

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

SENATE BILL 1020

AN ACT

AMENDING SECTION 15-350, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT GOVERNING BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-350, Arizona Revised Statutes, is amended to
3 read:

4 15-350. Investigation of immoral or unprofessional conduct:
5 confidentiality

6 A. On request of the state board of education or the department of
7 education, any school or school district that has employed a certificated
8 person during the time in which the person is alleged to have engaged in
9 conduct constituting grounds for disciplinary action shall make available
10 the attendance and testimony of witnesses, documents and any physical
11 evidence within the school district's control for examination or copying.
12 All information received and records or reports kept by the state board of
13 education or the department of education during an investigation of
14 immoral or unprofessional conduct are confidential and are not a public
15 record.

16 B. Notwithstanding subsection A of this section, the department of
17 education may provide information, records or reports relating to the
18 investigation of a certificate holder to:

19 1. Any school or school district that currently employs the
20 certificate holder.

21 2. ANY SCHOOL OR SCHOOL DISTRICT TO WHICH THE CERTIFICATE HOLDER
22 HAS APPLIED FOR EMPLOYMENT.

23 3. ANY THIRD-PARTY ENTITY THAT CONTRACTS WITH A SCHOOL OR SCHOOL
24 DISTRICT TO PROVIDE EDUCATORS AND TO WHICH THE CERTIFICATE HOLDER HAS
25 APPLIED FOR EMPLOYMENT.

26 4. ANY AGENCY AS DEFINED IN SECTION 41-1001 THAT HAS RECEIVED AND
27 IS INVESTIGATING AN APPLICATION BY THE CERTIFICATE HOLDER FOR A
28 CERTIFICATE OR LICENSE OR THAT IS CONDUCTING AN INVESTIGATION OF THE
29 CERTIFICATE HOLDER IN ORDER TO MAKE A CERTIFICATION OR LICENSURE DECISION.

30 C. All information, records ~~or~~ AND reports received by any school
31 or school district pursuant to this ~~subsection~~ SECTION shall be used for
32 employment purposes only, are confidential and are not a public record.

33 ~~C.~~ D. An investigator who is regularly employed and paid by the
34 department of education has the authority to access criminal history
35 records and criminal history record information, as defined in section
36 41-1750, from law enforcement agencies.