

REFERENCE TITLE: **educators; ethics; professional responsibility**

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)

1 Be it enacted by the Legislature of the State of Arizona:

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

4 15-505. Educator code of ethics and professional
5 responsibility; rules; continuing education;
6 definition

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

10 B. THE RULES ADOPTED PURSUANT TO THIS SECTION SHALL:

11 1. BE CLEARLY WRITTEN AND UNIFORMLY ENFORCED.

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

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

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

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

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

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

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

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

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

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

41 8. ADVOCATE IN A PARTISAN MANNER FOR ANY SIDE OF A CONTROVERSIAL
42 ISSUE. TO ENSURE THAT STUDENTS HAVE THE RESOURCES TO MAKE INDEPENDENT
43 DECISIONS ON THESE ISSUES, A TEACHER MUST PROVIDE STUDENTS WITH MATERIALS
44 SUPPORTING BOTH SIDES OF THE CONTROVERSY AND PRESENT THOSE VIEWS IN A
45 FAIR-MINDED AND NONPARTISAN MANNER. A TEACHER MAY EXPRESS THE TEACHER'S

1 OPINIONS ON THESE MATTERS BUT ONLY IN A MANNER IN WHICH STUDENTS
2 UNDERSTAND THAT STUDENTS MAY MAKE INDEPENDENT DECISIONS AND DISAGREE WITH
3 THE TEACHER WITHOUT INCURRING ANY PENALTY.

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

7 D. THE RULES ADOPTED PURSUANT TO THIS SECTION:

8 1. APPLY TO ALL CERTIFICATED TEACHERS AT PUBLIC SCHOOLS.

9 2. SHALL PROVIDE PENALTIES FOR VIOLATIONS OF THE RULES THAT INCLUDE
10 TERMINATION OF EMPLOYMENT.

11 3. SHALL REQUIRE EACH CERTIFICATED TEACHER TO ANNUALLY OBTAIN AT
12 LEAST THREE HOURS OF CONTINUING EDUCATION INSTRUCTION REGARDING TEACHER
13 RESPONSIBILITIES UNDER THESE RULES.

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

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

20 Sec. 2. Findings and declarations; invitation

21 A. The legislature finds and declares that:

22 1. The purpose of public education in Arizona is to produce
23 knowledgeable and competent adults who are able to participate as informed
24 citizens in the democratic process of selecting representation in our
25 constitutional republic.

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

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

41 4. Parents and taxpayers have a right to expect that taxpayer
42 resources will be spent on education, not political or ideological
43 indoctrination.

1 B. The legislature invites this state's professional teacher
2 organizations and unions to voluntarily adopt an educator code of ethics
3 and professional responsibility that incorporates the principles of
4 section 15-505, Arizona Revised Statutes, as added by this act, and that
5 specifically prohibits teachers in K-12 schools from using the classroom
6 for political indoctrination.