

Senate Engrossed

schools; learning materials; activities

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

SENATE BILL 1058

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

13 B. TO ENSURE A PARENT'S RIGHT TO REVIEW LEARNING MATERIALS AND
14 ACTIVITIES AS DESCRIBED IN SUBSECTION A OF THIS SECTION, BEGINNING AUGUST
15 1, 2021, EACH SCHOOL THAT IS OPERATED BY A SCHOOL DISTRICT AND EACH
16 CHARTER SCHOOL SHALL PROMINENTLY DISCLOSE ON A PUBLICLY ACCESSIBLE PORTION
17 OF ITS WEBSITE:

18 1. ANY PROCEDURES OR PROCESSES IN EFFECT FOR A PARENT TO HAVE
19 ACCESS IN ADVANCE TO REVIEW THE CURRENT LEARNING MATERIALS AND ACTIVITIES
20 USED FOR STUDENT INSTRUCTION AT THE SCHOOL.

21 2. EITHER:

22 (a) IF ANY PROCEDURES OR PROCESSES ARE IN EFFECT FOR THE SCHOOL
23 PRINCIPAL OR OTHER STAFF TO DOCUMENT, REVIEW OR APPROVE LESSON PLANS OR
24 THE LEARNING MATERIALS AND ACTIVITIES USED FOR STUDENT INSTRUCTION AT THE
25 SCHOOL, A DESCRIPTION OF THE PROCEDURES OR PROCESSES.

26 (b) IF NO PROCEDURES OR PROCESSES ARE IN EFFECT FOR THE SCHOOL
27 PRINCIPAL OR OTHER STAFF TO DOCUMENT, REVIEW OR APPROVE LESSON PLANS OR
28 THE LEARNING MATERIALS AND ACTIVITIES USED FOR STUDENT INSTRUCTION AT THE
29 SCHOOL, A CLEAR STATEMENT THAT NO SUCH PROCEDURES OR PROCESSES ARE IN
30 EFFECT AT THE SCHOOL.

31 3. IF PROCEDURES OR PROCESSES AS DESCRIBED IN PARAGRAPH 2,
32 SUBDIVISION (a) OF THIS SECTION ARE IN EFFECT AT THE SCHOOL, AT LEAST ONE
33 OF THE FOLLOWING:

34 (a) A COPY OF THE LESSON PLANS OR A LISTING OF THE LEARNING
35 MATERIALS AND ACTIVITIES USED ON THE LESSON PLANS SUBMITTED TO THE SCHOOL
36 PRINCIPAL OR OTHER STAFF BY INSTRUCTORS AT THE SCHOOL IN THE CURRENT YEAR.

37 (b) A LISTING OF THE LEARNING MATERIALS AND ACTIVITIES USED FOR
38 INSTRUCTION AT THE SCHOOL IN THE CURRENT YEAR, ORGANIZED AT A MINIMUM BY
39 SUBJECT AREA AND GRADE, INCLUDING THE FOLLOWING:

40 (i) TEXTBOOKS AND REQUIRED READING MATERIALS.

41 (ii) VIDEOS.

42 (iii) DIGITAL MATERIALS.

43 (iv) WEBSITES.

44 (v) ONLINE APPLICATIONS.

45 (vi) GRADE LEVEL OR SCHOOLWIDE ASSEMBLIES.

1 (vii) GUEST LECTURES.

2 (viii) OTHER EDUCATIONAL EVENTS FACILITATED BY THE PUBLIC
3 EDUCATIONAL INSTITUTION'S STAFF, INCLUDING THOSE CONDUCTED BY OUTSIDE
4 INDIVIDUALS OR ORGANIZATIONS.

5 C. LEARNING MATERIALS AND ACTIVITIES REQUIRED PURSUANT TO
6 SUBSECTION B, PARAGRAPH 3 OF THIS SECTION SHALL BE POSTED ON OR BEFORE
7 AUGUST 1, 2021 AND ON OR BEFORE JULY 1 FOLLOWING THE COMPLETION OF EACH
8 SCHOOL YEAR THEREAFTER AND MAY BE POSTED ON AN ONGOING BASIS BEFORE THE
9 DATES PRESCRIBED IN THIS SUBSECTION. MATERIALS POSTED PURSUANT TO THIS
10 SECTION SHALL REMAIN ACCESSIBLE VIA THE SCHOOL WEBSITE FOR AT LEAST TWELVE
11 MONTHS.

12 D. IF A SCHOOL PREPARES A LIST OF LEARNING MATERIALS AND ACTIVITIES
13 PURSUANT TO SUBSECTION B, PARAGRAPH 3, SUBDIVISION (b) OF THIS SECTION,
14 THE SCHOOL:

15 1. SHALL LIST ONLY THE INFORMATION NECESSARY TO IDENTIFY THE
16 SPECIFIC LEARNING MATERIALS AND ACTIVITIES USED FOR STUDENT INSTRUCTION,
17 INCLUDING AT LEAST THE TITLE AND THE AUTHOR, ORGANIZATION OR INTERNET
18 ADDRESS ASSOCIATED WITH EACH LEARNING MATERIAL AND ACTIVITY. SUBSECTION
19 B, PARAGRAPH 3, SUBDIVISION (b) OF THIS SECTION DOES NOT REQUIRE EITHER:

20 (a) THE DIGITAL REPRODUCTION OF THE LEARNING MATERIALS OR
21 ACTIVITIES.

22 (b) THE SEPARATE REPORTING OF INDIVIDUAL COMPONENTS OF LEARNING
23 MATERIALS THAT ARE PRODUCED AS A SINGLE VOLUME, EXCEPT THAT FOR DIGITAL
24 VOLUMES CONTAINING WORKS BY MULTIPLE AUTHORS, THE SCHOOL SHALL PROVIDE
25 EITHER A TABLE OF CONTENTS OR INTERNET ADDRESS THAT DISCLOSES THE DISCRETE
26 WORKS AND AUTHORS CONTAINED WITHIN THE VOLUME.

27 2. MAY USE COLLABORATIVE ONLINE DOCUMENT OR SPREADSHEET SOFTWARE
28 THAT ALLOWS MULTIPLE AUTHORIZED USERS TO UPDATE OR MAKE ADDITIONS TO
29 POSTED CONTENT ON AN ONGOING BASIS.

30 ~~B.~~ E. A charter school may require parents to waive the right to
31 object to learning materials or activities pursuant to subsection A OF
32 THIS SECTION as a condition of enrollment if the charter school provides a
33 complete list of books and materials to be used each school year before
34 the student enrolls. If the charter school introduces books or materials
35 that were not disclosed prior to enrollment, the parent retains the right
36 to object to those materials pursuant to subsection A OF THIS SECTION.

37 ~~C.~~ F. A charter school may require that any request to review
38 learning materials or activities or to withdraw the student from learning
39 materials or activities pursuant to subsection A OF THIS SECTION be made
40 in writing.

41 ~~D.~~ G. A public educational institution shall obtain signed,
42 written consent from a student's parent or guardian before using video,
43 audio or electronic materials that may be inappropriate for the age of the
44 student.

1 ~~F.~~ H. For the purposes of this section:
2 1. "LESSON PLAN" MEANS THE DAILY, WEEKLY OR OTHER ROUTINELY
3 PRODUCED GUIDE, DESCRIPTION OR OUTLINE OF THE INSTRUCTION TO BE PROVIDED
4 BY A TEACHER TO STUDENTS AT THE SCHOOL, WHICH MAY INCLUDE THE RESOURCES,
5 EXERCISES OR ASSESSMENTS USED TO PROMOTE STUDENT LEARNING.
6 ~~F.~~ 2. "Objects to any learning material or activity on the basis
7 that ~~it~~ THE MATERIAL OR ACTIVITY is harmful" means ~~objections~~ OBJECTING to
8 a material or activity because of sexual content, violent content, or
9 profane or vulgar language.
10 3. "PARENT" MEANS THE PARENT OF A CURRENT OR PROSPECTIVE STUDENT.
11 4. "PROCEDURES OR PROCESSES" INCLUDES PROCEDURES OR PROCESSES THAT
12 MAY VARY BY SUBJECT AREA OR GRADE.
13 ~~F.~~ 5. "Public educational institution" means any of the following:
14 (a) A school district, including its schools.
15 (b) A charter school.
16 (c) An accommodation school.
17 (d) The Arizona state schools for the deaf and the blind.
18 6. "USED FOR STUDENT INSTRUCTION":
19 (a) MEANS ASSIGNED, DISTRIBUTED OR OTHERWISE PRESENTED TO STUDENTS
20 IN ANY COURSE FOR WHICH STUDENTS RECEIVE ACADEMIC CREDIT OR IN ANY
21 EDUCATIONAL CAPACITY IN WHICH THE PUBLIC EDUCATIONAL INSTITUTION REQUIRES
22 THE STUDENT BODY TO PARTICIPATE OR IN WHICH A MAJORITY OF STUDENTS IN A
23 GIVEN GRADE LEVEL PARTICIPATE.
24 (b) INCLUDES LEARNING MATERIALS OR ACTIVITIES FROM WHICH STUDENTS
25 ARE REQUIRED TO CHOOSE ONE OR MORE FROM A SELECTION OF MATERIALS THAT IS
26 RESTRICTED TO SPECIFIC TITLES.
27 Sec. 2. Retroactivity
28 This act applies retroactively to from and after July 31, 2021.