

REFERENCE TITLE: schools; parental information; curricula

State of Arizona
Senate
Fifty-fourth Legislature
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2019

SB 1459

Introduced by
Senators Allen S: Boyer, Farnsworth D, Livingston

AN ACT

AMENDING SECTION 15-102, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-119; RELATING TO SCHOOL CURRICULA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-102, Arizona Revised Statutes, is amended to
3 read:

4 15-102. Parental involvement in the school; definition

5 A. The governing board, in consultation with parents, teachers and
6 administrators, shall develop and adopt a policy to promote the
7 involvement of parents and guardians of children enrolled in the schools
8 within the school district, including:

9 1. A plan for parent participation in the schools that is designed
10 to improve parent and teacher cooperation in such areas as homework,
11 attendance and discipline. The plan shall provide for ~~the administration~~
12 ~~of~~ DEVELOPING AND MAINTAINING THE CURRICULUM INFORMATION FORM PRESCRIBED
13 IN SECTION 15-119 AND ADMINISTERING a parent-teacher satisfaction survey.

14 2. Procedures by which parents may learn about the course of study
15 for their children and review learning materials, including the source of
16 any supplemental educational materials.

17 3. Procedures by which parents who object to any learning material
18 or activity on the basis that it is harmful may withdraw their children
19 from the activity or from the class or program in which the material is
20 used. Objection to a learning material or activity on the basis that it is
21 harmful includes objection to a material or activity because it questions
22 beliefs or practices in sex, morality or religion.

23 4. If a school district offers any sex education curricula pursuant
24 to section 15-711 or 15-716 or pursuant to any rules adopted by the state
25 board of education, procedures to prohibit ~~a~~ THE school district from
26 providing sex education instruction to a pupil unless the pupil's parent
27 provides written permission for the child to participate in the sex
28 education curricula.

29 5. Procedures by which parents will be notified in advance of and
30 given the opportunity to withdraw their children from any instruction or
31 presentations regarding sexuality in courses other than formal sex
32 education curricula.

33 6. Procedures by which parents may learn about the nature and
34 purpose of clubs and activities that are part of the school curriculum,
35 extracurricular clubs and activities that have been approved by the
36 school.

37 7. Procedures by which parents may learn about parental rights and
38 responsibilities under the laws of this state, including the following:

39 (a) The right to opt in to a sex education curriculum if one is
40 provided by the school district.

41 (b) Open enrollment rights pursuant to section 15-816.01.

42 (c) The right to opt out of assignments pursuant to this section.

43 (d) The right to opt out of immunizations pursuant to section
44 15-873.

45 (e) The promotion requirements prescribed in section 15-701.

- 1 (f) The minimum course of study and competency requirements for
2 graduation from high school prescribed in section 15-701.01.
- 3 (g) The right to opt out of instruction on the acquired immune
4 deficiency syndrome pursuant to section 15-716.
- 5 (h) The right to review test results pursuant to section 15-743.
- 6 (i) The right to participate in gifted programs pursuant to section
7 15-779.01.
- 8 (j) The right to access instructional materials pursuant to section
9 15-730.
- 10 (k) The right to receive a school report card pursuant to section
11 15-746.
- 12 (l) The attendance requirements prescribed in sections 15-802,
13 15-803 and 15-821.
- 14 (m) The right to public review of courses of study and textbooks
15 pursuant to sections 15-721 and 15-722.
- 16 (n) The right to be excused from school attendance for religious
17 purposes pursuant to section 15-806.
- 18 (o) Policies related to parental involvement pursuant to this
19 section.
- 20 (p) The right to seek membership on school councils pursuant to
21 section 15-351.
- 22 (q) Information about the student accountability information system
23 as prescribed in section 15-1041.
- 24 (r) The right to access the failing schools tutoring fund pursuant
25 to section 15-241.
- 26 B. The policy adopted by the governing board pursuant to this
27 section may also include the following components:
- 28 1. A plan by which parents will be made aware of the district's
29 parental involvement policy and this section, including:
- 30 (a) Rights under the family educational rights and privacy act of
31 1974 (20 United States Code section 1232g) relating to access to
32 children's official records.
- 33 (b) The parent's right to inspect the school district policies and
34 curriculum.
- 35 2. Efforts to encourage the development of parenting skills.
- 36 3. ~~The communication~~ COMMUNICATING to parents ~~of~~ techniques THAT
37 ARE designed to assist the child's learning experience in the home.
- 38 4. Efforts to encourage access to community and support services
39 for children and families.
- 40 5. ~~The promotion of~~ PROMOTING communication between the school and
41 parents concerning school programs and the academic progress of the
42 parents' children.
- 43 6. Identifying opportunities for parents to participate in and
44 support classroom instruction at the school.

1 7. Efforts to support, with appropriate training, parents as shared
2 decision-makers and to encourage membership on school councils.

3 8. ~~The recognition of~~ RECOGNIZING the diversity of parents and ~~the~~
4 ~~development of~~ DEVELOPING guidelines that promote widespread parental
5 participation and involvement in the school at various levels.

6 9. ~~The development of~~ DEVELOPING preparation programs and
7 specialized courses for certificated employees and administrators that
8 promote parental involvement.

9 10. ~~The development of~~ DEVELOPING strategies and programmatic
10 structures at schools to encourage and enable parents to participate
11 actively in their children's education.

12 C. The governing board may adopt a policy to provide to parents the
13 information required by this section in an electronic form.

14 D. A parent shall submit a written request for information pursuant
15 to this section during regular business hours to either the school
16 principal at the school site or the superintendent of the school district
17 at the office of the school district. Within ten days after receiving the
18 request for information, the school principal or the superintendent of the
19 school district shall either deliver the requested information to the
20 parent or submit to the parent a written explanation of the reasons for
21 ~~the denial of~~ DENYING the requested information. If the request for
22 information is denied or the parent does not receive the requested
23 information within fifteen days after submitting the request for
24 information, the parent may ~~submit a written~~ request ~~for~~
25 ~~to~~ IN WRITING FROM the school district governing board, which shall
26 formally consider the request at the next scheduled public meeting of the
27 governing board if the request can be properly noticed on the agenda. If
28 the request cannot be properly noticed on the agenda, the governing board
29 shall formally consider the request at the next subsequent public meeting
30 of the governing board.

31 E. For the purposes of this section, "parent" means the natural or
32 adoptive parent or legal guardian of a minor child.

33 Sec. 2. Title 15, chapter 1, article 1, Arizona Revised Statutes,
34 is amended by adding section 15-119, to read:

35 15-119. Curriculum information form; parental access;
36 complaints

37 A. AT THE BEGINNING OF EACH SCHOOL YEAR, EACH SCHOOL THAT IS
38 OPERATED BY A SCHOOL DISTRICT AND EACH CHARTER SCHOOL SHALL PROVIDE A
39 CURRICULUM INFORMATION FORM TO THE PARENT OF EACH PUPIL WHO IS ENROLLED AT
40 THE SCHOOL. EACH PARENT SHALL SIGN THE FORM AND RETURN IT TO THE PUPIL'S
41 SCHOOL DISTRICT OR CHARTER SCHOOL, AND EACH SCHOOL DISTRICT AND CHARTER
42 SCHOOL SHALL KEEP THE FORM ON FILE UNTIL THE BEGINNING OF THE FOLLOWING
43 SCHOOL YEAR. THE CURRICULUM INFORMATION FORM SHALL CONTAIN AT LEAST THE
44 FOLLOWING:

1 1. THE TEXT OF THE PARENTS' BILL OF RIGHTS PRESCRIBED IN SECTIONS
2 1-601 AND 1-602.
3 2. DETAILED INFORMATION ON THE CURRICULUM THAT WILL BE TAUGHT AT
4 THE SCHOOL.
5 3. A COMPLETE LIST OF MANDATORY AND OPTIONAL PUPIL READING
6 MATERIALS AND AN ACKNOWLEDGEMENT THAT THE SCHOOL DISTRICT OR CHARTER
7 SCHOOL HAS REVIEWED THE MATERIALS AND DETERMINED THAT FURNISHING THOSE
8 MATERIALS TO MINORS DOES NOT VIOLATE SECTION 13-3506.
9 4. A COMPLETE LIST OF THE DIGITAL LEARNING MATERIALS, INCLUDING
10 WEBSITES AND OTHER ONLINE APPLICATIONS, THAT WILL BE MADE AVAILABLE TO
11 PUPILS AND AN ACKNOWLEDGMENT THAT THE SCHOOL DISTRICT, THE CHARTER SCHOOL
12 OR THE CONTRACTED PROVIDER OF THE DIGITAL LEARNING MATERIALS OR ONLINE
13 APPLICATIONS HAS REVIEWED THE MATERIALS OR APPLICATIONS AND DETERMINED
14 THAT FURNISHING THOSE MATERIALS OR APPLICATIONS TO MINORS DOES NOT VIOLATE
15 SECTION 13-3506.
16 B. A PARENT OF A PUPIL WHO IS ENROLLED AT A SCHOOL THAT IS OPERATED
17 BY A SCHOOL DISTRICT OR AT A CHARTER SCHOOL MAY ACCESS THE MATERIALS
18 PRESCRIBED IN SUBSECTION A, PARAGRAPHS 2, 3 AND 4 IN THE MANNER PRESCRIBED
19 BY SECTION 15-102.
20 C. A PUPIL OR A PUPIL'S PARENT MAY INITIATE LEGAL ACTION TO ENFORCE
21 THIS SECTION ONLY IF THE PUPIL OR THE PUPIL'S PARENT HAS DONE THE
22 FOLLOWING:
23 1. SUBMITTED A COMPLAINT IN WRITING TO THE PRINCIPAL OF THE SCHOOL
24 DETAILING THE SPECIFIC FACTS OF THE ALLEGED VIOLATION. THE PRINCIPAL
25 SHALL INVESTIGATE THE COMPLAINT AND RESPOND IN WRITING, INCLUDING
26 DESCRIBING ANY ACTION TAKEN TO RESOLVE THE COMPLAINT, WITHIN FIFTEEN DAYS
27 AFTER RECEIVING THE WRITTEN COMPLAINT.
28 2. IF THE PRINCIPAL'S ACTION PURSUANT TO PARAGRAPH 1 OF THIS
29 SUBSECTION DOES NOT RESOLVE THE COMPLAINT, SUBMITTED A COMPLAINT IN
30 WRITING TO THE SCHOOL DISTRICT GOVERNING BOARD DETAILING THE SPECIFIC
31 FACTS OF THE ALLEGED VIOLATION. THE GOVERNING BOARD SHALL INVESTIGATE THE
32 COMPLAINT AND RESPOND IN WRITING, INCLUDING DESCRIBING ANY ACTION TAKEN TO
33 RESOLVE THE COMPLAINT, WITHIN TWENTY-FIVE DAYS AFTER RECEIVING THE WRITTEN
34 COMPLAINT.
35 3. IF THE GOVERNING BOARD'S ACTION PURSUANT TO PARAGRAPH 2 OF THIS
36 SUBSECTION DOES NOT RESOLVE THE COMPLAINT, INITIATE LEGAL ACTION WITH THE
37 ATTORNEY GENERAL TO ENFORCE THIS SECTION. THE ATTORNEY GENERAL MUST
38 RESPOND TO THE COMPLAINT WITHIN THIRTY DAYS AFTER RECEIVING THE COMPLAINT.