

REFERENCE TITLE: schools; immunizations; registered nurses; posting

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

HB 2352

Introduced by
Representatives Butler: Andrade, Blanc, Engel, Epstein, Hernandez A,
Lieberman, Salman, Teller

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-189.06; REPEALING SECTION 15-341, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 329, SECTION 1; AMENDING SECTION 15-341, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 285, SECTION 8 AND CHAPTER 292, SECTION 2; AMENDING SECTION 15-874, ARIZONA REVISED STATUTES; RELATING TO PUPILS' HEALTH.

(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 1, article 8, Arizona Revised
3 Statutes, is amended by adding section 15-189.06, to read:

4 15-189.06. School nurses; posting

5 IF A CHARTER SCHOOL HAS A WEBSITE, THE CHARTER SCHOOL SHALL POST ON
6 ITS WEBSITE WHETHER A REGISTERED NURSE IS ASSIGNED TO THE SCHOOL AND AN
7 EXPLANATION OF THE MANNER IN WHICH PUPIL HEALTH ISSUES ARE ADDRESSED AT
8 THE SCHOOL. THE CHARTER SCHOOL SHALL IDENTIFY THE CLINICAL CREDENTIALS OR
9 LICENSES OF THE PERSON PROVIDING HEALTH SERVICES ON THE SCHOOL'S CAMPUS.
10 IF THE INDIVIDUAL PROVIDING HEALTH SERVICES DOES NOT HAVE A HEALTH
11 CREDENTIAL, THE CHARTER SCHOOL SHALL DISCLOSE THAT FACT ON ITS WEBSITE.

12 Sec. 2. Repeal

13 Section 15-341, Arizona Revised Statutes, as amended by Laws 2018,
14 chapter 329, section 1, is repealed.

15 Sec. 3. Section 15-341, Arizona Revised Statutes, as amended by
16 Laws 2018, chapter 285, section 8 and chapter 292, section 2, is amended
17 to read:

18 15-341. General powers and duties; immunity; delegation

19 A. The governing board shall:

20 1. Prescribe and enforce policies and procedures for the governance
21 of the schools that are not inconsistent with law or rules prescribed by
22 the state board of education.

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

27 3. Manage and control the school property within its district.

28 4. Acquire school furniture, apparatus, equipment, library books
29 and supplies for the use of the schools.

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

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

34 7. Construct school buildings on approval by a vote of the district
35 electors.

36 8. Make in the name of the district conveyances of property
37 belonging to the district and sold by the board.

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

1 10. Construct, improve and furnish buildings used for school
2 purposes when such buildings or premises are leased from the national park
3 service.

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

7 12. Hold pupils to strict account for disorderly conduct on school
8 property.

9 13. Discipline students for disorderly conduct on the way to and
10 from school.

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

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

27 16. Provide for adequate supervision over pupils in instructional
28 and noninstructional activities by certificated or noncertificated
29 personnel.

30 17. Use school monies received from the state and county school
31 apportionment exclusively for payment of salaries of teachers and other
32 employees and contingent expenses of the district.

33 18. Make an annual report to the county school superintendent on or
34 before October 1 in the manner and form and on the blanks prescribed by
35 the superintendent of public instruction or county school superintendent.
36 The board shall also make reports directly to the county school
37 superintendent or the superintendent of public instruction whenever
38 required.

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

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

6 21. Prescribe and enforce policies and procedures for disciplinary
7 action against a teacher who engages in conduct that is a violation of the
8 policies of the governing board but that is not cause for dismissal of the
9 teacher or for revocation of the certificate of the teacher. Disciplinary
10 action may include suspension without pay for a period of time not to
11 exceed ten school days. Disciplinary action shall not include suspension
12 with pay or suspension without pay for a period of time longer than ten
13 school days. The procedures shall include notice, hearing and appeal
14 provisions for violations that are cause for disciplinary action. The
15 governing board may designate a person or persons to act on behalf of the
16 board on these matters.

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

33 23. Notwithstanding sections 13-3108 and 13-3120, prescribe and
34 enforce policies and procedures that prohibit a person from carrying or
35 possessing a weapon on school grounds unless the person is a peace officer
36 or has obtained specific authorization from the school administrator.

37 24. Prescribe and enforce policies and procedures relating to the
38 health and safety of all pupils participating in district-sponsored
39 practice sessions or games or other interscholastic athletic activities,
40 including:

41 (a) The provision of water.

42 (b) Guidelines, information and forms, developed in consultation
43 with a statewide private entity that supervises interscholastic
44 activities, to inform and educate coaches, pupils and parents of the
45 dangers of concussions and head injuries and the risks of continued

1 participation in athletic activity after a concussion. The policies and
2 procedures shall require that, before a pupil participates in an athletic
3 activity, the pupil and the pupil's parent must sign an information form
4 at least once each school year that states that the parent is aware of the
5 nature and risk of concussion. The policies and procedures shall require
6 that a pupil who is suspected of sustaining a concussion in a practice
7 session, game or other interscholastic athletic activity be immediately
8 removed from the athletic activity and that the pupil's parent or guardian
9 be notified. A coach from the pupil's team or an official or a licensed
10 health care provider may remove a pupil from play. A team parent may also
11 remove the parent's own child from play. A pupil may return to play on
12 the same day if a health care provider rules out a suspected concussion at
13 the time the pupil is removed from play. On a subsequent day, the pupil
14 may return to play if the pupil has been evaluated by and received written
15 clearance to resume participation in athletic activity from a health care
16 provider who has been trained in the evaluation and management of
17 concussions and head injuries. A health care provider who is a volunteer
18 and who provides clearance to participate in athletic activity on the day
19 of the suspected injury or on a subsequent day is 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 gross negligence or wanton or wilful
23 neglect. A school district, school district employee, team coach,
24 official or team volunteer or a parent or guardian of a team member is not
25 subject to civil liability for any act, omission or policy undertaken in
26 good faith to comply with the requirements of this subdivision or for a
27 decision made or an action taken by a health care provider. A group or
28 organization that uses property or facilities owned or operated by a
29 school district for athletic activities shall comply with the requirements
30 of this subdivision. A school district and its employees and volunteers
31 are not subject to civil liability for any other person or organization's
32 failure or alleged failure to comply with the requirements of this
33 subdivision. This subdivision does not apply to teams that are based in
34 another state and that participate in an athletic activity in this
35 state. For the purposes of this subdivision, athletic activity does not
36 include dance, rhythmic gymnastics, competitions or exhibitions of
37 academic skills or knowledge or other similar forms of physical noncontact
38 activities, civic activities or academic activities, whether engaged in
39 for the purposes of competition or recreation. For the purposes of this
40 subdivision, "health care provider" means a physician who is licensed
41 pursuant to title 32, chapter 13 or 17, an athletic trainer who is
42 licensed pursuant to title 32, chapter 41, a nurse practitioner who is
43 licensed pursuant to title 32, chapter 15, and a physician assistant who
44 is licensed pursuant to title 32, chapter 25.

1 (c) Guidelines, information and forms that are developed in
 2 consultation with a statewide private entity that supervises
 3 interscholastic activities to inform and educate coaches, pupils and
 4 parents of the dangers of heat-related illnesses, sudden cardiac death and
 5 prescription opioid use. Before a pupil participates in any
 6 district-sponsored practice session, ~~OR~~ OR game or other interscholastic
 7 athletic activity, the pupil and the pupil's parent must be provided with
 8 information at least once each school year on the risks of heat-related
 9 illnesses, sudden cardiac death and prescription opioid addiction.

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

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

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

17 28. Ensure that insurance coverage is secured for all construction
 18 projects for purposes of general liability, property damage and workers'
 19 compensation and secure performance and payment bonds for all construction
 20 projects.

21 29. Keep in the personnel file of all current and former employees
 22 who provide instruction to pupils at a school information about the
 23 employee's educational and teaching background and experience in a
 24 particular academic content subject area. A school district shall inform
 25 parents and guardians of the availability of the information and shall
 26 make the information available for inspection on request of parents and
 27 guardians of pupils enrolled at a school. This paragraph does not require
 28 any school to release personally identifiable information in relation to
 29 any teacher or employee, including the teacher's or employee's address,
 30 salary, social security number or telephone number.

31 30. Report to local law enforcement agencies any suspected crime
 32 against a person or property that is a serious offense as defined in
 33 section 13-706 or that involves a deadly weapon or dangerous instrument or
 34 serious physical injury and any conduct that poses a threat of death or
 35 serious physical injury to employees, students or anyone on the property
 36 of the school. This paragraph does not limit or preclude the reporting by
 37 a school district or an employee of a school district of suspected crimes
 38 other than those required to be reported by this paragraph. For the
 39 purposes of this paragraph, "dangerous instrument", "deadly weapon" and
 40 "serious physical injury" have the same meanings prescribed in section
 41 13-105.

42 31. In conjunction with local law enforcement agencies and
 43 emergency response agencies, develop an emergency response plan for each
 44 school in the school district in accordance with minimum standards
 45 developed jointly by the department of education and the division of

1 emergency management within the department of emergency and military
2 affairs.

3 32. Provide written notice to the parents or guardians of all
4 students enrolled in the school district at least ten days before a public
5 meeting to discuss closing a school within the school district. The
6 notice shall include the reasons for the proposed closure and the time and
7 place of the meeting. The governing board shall fix a time for a public
8 meeting on the proposed closure not less than ten days before voting in a
9 public meeting to close the school. The school district governing board
10 shall give notice of the time and place of the meeting. At the time and
11 place designated in the notice, the school district governing board shall
12 hear reasons for or against closing the school. The school district
13 governing board is exempt from this paragraph if the governing board
14 determines that the school shall be closed because it poses a danger to
15 the health or safety of the pupils or employees of the school. A
16 governing board may consult with the school facilities board for technical
17 assistance and for information on the impact of closing a school. The
18 information provided from the school facilities board shall not require
19 the governing board to take or not take any action.

20 33. Incorporate instruction on Native American history into
21 appropriate existing curricula.

22 34. Prescribe and enforce policies and procedures:

23 (a) Allowing pupils who have been diagnosed with anaphylaxis by a
24 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or
25 25 or by a registered nurse practitioner licensed and certified pursuant
26 to title 32, chapter 15 to carry and self-administer emergency
27 medications, including epinephrine auto-injectors, while at school and at
28 school-sponsored activities. The pupil's name on the prescription label
29 on the medication container or on the medication device and annual written
30 documentation from the pupil's parent or guardian to the school that
31 authorizes possession and self-administration is sufficient proof that the
32 pupil is entitled to the possession and self-administration of the
33 medication. The policies shall require a pupil who uses an epinephrine
34 auto-injector while at school and at school-sponsored activities to notify
35 the nurse or the designated school staff person of the use of the
36 medication as soon as practicable. A school district and its employees
37 are immune from civil liability with respect to all decisions made and
38 actions taken that are based on good faith implementation of the
39 requirements of this subdivision, except in cases of wanton or wilful
40 neglect.

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

43 35. Allow the possession and self-administration of prescription
44 medication for breathing disorders in handheld inhaler devices by pupils
45 who have been prescribed that medication by a health care professional

1 licensed pursuant to title 32. The pupil's name on the prescription label
 2 on the medication container or on the handheld inhaler device and annual
 3 written documentation from the pupil's parent or guardian to the school
 4 that authorizes possession and self-administration shall be sufficient
 5 proof that the pupil is entitled to the possession and self-administration
 6 of the medication. A school district and its employees are immune from
 7 civil liability with respect to all decisions made and actions taken that
 8 are based on a good faith implementation of the requirements of this
 9 paragraph.

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

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

21 (b) A requirement that school district employees report in writing
 22 suspected incidents of harassment, intimidation or bullying to the
 23 appropriate school official and a description of appropriate disciplinary
 24 procedures for employees who fail to report suspected incidents that are
 25 known to the employee.

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

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

34 (e) A formal process for the documentation of reported incidents of
 35 harassment, intimidation or bullying and for the confidentiality,
 36 maintenance and disposition of this documentation. School districts shall
 37 maintain documentation of all incidents reported pursuant to this
 38 paragraph for at least six years. The school shall not use that
 39 documentation to impose disciplinary action unless the appropriate school
 40 official has investigated and determined that the reported incidents of
 41 harassment, intimidation or bullying occurred. If a school provides
 42 documentation of reported incidents to persons other than school officials
 43 or law enforcement, all individually identifiable information shall be
 44 redacted.

1 (f) A formal process for the investigation by the appropriate
2 school officials of suspected incidents of harassment, intimidation or
3 bullying, including procedures for notifying the alleged victim and the
4 alleged victim's parent or guardian when a school official or employee
5 becomes aware of the suspected incident of harassment, intimidation or
6 bullying.

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

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

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

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

16 37. Prescribe and enforce policies and procedures regarding
17 changing or adopting attendance boundaries that include the following
18 components:

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

21 (b) A procedure to notify the parents or guardians of the students
22 affected.

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

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

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

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

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

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

44 39. Ensure that the contract for the superintendent is structured
45 in a manner in which up to twenty percent of the total annual salary

1 included for the superintendent in the contract is classified as
2 performance pay. This paragraph does not require school districts to
3 increase total compensation for superintendents. Unless the school
4 district governing board votes to implement an alternative procedure at a
5 public meeting called for this purpose, the performance pay portion of the
6 superintendent's total annual compensation shall be determined as follows:

7 (a) Twenty-five percent of the performance pay shall be determined
8 based on the percentage of academic gain determined by the department of
9 education of pupils who are enrolled in the school district compared to
10 the academic gain achieved by the highest ranking of the fifty largest
11 school districts in this state. For the purposes of this subdivision, the
12 department of education shall determine academic gain by the academic
13 growth achieved by each pupil who has been enrolled at the same school in
14 a school district for at least five consecutive months measured against
15 that pupil's academic results in the 2008-2009 school year. For the
16 purposes of this subdivision, of the fifty largest school districts in
17 this state, the school district with pupils who demonstrate the highest
18 statewide percentage of overall academic gain measured against academic
19 results for the 2008-2009 school year shall be assigned a score of 100 and
20 the school district with pupils who demonstrate the lowest statewide
21 percentage of overall academic gain measured against academic results for
22 the 2008-2009 school year shall be assigned a score of 0.

23 (b) Twenty-five percent of the performance pay shall be determined
24 by the percentage of parents of pupils who are enrolled at the school
25 district who assign a letter grade of "A" to the school on a survey of
26 parental satisfaction with the school district. The parental satisfaction
27 survey shall be administered and scored by an independent entity that is
28 selected by the governing board and that demonstrates sufficient expertise
29 and experience to accurately measure the results of the survey. The
30 parental satisfaction survey shall use standard random sampling procedures
31 and provide anonymity and confidentiality to each parent who participates
32 in the survey. The letter grade scale used on the parental satisfaction
33 survey shall direct parents to assign one of the following letter grades:

34 (i) A letter grade of "A" if the school district is excellent.

35 (ii) A letter grade of "B" if the school district is above average.

36 (iii) A letter grade of "C" if the school district is average.

37 (iv) A letter grade of "D" if the school district is below average.

38 (v) A letter grade of "F" if the school district is a failure.

39 (c) Twenty-five percent of the performance pay shall be determined
40 by the percentage of teachers who are employed at the school district and
41 who assign a letter grade of "A" to the school on a survey of teacher
42 satisfaction with the school. The teacher satisfaction survey shall be
43 administered and scored by an independent entity that is selected by the
44 governing board and that demonstrates sufficient expertise and experience
45 to accurately measure the results of the survey. The teacher satisfaction

1 survey shall use standard random sampling procedures and provide anonymity
2 and confidentiality to each teacher who participates in the survey. The
3 letter grade scale used on the teacher satisfaction survey shall direct
4 teachers to assign one of the following letter grades:

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

10 (d) Twenty-five percent of the performance pay shall be determined
11 by other criteria selected by the governing board.

12 40. Maintain and store permanent public records of the school
13 district as required by law. Notwithstanding section 39-101, the
14 standards adopted by the Arizona state library, archives and public
15 records for the maintenance and storage of school district public records
16 shall allow school districts to elect to satisfy the requirements of this
17 paragraph by maintaining and storing these records either on paper or in
18 an electronic format, or a combination of a paper and electronic format.

19 41. Adopt in a public meeting and implement policies for principal
20 evaluations. Before ~~the adoption of~~ ADOPTING principal evaluation
21 policies, the school district governing board shall provide opportunities
22 for public discussion on the proposed policies. The policies shall
23 describe:

24 (a) The principal evaluation instrument, including the four
25 performance classifications adopted by the governing board pursuant to
26 section 15-203, subsection A, paragraph 38.

27 (b) Alignment of professional development opportunities to the
28 principal evaluations.

29 (c) Incentives for principals in one of the two highest performance
30 classifications pursuant to section 15-203, subsection A, paragraph 38,
31 which may include:

32 (i) Multiyear contracts pursuant to section 15-503.

33 (ii) Incentives to work at schools that are assigned a letter grade
34 of D or F pursuant to section 15-241.

35 (d) Transfer and contract processes for principals designated in
36 the lowest performance classification pursuant to section 15-203,
37 subsection A, paragraph 38.

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

1 43. Prescribe and enforce policies and procedures for the emergency
2 administration by an employee of a school district pursuant to section
3 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
4 by the United States food and drug administration.

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

22 45. POST ON THE SCHOOL DISTRICT'S WEBSITE AND, IF THE DISTRICT'S
23 INDIVIDUAL SCHOOLS HAVE WEBSITES, ON THE WEBSITE OF EACH SCHOOL WHETHER A
24 REGISTERED NURSE IS ASSIGNED TO THE SCHOOL AND AN EXPLANATION OF THE
25 MANNER IN WHICH PUPIL HEALTH ISSUES ARE ADDRESSED AT THE SCHOOL. THE
26 SCHOOL SHALL IDENTIFY THE CLINICAL CREDENTIALS OR LICENSES OF THE PERSON
27 PROVIDING HEALTH SERVICES ON THE SCHOOL'S CAMPUS. IF THE INDIVIDUAL
28 PROVIDING HEALTH SERVICES DOES NOT HAVE A HEALTH CREDENTIAL, THE SCHOOL
29 SHALL DISCLOSE THAT FACT ON ITS WEBSITE.

30 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this
31 section, the county school superintendent may construct, improve and
32 furnish school buildings or purchase or sell school sites in the conduct
33 of an accommodation school.

34 C. If any school district acquires real or personal property,
35 whether by purchase, exchange, condemnation, gift or otherwise, the
36 governing board shall pay to the county treasurer any taxes on the
37 property that were unpaid as of the date of acquisition, including
38 penalties and interest. The lien for unpaid delinquent taxes, penalties
39 and interest on property acquired by a school district:

40 1. Is not abated, extinguished, discharged or merged in the title
41 to the property.

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

43 D. The governing board may not locate a school on property that is
44 less than one-fourth mile from agricultural land regulated pursuant to
45 section 3-365, except that the owner of the agricultural land may agree to

1 comply with the buffer zone requirements of section 3-365. If the owner
2 agrees in writing to comply with the buffer zone requirements and records
3 the agreement in the office of the county recorder as a restrictive
4 covenant running with the title to the land, the school district may
5 locate a school within the affected buffer zone. The agreement may
6 include any stipulations regarding the school, including conditions for
7 future expansion of the school and changes in the operational status of
8 the school that will result in a breach of the agreement.

9 E. A school district, its governing board members, its school
10 council members and its employees are immune from civil liability for the
11 consequences of adoption and implementation of policies and procedures
12 pursuant to subsection A of this section and section 15-342. This waiver
13 does not apply if the school district, its governing board members, its
14 school council members or its employees are guilty of gross negligence or
15 intentional misconduct.

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

19 G. Notwithstanding any other provision of this title, a school
20 district governing board shall not take any action that would result in a
21 reduction of pupil square footage unless the governing board notifies the
22 school facilities board established by section 15-2001 of the proposed
23 action and receives written approval from the school facilities board to
24 take the action. A reduction includes an increase in administrative space
25 that results in a reduction of pupil square footage or sale of school
26 sites or buildings, or both. A reduction includes a reconfiguration of
27 grades that results in a reduction of pupil square footage of any grade
28 level. This subsection does not apply to temporary reconfiguration of
29 grades to accommodate new school construction if the temporary
30 reconfiguration does not exceed one year. The sale of equipment that
31 results in a reduction that falls below the equipment requirements
32 prescribed in section 15-2011, subsection B is subject to commensurate
33 withholding of school district additional assistance monies
34 pursuant to the direction of the school facilities board. Except as
35 provided in section 15-342, paragraph 10, proceeds from the sale of school
36 sites, buildings or other equipment shall be deposited in the school plant
37 fund as provided in section 15-1102.

38 H. Subsections C through G of this section apply to a county board
39 of supervisors and a county school superintendent when operating and
40 administering an accommodation school.

41 I. A school district governing board may delegate authority in
42 writing to the superintendent of the school district to submit plans for
43 new school facilities to the school facilities board for the purpose of
44 certifying that the plans meet the minimum school facility adequacy
45 guidelines prescribed in section 15-2011.

1 Sec. 4. Section 15-874, Arizona Revised Statutes, is amended to
2 read:

3 15-874. Immunization records; reporting requirements

4 A. Each pupil's immunizations shall be recorded on the school
5 immunization record. The school immunization record shall be a
6 standardized form developed by the department of health services in
7 conjunction with the department of education and provided by the
8 department of health services and shall be a part of the mandatory
9 permanent student record. The records are open to inspection by the
10 department of health services and the local health department.

11 B. Each immunization record shall contain at least the following
12 information:

- 13 1. The pupil's name and birth date.
- 14 2. The date of the pupil's admission to the school.
- 15 3. The type of immunizing agents administered to the pupil.
- 16 4. The date each dose of immunizing agent is administered to the
17 pupil.

18 5. The established schedule for completion of immunizations if the
19 pupil is admitted to or allowed to continue to attend a school pursuant to
20 section 15-872, subsection E.

21 6. Laboratory evidence of immunity if this evidence is presented as
22 part of a pupil's documentary proof.

23 7. If an exemption from immunization as provided in section 15-873
24 is submitted to the school administrator, the date the exemption is
25 submitted and the reason for the exemption.

26 8. Additional information prescribed by the director of the
27 department of health services by rule.

28 C. A school shall transfer an immunization record with the
29 mandatory permanent student record and provide at no charge, on request, a
30 copy of the immunization record to the parent or guardian of the pupil.

31 D. ~~By~~ **ON OR BEFORE** November 30 of each school year, each school
32 district, **CHARTER SCHOOL** and private school shall complete and file a
33 report with the local health department and the department of health
34 services, using forms provided by the department of health services. The
35 report shall state the number of pupils attending **THE SCHOOL** who have
36 completed required immunizations or who have submitted laboratory evidence
37 of immunity, the number of pupils attending with uncompleted required
38 immunizations and the number of pupils attending with an exemption from
39 immunization pursuant to section 15-873. **EACH SCHOOL DISTRICT, CHARTER
40 SCHOOL AND PRIVATE SCHOOL SHALL ANNUALLY POST THE REPORTS PRESCRIBED IN
41 THIS SUBSECTION ON ITS WEBSITE.**