

REFERENCE TITLE: schools; learning materials; activities

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

SB 1058

Introduced by
Senator Barto

AN ACT

AMENDING SECTION 15-113, ARIZONA REVISED STATUTES; RELATING TO LEARNING MATERIALS AND ACTIVITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-113, Arizona Revised Statutes, is amended to
3 read:

4 15-113. Rights of parents; learning materials and activities;
5 public educational institutions; definitions

6 A. A parent of a student in a public educational institution has
7 the right to review learning materials and activities in advance. A
8 parent who objects to any learning material or activity on the basis that
9 the material or activity is harmful may request to withdraw that PARENT'S
10 student from the activity or from the class or program in which the
11 material is used and request an alternative assignment.

12 B. TO ENSURE A PARENT'S RIGHT TO REVIEW LEARNING MATERIALS AND
13 ACTIVITIES AS DESCRIBED IN SUBSECTION A OF THIS SECTION, EACH SCHOOL THAT
14 IS OPERATED BY A SCHOOL DISTRICT AND EACH CHARTER SCHOOL SHALL PROMINENTLY
15 LIST ON A PUBLICLY ACCESSIBLE PORTION OF ITS WEBSITE ON OR BEFORE JULY 1
16 OF EACH YEAR:

17 1. THE LEARNING MATERIALS AND ACTIVITIES THAT WERE USED FOR STUDENT
18 INSTRUCTION AT THE SCHOOL DURING THE PRIOR SCHOOL YEAR, ORGANIZED AT A
19 MINIMUM BY SUBJECT AREA AND GRADE.

20 2. ANY PROCEDURES IN EFFECT FOR THE PRINCIPAL, ADMINISTRATORS OR
21 TEACHERS TO DOCUMENT, REVIEW OR APPROVE THE LEARNING MATERIALS AND
22 ACTIVITIES USED FOR STUDENT INSTRUCTION AT THE SCHOOL.

23 C. WHEN PREPARING THE LIST UNDER SUBSECTION B OF THIS SECTION, A
24 SCHOOL THAT IS OPERATED BY A SCHOOL DISTRICT OR A CHARTER SCHOOL:

25 1. SHALL LIST ONLY THE INFORMATION NECESSARY TO IDENTIFY THE
26 SPECIFIC LEARNING MATERIALS AND ACTIVITIES USED FOR STUDENT INSTRUCTION,
27 INCLUDING THE TITLE AND THE AUTHOR, ORGANIZATION OR INTERNET ADDRESS
28 ASSOCIATED WITH EACH LEARNING MATERIAL AND ACTIVITY. SUBSECTION B OF THIS
29 SECTION AND THIS SUBSECTION DO NOT REQUIRE EITHER:

30 (a) THE DIGITAL REPRODUCTION OF THE LEARNING MATERIALS OR
31 ACTIVITIES.

32 (b) THE SEPARATE REPORTING OF INDIVIDUAL COMPONENTS OF LEARNING
33 MATERIALS THAT ARE PRODUCED AS A SINGLE VOLUME, EXCEPT THAT FOR DIGITAL
34 VOLUMES CONTAINING WORKS BY MULTIPLE AUTHORS, THE SCHOOL SHALL PROVIDE
35 EITHER A TABLE OF CONTENTS OR INTERNET ADDRESS THAT DISCLOSES THE DISCREET
36 WORKS AND AUTHORS CONTAINED WITHIN THE VOLUME.

37 2. IS NOT REQUIRED TO LIST LEARNING MATERIALS AND ACTIVITIES
38 PURSUANT TO THIS SECTION UNDER ANY OF THE FOLLOWING CIRCUMSTANCES:

39 (a) THE SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING
40 BODY OF THE SCHOOL IS RESPONSIBLE FOR THE OPERATION OF SCHOOLS WITH FEWER
41 THAN FIVE HUNDRED STUDENTS CUMULATIVELY.

42 (b) THE LEARNING MATERIALS OR ACTIVITIES ARE SELECTED INDEPENDENTLY
43 BY INSTRUCTORS AT A SCHOOL SITE WITH FEWER THAN FIFTY STUDENTS ENROLLED.

1 (c) THE LEARNING MATERIALS OR ACTIVITIES ARE USED EXCLUSIVELY FOR
2 STUDENTS PARTICIPATING IN REMEDIAL OR SPECIAL EDUCATION SERVICES.

3 ~~B.~~ D. A charter school may require parents to waive the right to
4 object to learning materials or activities pursuant to subsection A OF
5 THIS SECTION as a condition of enrollment if the charter school provides a
6 complete list of books and materials to be used each school year before
7 the student enrolls. If the charter school introduces books or materials
8 that were not disclosed prior to enrollment, the parent retains the right
9 to object to those materials pursuant to subsection A OF THIS SECTION.

10 ~~C.~~ E. A charter school may require that any request to review
11 learning materials or activities or to withdraw the student from learning
12 materials or activities pursuant to subsection A OF THIS SECTION be made
13 in writing.

14 ~~D.~~ F. A public educational institution shall obtain signed,
15 written consent from a student's parent or guardian before using video,
16 audio or electronic materials that may be inappropriate for the age of the
17 student.

18 ~~E.~~ G. For the purposes of this section:

19 1. "ACTIVITIES":

20 (a) INCLUDES:

21 (i) PRESENTATIONS.

22 (ii) ASSEMBLIES.

23 (iii) LECTURES.

24 (iv) OTHER EDUCATIONAL EVENTS FACILITATED BY THE PUBLIC EDUCATIONAL
25 INSTITUTION'S STAFF, INCLUDING THOSE CONDUCTED BY OUTSIDE INDIVIDUALS OR
26 ORGANIZATIONS.

27 (b) DOES NOT INCLUDE STUDENT PRESENTATIONS.

28 2. "LEARNING MATERIALS" INCLUDES ANY OF THE FOLLOWING:

29 (a) TEXTBOOKS AND READING MATERIALS.

30 (b) VIDEOS.

31 (c) DIGITAL MATERIALS.

32 (d) WEBSITES.

33 (e) ONLINE APPLICATIONS.

34 ~~F.~~ 3. "Objects to any learning material or activity on the basis
35 that ~~it~~ THE MATERIAL OR ACTIVITY is harmful" means ~~objections~~ OBJECTING to
36 a material or activity because of sexual content, violent content, or
37 profane or vulgar language.

38 ~~G.~~ 4. "Public educational institution" means any of the following:

39 (a) A school district, including its schools.

40 (b) A charter school.

41 (c) An accommodation school.

42 (d) The Arizona state schools for the deaf and the blind.

43 5. "USED FOR STUDENT INSTRUCTION":

- 1 (a) MEANS ASSIGNED, DISTRIBUTED OR OTHERWISE PRESENTED TO STUDENTS
2 IN ANY COURSE FOR WHICH STUDENTS RECEIVE ACADEMIC CREDIT OR IN ANY
3 EDUCATIONAL CAPACITY IN WHICH THE PUBLIC EDUCATIONAL INSTITUTION REQUIRES
4 THE STUDENT BODY TO PARTICIPATE OR IN WHICH A MAJORITY OF STUDENTS IN A
5 GIVEN GRADE LEVEL PARTICIPATE.
6 (b) INCLUDES LEARNING MATERIALS OR ACTIVITIES FROM WHICH STUDENTS
7 ARE REQUIRED TO CHOOSE ONE OR MORE FROM A SELECTION OF MATERIALS THAT IS
8 RESTRICTED TO SPECIFIC TITLES.