegate authority in
7 writing to the superintendent of the school district to submit plans for
8 new school facilities to the school facilities oversight board for the
9 purpose of certifying that the plans meet the minimum school facility
10 adequacy guidelines prescribed in section 41-5711.

11 J. For the purposes of subsection A, paragraph 37 of this section,
12 attendance boundaries may not be used to require students to attend
13 certain schools based on the student's place of residence.

14 Sec. 3. Section 41-1822, Arizona Revised Statutes, is amended to
15 read:

16 41-1822. Powers and duties of board; definition

17 A. With respect to peace officer training and certification, the
18 board shall:

19 1. Establish rules for the government and conduct of the board,
20 including meeting times and places and matters to be placed on the agenda
21 of each meeting.

22 2. Make recommendations, consistent with this article, to the
23 governor, the speaker of the house of representatives and the president of
24 the senate on all matters relating to law enforcement and public safety.

25 3. Prescribe reasonable minimum qualifications for officers to be
26 appointed to enforce the laws of this state and the political subdivisions
27 of this state and certify officers in compliance with these
28 qualifications. Notwithstanding any other law, the qualifications shall
29 require United States citizenship, shall relate to physical, mental and
30 moral fitness and shall govern the recruitment, appointment and retention
31 of all agents, peace officers and police officers of every political
32 subdivision of this state. The board shall constantly review the
33 qualifications established by this section and may amend the
34 qualifications at any time, subject to the requirements of section
35 41-1823.

36 4. Prescribe minimum courses of training and minimum standards for
37 training facilities for law enforcement officers. Only this state and
38 political subdivisions of this state may conduct basic peace officer
39 training. Basic peace officer academies may admit individuals who are not
40 peace officer cadets only if a cadet meets the minimum qualifications
41 established by paragraph 3 of this subsection. Training shall include:

42 (a) Courses in responding to and reporting all criminal offenses
43 that are motivated by race, color, religion, national origin, sexual
44 orientation, gender or disability.

45 (b) Training certified by the director of the department of health
46 services with assistance from a representative of the board on the nature
47 of unexplained infant death and the handling of cases involving the
48 unexplained death of an infant.

1 (c) Medical information on unexplained infant death for first
2 responders, including awareness and sensitivity in dealing with families
3 and child care providers, and the importance of forensically competent
4 death scene investigations.

5 (d) Information on the protocol of investigation in cases of an
6 unexplained infant death, including the importance of a consistent policy
7 of thorough death scene investigation.

8 (e) The use of the infant death investigation checklist pursuant to
9 section 36-3506.

10 (f) If an unexplained infant death occurs, the value of timely
11 communication between the medical examiner's office, the department of
12 health services and appropriate social service agencies that address the
13 issue of infant death and bereavement, to achieve a better understanding
14 of these deaths and to connect families to various community and public
15 health support systems to enhance recovery from grief.

16 5. Recommend curricula for advanced courses and seminars in law
17 enforcement and intelligence training in universities, colleges and
18 community colleges, in conjunction with the governing body of the
19 educational institution.

20 6. Make inquiries to determine whether this state or political
21 subdivisions of this state are adhering to the standards for recruitment,
22 appointment, retention and training established pursuant to this article.
23 The failure of this state or any political subdivision to adhere to the
24 standards shall be reported at the next regularly scheduled meeting of the
25 board for action deemed appropriate by that body.

26 7. Employ an executive director and other staff as are necessary to
27 fulfill the powers and duties of the board in accordance with the
28 requirements of the law enforcement merit system council.

29 B. With respect to state department of corrections correctional
30 officers, the board shall:

31 1. Approve a basic training curriculum of at least two hundred
32 forty hours.

33 2. Establish uniform minimum standards. These standards shall
34 include high school graduation or the equivalent and a physical
35 examination as prescribed by the director of the state department of
36 corrections.

37 3. Establish uniform standards for background investigations,
38 including criminal histories under section 41-1750, of all applicants
39 before enrolling in the academy. The board may adopt special procedures
40 for extended screening and investigations in extraordinary cases to ensure
41 suitability and adaptability to a career as a correctional officer.

42 4. Issue a certificate of completion to any state department of
43 corrections correctional officer who satisfactorily complies with the
44 minimum standards and completes the basic training program. The board may
45 issue a certificate of completion to a state department of corrections
46 correctional officer who has received comparable training in another state
47 if the board determines that the training was at least equivalent to that
48 provided by the academy and if the person complies with the minimum
49 standards.

1 5. Establish continuing training requirements and approve
2 curricula.

3 C. IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION, THE BOARD
4 SHALL ESTABLISH UNIFORM STANDARDS FOR TRAINING AND CERTIFICATION PROGRAMS
5 FOR WHICH A SCHOOL OR SCHOOL EMPLOYEE MAY BE REIMBURSED PURSUANT TO
6 SECTION 15-249.08, SUBSECTION C THAT INCLUDE THE FOLLOWING:

7 1. FOR INITIAL CERTIFICATION, EACH OF THE FOLLOWING:

8 (a) AT LEAST FOUR HOURS OF USE-OF-FORCE TRAINING PROVIDED BY A
9 PEACE OFFICER, AN ATTORNEY OR A FIREARMS SAFETY TRAINING INSTRUCTOR AS
10 DEFINED IN SECTION 32-2601.

11 (b) AT LEAST TWENTY-FOUR HOURS OF FIREARMS TRAINING PROVIDED BY A
12 PEACE OFFICER, A FIREARMS SAFETY TRAINING INSTRUCTOR AS DEFINED IN SECTION
13 32-2601 OR AN INSTRUCTOR WHO CONDUCTS A PISTOL QUALIFYING EXAMINATION
14 PURSUANT TO SECTION 38-1113.

15 (c) AT LEAST FOUR HOURS OF TACTICAL EMERGENCY CASUALTY CARE
16 TRAINING PROVIDED BY AN EMERGENCY MEDICAL CARE TECHNICIAN AS DEFINED IN
17 SECTION 36-2201, A REGISTERED NURSE AS DEFINED IN SECTION 32-1601 OR A
18 LICENSED PHYSICIAN.

19 (d) AT LEAST EIGHT HOURS OF LIVE SCENARIO TRAINING THAT TESTS
20 COMPETENCY IN THE SUBJECTS TAUGHT PURSUANT TO SUBDIVISIONS (a), (b) AND
21 (c) OF THIS PARAGRAPH.

22 2. FOR ANNUAL RECERTIFICATION, BOTH OF THE FOLLOWING:

23 (a) A BOARD-PRESCRIBED FIREARMS QUALIFICATION COURSE.

24 (b) CONTINUING EDUCATION AND REVIEW OF TACTICAL EMERGENCY CASUALTY
25 CARE TRAINING PROVIDED BY AN EMERGENCY MEDICAL CARE TECHNICIAN AS DEFINED
26 IN SECTION 36-2201, A REGISTERED NURSE AS DEFINED IN SECTION 32-1601 OR A
27 LICENSED PHYSICIAN.

28 ~~C.~~ D. With respect to peace officer misconduct, the board may:

29 1. Receive complaints of peace officer misconduct from any person,
30 request law enforcement agencies to conduct investigations and conduct
31 independent investigations into whether an officer is in compliance with
32 the qualifications established pursuant to subsection A, paragraph 3 of
33 this section.

34 2. Receive a complaint of peace officer misconduct from the
35 president or chief executive officer of a board recognized law enforcement
36 association that represents the interests of certified law enforcement
37 officers if the association believes that a law enforcement agency refused
38 to investigate or made findings that are contradictory to prima facie
39 evidence of a violation of the qualifications established pursuant to
40 subsection A, paragraph 3 of this section. If the board finds that the
41 law enforcement agency refused to investigate or made findings that
42 contradicted prima facie evidence of a violation of the qualifications
43 established pursuant to subsection A, paragraph 3 of this section, the
44 board shall conduct an independent investigation to determine whether the
45 officer is in compliance with the qualifications established pursuant to
46 subsection A, paragraph 3 of this section and provide a letter of the
47 findings based on the investigation conducted by the board to the
48 president or chief executive officer of the board recognized law
49 enforcement association who made the complaint.

1 ~~D.~~ E. The board may:
2 1. Deny, suspend, revoke or cancel the certification of an officer
3 who is not in compliance with the qualifications established pursuant to
4 subsection A, paragraph 3 of this section.
5 2. Provide training and related services to assist state, tribal
6 and local law enforcement agencies to better serve the public, including
7 training for emergency alert notification systems.
8 3. Enter into contracts to carry out its powers and duties.
9 ~~E.~~ F. This section does not create a cause of action or a right to
10 bring an action, including an action based on discrimination due to sexual
11 orientation.
12 ~~F.~~ G. For the purposes of this section, "sexual orientation" means
13 consensual homosexuality or heterosexuality.
14 Enroll and engross to conform
15 Amend title to conform
 And, as so amended, it do pass

MATT GRESS
CHAIRMAN

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