State of Arizona
House of Representatives
Fifty-fourth Legislature
First Regular Session
2019

HB 2002

Introduced by
Representative Finchem

AN ACT

AMENDING TITLE 15, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-505; RELATING TO SCHOOL EMPLOYEES.

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

Section 1. Title 15, chapter 5, article 1, Arizona Revised Statutes, is amended by adding section 15-505, to read:

15-505. Educator code of ethics and professional responsibility; rules; continuing education; definition

A. THE STATE BOARD OF EDUCATION, IN COOPERATION WITH THE SUPERINTENDENT OF PUBLIC INSTRUCTION, SHALL ADOPT RULES TO PROVIDE FOR AN EDUCATOR CODE OF ETHICS AND PROFESSIONAL RESPONSIBILITY.

B. THE RULES ADOPTED PURSUANT TO THIS SECTION SHALL:

1. BE CLEARLY WRITTEN AND UNIFORMLY ENFORCED.

2. INCLUDE ENFORCEMENT MECHANISMS FOR APPROPRIATE PROFESSIONAL AND ETHICAL BEHAVIOR BY CERTIFICATED TEACHERS.

3. PROHIBIT TEACHERS IN TAXPAYER-SUPPORTED SCHOOLS FROM ENGAGING IN POLITICAL, IDEOLOGICAL OR RELIGIOUS ADVOCACY IN THEIR CLASSROOMS.

C. AT A MINIMUM, THE RULES ADOPTED PURSUANT TO THIS SECTION SHALL PROVIDE THAT A TEACHER MAY NOT DO ANY OF THE FOLLOWING DURING CLASS TIME OR WHILE OTHERWISE OPERATING WITHIN THE SCOPE OF EMPLOYMENT AS A TEACHER IN A PUBLIC EDUCATIONAL INSTITUTION:

1. ENDORSE, SUPPORT OR OPPOSE ANY CANDIDATE OR NOMINEE FOR PUBLIC OFFICE OR ANY ELECTED OR APPOINTED OFFICIAL REGARDLESS OF WHETHER THAT PUBLIC OFFICE IS UNDER THE JURISDICTION OF A LOCAL GOVERNMENT, THE STATE GOVERNMENT OR THE FEDERAL GOVERNMENT.

2. ENDORSE, SUPPORT OR OPPOSE ANY PENDING, PROPOSED OR ENACTED LEGISLATION, RULE OR REGULATION REGARDLESS OF WHETHER THAT LEGISLATION, RULE OR REGULATION IS PENDING OR PROPOSED OR HAS BEEN ENACTED AT THE LOCAL, STATE OR FEDERAL LEVEL.

3. ENDORSE, SUPPORT OR OPPOSE ANY PENDING, PROPOSED OR DECIDED COURT CASE OR JUDICIAL ACTION REGARDLESS OF WHETHER THAT COURT CASE OR JUDICIAL ACTION IS AT THE LOCAL, STATE OR FEDERAL LEVEL.

4. ENDORSE, SUPPORT OR OPPOSE ANY PENDING, PROPOSED OR EXECUTED EXECUTIVE ACTION BY AN EXECUTIVE BRANCH AGENCY AT THE LOCAL, STATE OR FEDERAL LEVEL.

5. INTRODUCE IN THE TEACHER'S CLASSROOM ANY CONTROVERSIAL ISSUE THAT IS NOT GERMANE TO THE TOPIC OF THE COURSE OR ACADEMIC SUBJECT BEING TAUGHT.

6. ENDORSE, SUPPORT OR ENGAGE IN ANY ACTIVITY THAT HAMPERS OR IMPEDES THE LAWFUL ACCESS OF MILITARY RECRUITERS TO THE CAMPUS.

7. ENDORSE, SUPPORT OR ENGAGE IN ANY ACTIVITY THAT HAMPERS OR IMPEDES THE ACTIONS OF LOCAL, STATE OR FEDERAL LAW ENFORCEMENT.

8. ADVOCATE IN A PARTISAN MANNER FOR ANY SIDE OF A CONTROVERSIAL ISSUE. TO ENSURE THAT STUDENTS HAVE THE RESOURCES TO MAKE INDEPENDENT DECISIONS ON THESE ISSUES, A TEACHER MUST PROVIDE STUDENTS WITH MATERIALS SUPPORTING BOTH SIDES OF THE CONTROVERSY AND PRESENT THOSE VIEWS IN A FAIR-MINDED AND NONPARTISAN MANNER. A TEACHER MAY EXPRESS THE TEACHER'S
OPINIONS ON THESE MATTERS BUT ONLY IN A MANNER IN WHICH STUDENTS
UNDERSTAND THAT STUDENTS MAY MAKE INDEPENDENT DECISIONS AND DISAGREE WITH
THE TEACHER WITHOUT INCURRING ANY PENALTY.

9. SEGREGATE STUDENTS ACCORDING TO RACE OR SINGLE OUT ONE RACIAL
GROUP OF STUDENTS AS BEING RESPONSIBLE FOR THE SUFFERING OR INEQUITIES
EXPERIENCED BY ANOTHER RACIAL GROUP OF STUDENTS.

D. THE RULES ADOPTED PURSUANT TO THIS SECTION:
1. APPLY TO ALL CERTIFICATED TEACHERS AT PUBLIC SCHOOLS.
2. SHALL PROVIDE PENALTIES FOR VIOLATIONS OF THE RULES THAT INCLUDE
TERMINATION OF EMPLOYMENT.
3. SHALL REQUIRE EACH CERTIFICATED TEACHER TO ANNUALLY OBTAIN AT
LEAST THREE HOURS OF CONTINUING EDUCATION INSTRUCTION REGARDING TEACHER
RESPONSIBILITIES UNDER THESE RULES.

E. THE STATE BOARD OF EDUCATION SHALL PROVIDE WRITTEN NOTIFICATION
TO ALL TEACHERS, PARENTS AND STUDENTS OF EACH GROUP'S RIGHTS AND
RESPONSIBILITIES UNDER THE RULES ADOPTED PURSUANT TO THIS SECTION.

F. FOR THE PURPOSES OF THIS SECTION, "CONTROVERSIAL ISSUE" MEANS AN
ISSUE THAT IS A POINT IN A POLITICAL PARTY PLATFORM AT THE LOCAL, STATE OR
FEDERAL LEVEL.

Sec. 2. Findings and declarations; invitation

A. The legislature finds and declares that:
1. The purpose of public education in Arizona is to produce
knowledgeable and competent adults who are able to participate as informed
citizens in the democratic process of selecting representation in our
constitutional republic.

2. Education in a democracy is best served by teaching students how
to think, not telling them what to think. Our country is divided over
many issues affecting its citizens. It has been established through
surveys that a majority of K-12 teachers discuss controversial issues in
their classrooms.

3. It has been established that some teacher training institutions,
teacher licensing agencies, state education departments and professional
teacher organizations have condoned and even encouraged this behavior
under the guise of "teaching for social justice" and other sectarian
doctrines. Time spent on political or ideological indoctrination takes
time away from instruction in the academic subjects taught by public
educational institutions, including the foundational subjects of
mathematics, science, English, history and civics, and prevents students
from receiving the best possible public education as funded by the
taxpayers of this state.

4. Parents and taxpayers have a right to expect that taxpayer
resources will be spent on education, not political or ideological
indoctrination.
B. The legislature invites this state's professional teacher organizations and unions to voluntarily adopt an educator code of ethics and professional responsibility that incorporates the principles of section 15-505, Arizona Revised Statutes, as added by this act, and that specifically prohibits teachers in K-12 schools from using the classroom for political indoctrination.