State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HOUSE BILL 2565

AN ACT
AMENDING TITLE 15, CHAPTER 14, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 6; RELATING TO UNIVERSITIES AND COMMUNITY COLLEGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 15, chapter 14, Arizona Revised Statutes, is amended by adding article 6, to read:

ARTICLE 6. STUDENTS' RIGHTS

15-1861. Definitions
IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES,
1. "COMMUNITY COLLEGE" HAS THE SAME MEANING PRESCRIBED IN SECTION 15-1401.
2. "PUBLIC FORUM" INCLUDES ANY OPEN, OUTDOOR AREA ON THE CAMPUS OF A UNIVERSITY OR COMMUNITY COLLEGE AND ANY FACILITIES, BUILDINGS OR PARTS OF BUILDINGS THAT THE UNIVERSITY OR COMMUNITY COLLEGE HAS OPENED TO STUDENTS OR STUDENT ORGANIZATIONS FOR EXPRESSION.
3. "UNIVERSITY" MEANS A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS.

15-1862. Rights of students at universities and community colleges
A. A UNIVERSITY OR COMMUNITY COLLEGE SHALL NOT DISCRIMINATE AGAINST A STUDENT ON THE BASIS OF THE STUDENT'S RELIGIOUS VIEWPOINT, EXPRESSION OR BELIEF.
B. A UNIVERSITY OR COMMUNITY COLLEGE SHALL NOT ADOPT ANY POLICY THAT PENALIZES OR PUNISHES A STUDENT BASED ON THE STUDENT'S RELIGIOUS VIEWPOINT, EXPRESSION OR BELIEFS.
C. IF AN ASSIGNMENT OR CLASSROOM DISCUSSION REQUESTS A STUDENT'S VIEWPOINT IN COURSEWORK, ARTWORK OR OTHER WRITTEN OR ORAL ASSIGNMENTS, A UNIVERSITY OR COMMUNITY COLLEGE SHALL NOT PENALIZE OR REWARD A STUDENT ON THE BASIS OF RELIGIOUS CONTENT OR A RELIGIOUS VIEWPOINT. IN SUCH AN ASSIGNMENT, A STUDENT'S ACADEMIC WORK THAT EXPRESSES A RELIGIOUS VIEWPOINT SHALL BE EVALUATED BASED ON ORDINARY ACADEMIC STANDARDS SUCH AS GRAMMAR, STYLE, ANALYSIS AND ADHERENCE TO THE INSTRUCTIONS FOR THE ASSIGNMENT.
D. A UNIVERSITY OR COMMUNITY COLLEGE SHALL NOT WITHHOLD ANY CERTIFICATE OR DEGREE ON THE BASIS OF A STUDENT'S RELIGIOUS VIEWPOINT OR RELIGIOUS EXPRESSION.
E. A UNIVERSITY OR COMMUNITY COLLEGE SHALL NOT DISCIPLINE OR DISCRIMINATE AGAINST A STUDENT IN A COUNSELING, SOCIAL WORK OR PSYCHOLOGY PROGRAM BECAUSE THE STUDENT REFUSES TO COUNSEL A CLIENT ABOUT GOALS THAT CONFLICT WITH THE STUDENT'S SINCERELY HELD RELIGIOUS BELIEF OR MORAL CONVICTION.

15-1863. Student organizations; recognition; rights
A. A UNIVERSITY OR COMMUNITY COLLEGE THAT GRANTS RECOGNITION TO ANY STUDENT ORGANIZATION OR GROUP MAY NOT DISCRIMINATE AGAINST OR DENY RECOGNITION, EQUAL ACCESS OR A FAIR OPPORTUNITY TO ANY STUDENT ORGANIZATION OR GROUP ON THE BASIS OF THE RELIGIOUS, POLITICAL, PHILOSOPHICAL OR OTHER CONTENT OF THE ORGANIZATION'S OR GROUP'S SPEECH INCLUDING WORSHIP.
B. A RELIGIOUS OR POLITICAL STUDENT ORGANIZATION MAY DETERMINE THAT ORDERING THE ORGANIZATION'S INTERNAL AFFAIRS, SELECTING THE ORGANIZATION'S LEADERS AND MEMBERS, DEFINING THE ORGANIZATION'S DOCTRINES AND RESOLVING THE ORGANIZATION'S DISPUTES ARE IN FURTHERANCE OF THE ORGANIZATION'S RELIGIOUS OR POLITICAL MISSION AND THAT ONLY PERSONS COMMITTED TO THAT MISSION SHOULD CONDUCT SUCH ACTIVITIES.

C. A UNIVERSITY OR COMMUNITY COLLEGE MAY NOT DENY RECOGNITION OR ANY PRIVILEGE OR BENEFIT TO A STUDENT ORGANIZATION OR GROUP THAT EXERCISES ITS RIGHTS PURSUANT TO SUBSECTION B.

15-1864. Students' right to speak in a public forum

A. A UNIVERSITY OR COMMUNITY COLLEGE SHALL NOT RESTRICT A STUDENT'S RIGHT TO SPEAK, INCLUDING VERBAL SPEECH, HOLDING A SIGN OR DISTRIBUTING FLIERS OR OTHER MATERIALS, IN A PUBLIC FORUM.

B. A UNIVERSITY OR COMMUNITY COLLEGE MAY RESTRICT A STUDENT'S SPEECH IN A PUBLIC FORUM ONLY IF IT DEMONSTRATES THAT APPLICATION OF THE BURDEN TO THE STUDENT IS BOTH:

1. IN FURTHERANCE OF A COMPPELLING GOVERNMENTAL INTEREST.

2. THE LEAST RESTRICTIVE MEANS OF FURTHERING THAT COMPPELLING GOVERNMENTAL INTEREST.