State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2089

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-160; AMENDING SECTION 41-1729, ARIZONA REVISED STATUTES;
RELATING TO SCHOOL SAFETY.

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

Section 1. Title 15, chapter 1, article 5, Arizona Revised Statutes, is amended by adding section 15-160, to read:

15-160. Threat assessment teams; oversight committees; report

A. Each school district governing board or charter school governing body shall adopt policies to establish threat assessment teams. At a minimum, the policies shall include procedures for all of the following:
1. Assessing individuals whose behavior may pose a threat to the safety of self, school staff or pupils and intervening when necessary.
2. If the threat assessment team assesses a pupil and determines that the pupil might benefit from or be in need of mental health services:
   (a) Notifying the pupil's parent or guardian that the threat assessment team has reason to believe that the parent's or guardian's pupil might benefit from or be in need of mental health services.
   (b) Recommending to the pupil's parent or guardian potential mental health services options.
3. If the threat assessment team assesses an adult and determines that the adult might benefit from or be in need of mental health services, recommending to the adult potential mental health services options.
B. The superintendent of each school district or the chief administrative officer of a charter school shall establish, for each school, a threat assessment team that includes, subject to staff availability, persons with expertise in counseling, instruction, school administration and law enforcement. Threat assessment teams may be established to serve one or more schools as determined by the superintendent of the school district or the chief administrative officer of a charter school. Each threat assessment team shall do all of the following:
1. Provide guidance to pupils, school faculty and school staff regarding recognizing an individual's threatening or aberrant behavior that may threaten the community, the school or self.
2. Identify members of the school community to whom threatening behavior must be reported.
3. Implement the policies adopted by the school district governing board or charter school governing body pursuant to subsection A of this section.
C. The superintendent of each school district or the chief administrative officer of a charter school may establish a committee that is charged with overseeing the threat assessment teams operating within the school district or charter school. A committee established pursuant to this subsection may be an existing committee established by the school district or charter school. The committee shall include, subject to staff availability, individuals with expertise in human resources, education, school administration, mental health and law enforcement.
D. AFTER PRELIMINARILY DETERMINING THAT AN INDIVIDUAL POSES A THREAT OF VIOLENCE OR PHYSICAL HARM TO SELF OR OTHERS, A THREAT ASSESSMENT TEAM SHALL IMMEDIATELY REPORT ITS DETERMINATION TO THE SCHOOL DISTRICT SUPERINTENDENT OR THE SCHOOL DISTRICT SUPERINTENDENT'S DESIGNEE OR TO THE CHIEF ADMINISTRATIVE OFFICER OF THE CHARTER SCHOOL OR THE CHIEF ADMINISTRATIVE OFFICER'S DESIGNEE. IF THE INDIVIDUAL IS A PUPIL, THE SCHOOL DISTRICT SUPERINTENDENT OR THE SCHOOL DISTRICT SUPERINTENDENT'S DESIGNEE OR THE CHIEF ADMINISTRATIVE OFFICER OF THE CHARTER SCHOOL OR THE CHIEF ADMINISTRATIVE OFFICER'S DESIGNEE SHALL IMMEDIATELY ATTEMPT TO NOTIFY THE PUPIL'S PARENT OR LEGAL GUARDIAN. THIS SUBSECTION DOES NOT PRECLUDE SCHOOL DISTRICT OR CHARTER SCHOOL PERSONNEL FROM ACTING IMMEDIATELY TO ADDRESS AN IMMINENT THREAT.

E. AFTER A THREAT ASSESSMENT TEAM PRELIMINARILY DETERMINES THAT AN INDIVIDUAL POSES A THREAT OF VIOLENCE TO SELF OR OTHERS OR EXHIBITS SIGNIFICANTLY DISRUPTIVE BEHAVIOR OR A NEED FOR ASSISTANCE, THE LAW ENFORCEMENT OFFICER ON THE THREAT ASSESSMENT TEAM MAY REQUEST ANY CASE INFORMATION RELATING TO AN INDIVIDUAL PURSUANT TO SECTION 41-1729 AND MAY CONDUCT A CHECK OF THE INDIVIDUAL'S CRIMINAL HISTORY RECORDS PURSUANT TO SECTION 41-1750. THREAT ASSESSMENT TEAM MEMBERS MAY NOT DISCLOSE ANY INFORMATION OBTAINED PURSUANT TO THIS SECTION OR OTHERWISE USE ANY RECORD OF AN INDIVIDUAL BEYOND THE PURPOSE FOR WHICH THE DISCLOSURE WAS MADE TO THE THREAT ASSESSMENT TEAM.

F. EACH THREAT ASSESSMENT TEAM ESTABLISHED PURSUANT TO THIS SECTION SHALL COLLECT AND REPORT TWICE EACH YEAR TO THE SUPERINTENDENT OF PUBLIC INSTRUCTION AND THE ARIZONA COUNTER TERRORISM INFORMATION CENTER IN THE DEPARTMENT OF PUBLIC SAFETY DATA ON ITS ACTIVITIES USING A FORM PROVIDED BY THE ARIZONA COUNTER TERRORISM INFORMATION CENTER IN A MANNER CONSISTENT WITH SUBSECTION G OF THIS SECTION.


Sec. 2. Section 41-1729, Arizona Revised Statutes, is amended to read:

41-1729. Law enforcement agencies; access to criminal justice information

The department shall provide a law enforcement agency with access to the case information that it receives from the supreme court pursuant to sections 13-609, 14-5304 and 36-540 for the purpose PURPOSES of enforcing a court order, assisting in an investigation, or returning property OR ASSESSING AN INDIVIDUAL PURSUANT TO SECTION 15-160.