

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

HOUSE BILL 2625

AN ACT

AMENDING TITLE 1, CHAPTER 3, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 1-319; AMENDING SECTION 15-203, ARIZONA REVISED STATUTES;
AMENDING TITLE 15, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-710.01; RELATING TO CIVICS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 1, chapter 3, article 1, Arizona Revised Statutes,
3 is amended by adding section 1-319, to read:

4 1-319. Sandra Day O'Connor civics celebration day:
5 observation

6 A. SEPTEMBER 25, IN EACH YEAR, SHALL BE OBSERVED AS SANDRA DAY
7 O'CONNOR CIVICS CELEBRATION DAY.

8 B. SANDRA DAY O'CONNOR CIVICS CELEBRATION DAY IS NOT A LEGAL
9 HOLIDAY.

10 C. IF SANDRA DAY O'CONNOR CIVICS CELEBRATION DAY FALLS ON A
11 SATURDAY, SUNDAY OR OTHER DAY WHEN A PUBLIC SCHOOL IS NOT IN SESSION, THE
12 PRECEDING OR FOLLOWING SCHOOL DAY SHALL BE OBSERVED IN THE PUBLIC SCHOOL
13 AS THE HOLIDAY.

14 Sec. 2. Section 15-203, Arizona Revised Statutes, is amended to
15 read:

16 15-203. Powers and duties

17 A. The state board of education shall:

18 1. Exercise general supervision over and regulate the conduct of
19 the public school system and adopt any rules and policies it deems
20 necessary to accomplish this purpose.

21 2. Keep a record of its proceedings.

22 3. Make rules for its own government.

23 4. Determine the policy and work undertaken by it.

24 5. Subject to title 41, chapter 4, article 4, employ staff.

25 6. Prescribe and supervise the duties of its employees pursuant to
26 title 41, chapter 4, article 4, if not otherwise prescribed by statute.

27 7. Delegate to the superintendent of public instruction the
28 execution of board policies and rules.

29 8. Recommend to the legislature changes or additions to the
30 statutes pertaining to schools.

31 9. Prepare, publish and distribute reports concerning the
32 educational welfare of this state.

33 10. Prepare a budget for expenditures necessary for proper
34 maintenance of the board and accomplishment of its purposes and present
35 the budget to the legislature.

36 11. Aid in the enforcement of laws relating to schools.

37 12. Prescribe a minimum course of study in the common schools,
38 minimum competency requirements for the promotion of pupils from the third
39 grade and minimum course of study and competency requirements for the
40 promotion of pupils from the eighth grade. The state board of education
41 shall prepare a fiscal impact statement of any proposed changes to the
42 minimum course of study or competency requirements and, on completion,
43 shall send a copy to the director of the joint legislative budget
44 committee and the executive director of the school facilities board. The
45 state board of education shall not adopt any changes in the minimum course

1 of study or competency requirements in effect on July 1, 1998 that will
2 have a fiscal impact on school capital costs.

3 13. Prescribe minimum course of study and competency requirements
4 for the graduation of pupils from high school. The state board of
5 education shall prepare a fiscal impact statement of any proposed changes
6 to the minimum course of study or competency requirements and, on
7 completion, shall send a copy to the director of the joint legislative
8 budget committee and the executive director of the school facilities
9 board. The state board of education shall not adopt any changes in the
10 minimum course of study or competency requirements in effect on July 1,
11 1998 that will have a fiscal impact on school capital costs.

12 14. Pursuant to section 15-501.01, supervise and control the
13 certification of persons engaged in instructional work directly as any
14 classroom, laboratory or other teacher or indirectly as a supervisory
15 teacher, speech therapist, principal or superintendent in a school
16 district, including school district preschool programs, or any other
17 educational institution below the community college, college or university
18 level, and prescribe rules for certification.

19 15. Adopt a list of approved tests for determining special
20 education assistance to gifted pupils as defined in and as provided in
21 chapter 7, article 4.1 of this title. The adopted tests shall provide
22 separate scores for quantitative reasoning, verbal reasoning and nonverbal
23 reasoning and shall be capable of providing reliable and valid scores at
24 the highest ranges of the score distribution.

25 16. Adopt rules governing the methods for the administration of all
26 proficiency examinations.

27 17. Adopt proficiency examinations for its use and determine the
28 passing score for the proficiency examinations.

29 18. Include within its budget the cost of contracting for the
30 purchase, distribution and scoring of the examinations as provided in
31 paragraphs 16 and 17 of this subsection.

32 19. Supervise and control the qualifications of professional
33 nonteaching school personnel and prescribe standards relating to
34 qualifications. The standards shall not require the business manager of a
35 school district to obtain certification from the state board of education.

36 20. Impose such disciplinary action, including the issuance of a
37 letter of censure, suspension, suspension with conditions or revocation of
38 a certificate, on a finding of immoral or unprofessional conduct.

39 21. Establish an assessment, data gathering and reporting system
40 for pupil performance as prescribed in chapter 7, article 3 of this title,
41 including qualifying examinations for the college credit by examination
42 incentive program pursuant to section 15-249.06.

43 22. Adopt a rule to promote braille literacy pursuant to section
44 15-214.

1 23. Adopt rules prescribing procedures for the investigation by the
2 department of education of every written complaint alleging that a
3 certificated person has engaged in immoral conduct.

4 24. For purposes of federal law, serve as the state board for
5 vocational and technological education and meet at least four times each
6 year solely to execute the powers and duties of the state board for
7 vocational and technological education.

8 25. Develop and maintain a handbook for use in the schools of this
9 state that provides guidance for the teaching of moral, civic and ethical
10 education. The handbook shall promote existing curriculum frameworks and
11 shall encourage school districts to recognize moral, civic and ethical
12 values within instructional and programmatic educational development
13 programs for the general purpose of instilling character and ethical
14 principles in pupils in kindergarten programs and grades one through
15 twelve.

16 26. Require pupils to recite the following passage from the
17 declaration of independence for pupils in grades four through six at the
18 commencement of the first class of the day in the schools, except that a
19 pupil shall not be required to participate if the pupil or the pupil's
20 parent or guardian objects:

21 We hold these truths to be self-evident, that all men
22 are created equal, that they are endowed by their creator with
23 certain unalienable rights, that among these are life, liberty
24 and the pursuit of happiness. That to secure these rights,
25 governments are instituted among men, deriving their just
26 powers from the consent of the governed. . . .

27 27. Adopt rules that provide for certification reciprocity pursuant
28 to section 15-501.01.

29 28. Adopt rules that provide for the presentation of an honorary
30 high school diploma to a person who has never obtained a high school
31 diploma and who meets both of the following requirements:

32 (a) Currently resides in this state.

33 (b) Provides documented evidence from the department of veterans'
34 services that the person enlisted in the armed forces of the United States
35 and served in World War I, World War II, the Korean conflict or the
36 Vietnam conflict.

37 29. Cooperate with the Arizona-Mexico commission in the governor's
38 office and with researchers at universities in this state to collect data
39 and conduct projects in the United States and Mexico on issues that are
40 within the scope of the duties of the department of education and that
41 relate to quality of life, trade and economic development in this state in
42 a manner that will help the Arizona-Mexico commission to assess and
43 enhance the economic competitiveness of this state and of the
44 Arizona-Mexico region.

1 30. Adopt rules to define and provide guidance to schools as to the
2 activities that would constitute immoral or unprofessional conduct of
3 certificated persons.

4 31. Adopt guidelines to encourage pupils in grades nine, ten,
5 eleven and twelve to volunteer for twenty hours of community service
6 before graduation from high school. A school district that complies with
7 the guidelines adopted pursuant to this paragraph is not liable for
8 damages resulting from a pupil's participation in community service unless
9 the school district is found to have demonstrated wanton or reckless
10 disregard for the safety of the pupil and other participants in community
11 service. For the purposes of this paragraph, "community service" may
12 include service learning. The guidelines shall include the following:

13 (a) A list of the general categories in which community service may
14 be performed.

15 (b) A description of the methods by which community service will be
16 monitored.

17 (c) A consideration of risk assessment for community service
18 projects.

19 (d) Orientation and notification procedures of community service
20 opportunities for pupils entering grade nine, including the development of
21 a notification form. The notification form shall be signed by the pupil
22 and the pupil's parent or guardian, except that a pupil shall not be
23 required to participate in community service if the parent or guardian
24 notifies the principal of the pupil's school in writing that the parent or
25 guardian does not wish the pupil to participate in community service.

26 (e) Procedures for a pupil in grade nine to prepare a written
27 proposal that outlines the type of community service that the pupil would
28 like to perform and the goals that the pupil hopes to achieve as a result
29 of community service. The pupil's written proposal shall be reviewed by a
30 faculty advisor, a guidance counselor or any other school employee who is
31 designated as the community service program coordinator for that school.
32 The pupil may alter the written proposal at any time before performing
33 community service.

34 (f) Procedures for a faculty advisor, a guidance counselor or any
35 other school employee who is designated as the community service program
36 coordinator to evaluate and certify the completion of community service
37 performed by pupils.

38 32. To facilitate the transfer of military personnel and their
39 dependents to and from the public schools of this state, pursue, in
40 cooperation with the Arizona board of regents, reciprocity agreements with
41 other states concerning the transfer credits for military personnel and
42 their dependents. A reciprocity agreement entered into pursuant to this
43 paragraph shall:

44 (a) Address procedures for each of the following:

45 (i) The transfer of student records.

1 (ii) Awarding credit for completed coursework.

2 (iii) Permitting a student to satisfy the graduation requirements
3 prescribed in section 15-701.01 through the successful performance on
4 comparable exit-level assessment instruments administered in another
5 state.

6 (b) Include appropriate criteria developed by the state board of
7 education and the Arizona board of regents.

8 33. Adopt guidelines that school district governing boards shall
9 use in identifying pupils who are eligible for gifted programs and in
10 providing gifted education programs and services. The state board of
11 education shall adopt any other guidelines and rules that it deems
12 necessary in order to carry out the purposes of chapter 7, article 4.1 of
13 this title.

14 34. For each of the alternative textbook formats of human-voiced
15 audio, large-print and braille, designate alternative media producers to
16 adapt existing standard print textbooks or to provide specialized
17 textbooks, or both, for pupils with disabilities in this state. Each
18 alternative media producer shall be capable of producing alternative
19 textbooks in all relevant subjects in at least one of the alternative
20 textbook formats. The board shall post the designated list of alternative
21 media producers on its website.

22 35. Adopt a list of approved professional development training
23 providers for use by school districts as provided in section 15-107,
24 subsection J. The professional development training providers shall meet
25 the training curriculum requirements determined by the state board of
26 education in at least the areas of school finance, governance, employment,
27 staffing, inventory and human resources, internal controls and
28 procurement.

29 36. Adopt rules to prohibit a person who violates the notification
30 requirements prescribed in section 15-183, subsection C, paragraph 8 or
31 section 15-550, subsection C from certification pursuant to this title
32 until the person is no longer charged or is acquitted of any offenses
33 listed in section 41-1758.03, subsection B. The state board shall also
34 adopt rules to prohibit a person who violates the notification
35 requirements, certification surrender requirements or fingerprint
36 clearance card surrender requirements prescribed in section 15-183,
37 subsection C, paragraph 9 or section 15-550, subsection D from
38 certification pursuant to this title for at least ten years after the date
39 of the violation.

40 37. Adopt rules for the alternative certification of teachers of
41 nontraditional foreign languages that allow for the passing of a
42 nationally accredited test to substitute for the education coursework
43 required for certification.

1 38. Adopt rules to define competency-based educational pathways for
2 college and career readiness that may be used by schools. The rules shall
3 include the following components:

4 (a) The establishment of learning outcomes that will be expected
5 for students in a particular subject.

6 (b) A process and criteria by which assessments may be identified
7 or established to determine whether students have reached the desired
8 competencies in a particular subject.

9 (c) A mechanism to allow pupils in grades seven through twelve who
10 have demonstrated competency in a subject to immediately obtain credit for
11 the mastery of that subject. The rules shall include a list of applicable
12 subjects, including the level of competency required for each subject.

13 39. In consultation with the department of health services, the
14 department of education, medical professionals, school health
15 professionals, school administrators and an organization that represents
16 school nurses in this state, adopt rules that prescribe the following for
17 school districts and charter schools:

18 (a) Annual training in the administration of auto-injectable
19 epinephrine for designated medical and nonmedical school personnel. The
20 annual training prescribed in this subdivision is optional during any
21 fiscal year in which a school does not stock epinephrine auto-injectors at
22 the school during that fiscal year.

23 (b) Annual training for all school site personnel on the
24 recognition of anaphylactic shock symptoms and the procedures to follow
25 when anaphylactic shock occurs, following the national guidelines of the
26 American academy of pediatrics. The annual training prescribed in this
27 subdivision is optional during any fiscal year in which a school does not
28 stock epinephrine auto-injectors at the school during that fiscal year.

29 (c) Procedures for the administration of epinephrine auto-injectors
30 in emergency situations.

31 (d) Procedures for annually requesting a standing order for
32 epinephrine auto-injectors pursuant to section 15-157 from the chief
33 medical officer of the department of health services, the chief medical
34 officer of a county health department, a doctor of medicine licensed
35 pursuant to title 32, chapter 13 or a doctor of osteopathic medicine
36 licensed pursuant to title 32, chapter 17.

37 (e) Procedures for reporting the use of epinephrine auto-injectors
38 to the department of health services.

39 40. In consultation with the department of education, medical
40 professionals, school health professionals, school administrators and an
41 organization that represents school nurses in this state, adopt rules that
42 prescribe the following for school districts and charter schools that
43 elect to administer inhalers:

44 (a) Annual training in the recognition of respiratory distress
45 symptoms and the procedures to follow when respiratory distress occurs, in

1 accordance with good clinical practice, and the administration of
2 inhalers, as directed on the prescription protocol, by designated medical
3 and nonmedical school personnel.

4 (b) Requirements for school districts and charter schools that
5 elect to administer inhalers to designate at least two employees at each
6 school to be trained in the recognition of respiratory distress symptoms
7 and the procedures to follow when respiratory distress occurs, in
8 accordance with good clinical practice, and at least two employees at each
9 school to be trained in the administration of inhalers, as directed on the
10 prescription protocol.

11 (c) Procedures for the administration of inhalers in emergency
12 situations, as directed on the prescription protocol.

13 (d) Procedures for annually requesting a standing order for
14 inhalers and spacers or holding chambers pursuant to section 15-158 from
15 the chief medical officer of a county health department, a physician
16 licensed pursuant to title 32, chapter 13 or 17 or a nurse practitioner
17 licensed pursuant to title 32, chapter 15.

18 (e) Procedures for notifying a parent once an inhaler has been
19 administered.

20 41. Adopt rules for certification that allow substitute teachers
21 who can demonstrate primary teaching responsibility in a classroom as
22 defined by the state board of education to use the time spent in that
23 classroom toward the required capstone experience for standard teaching
24 certification.

25 42. FOR THE PURPOSES OF SANDRA DAY O'CONNOR CIVICS CELEBRATION DAY
26 INSTRUCTION UNDER SECTION 15-710.01, DEVELOP A LIST OF RECOMMENDED
27 RESOURCES RELATING TO CIVICS EDUCATION THAT ALIGN WITH THE ACADEMIC
28 STANDARDS PRESCRIBED BY THE STATE BOARD OF EDUCATION IN SOCIAL STUDIES
29 PURSUANT TO SECTIONS 15-701 AND 15-701.01. THE STATE BOARD SHALL
30 ESTABLISH A PROCESS THAT ALLOWS PUBLIC SCHOOLS TO RECOMMEND RESOURCES FOR
31 ADDITION TO THE LIST.

32 B. The state board of education may:

33 1. Contract.

34 2. Sue and be sued.

35 3. Distribute and score the tests prescribed in chapter 7, article
36 3 of this title.

37 4. Provide for an advisory committee to conduct hearings and
38 screenings to determine whether grounds exist to impose disciplinary
39 action against a certificated person, whether grounds exist to reinstate a
40 revoked or surrendered certificate and whether grounds exist to approve or
41 deny an initial application for certification or a request for renewal of
42 a certificate. The board may delegate its responsibility to conduct
43 hearings and screenings to its advisory committee. Hearings shall be
44 conducted pursuant to title 41, chapter 6, article 6.

1 5. Proceed with the disposal of any complaint requesting
2 disciplinary action or with any disciplinary action against a person
3 holding a certificate as prescribed in subsection A, paragraph 14 of this
4 section after the suspension or expiration of the certificate or surrender
5 of the certificate by the holder.

6 6. Assess costs and reasonable attorney fees against a person who
7 files a frivolous complaint or who files a complaint in bad faith. Costs
8 assessed pursuant to this paragraph shall not exceed the expenses incurred
9 by the department of education in the investigation of the complaint.

10 Sec. 3. Title 15, chapter 7, article 1, Arizona Revised Statutes,
11 is amended by adding section 15-710.01, to read:

12 15-710.01. Sandra Day O'Connor civics celebration day; civics
13 instruction requirement

14 ON SANDRA DAY O'CONNOR CIVICS CELEBRATION DAY, EACH PUBLIC SCHOOL IN
15 THIS STATE SHALL DEDICATE THE MAJORITY OF THE SCHOOL DAY TO CIVICS
16 EDUCATION.