

REFERENCE TITLE: schools; bullying policy; definition

State of Arizona
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2021

SB 1423

Introduced by
Senators Bowie: Alston, Engel, Gabaldon, Mendez, Navarrete, Rios, Steele;
Representatives Jermaine, Pawlik

AN ACT

AMENDING SECTION 15-101, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 1, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-186.02; AMENDING SECTION 15-341, ARIZONA REVISED STATUTES; RELATING TO STUDENT CONDUCT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-101, Arizona Revised Statutes, is amended to
3 read:

4 15-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Accommodation school" means either:

7 (a) A school that is operated through the county board of
8 supervisors and the county school superintendent and that the county
9 school superintendent administers to serve a military reservation or
10 territory that is not included within the boundaries of a school district.

11 (b) A school that provides educational services to homeless
12 children or alternative education programs as provided in section 15-308,
13 subsection B.

14 (c) A school that is established to serve a military reservation,
15 the boundaries of which are coterminous with the boundaries of the
16 military reservation on which the school is located.

17 2. "Assessed valuation" means the valuation derived by applying the
18 applicable percentage as provided in title 42, chapter 15, article 1 to
19 the full cash value or limited property value, whichever is applicable, of
20 the property.

21 3. "BULLYING":

22 (a) MEANS A WRITTEN, VERBAL OR PHYSICAL ACT OR AN ELECTRONIC
23 COMMUNICATION THAT IS INTENDED TO HARM OR THAT A REASONABLE PERSON WOULD
24 KNOW IS LIKELY TO HARM ONE OR MORE PUPILS BY DOING ANY OF THE FOLLOWING:

25 (i) SUBSTANTIALLY INTERFERING WITH THE PUPIL'S EDUCATIONAL
26 OPPORTUNITIES, BENEFITS OR PROGRAMS.

27 (ii) ADVERSELY AFFECTING THE PUPIL'S ABILITY TO PARTICIPATE IN OR
28 BENEFIT FROM EDUCATIONAL PROGRAMS OR ACTIVITIES BY PLACING THE PUPIL IN
29 REASONABLE FEAR OF PHYSICAL HARM OR BY CAUSING SUBSTANTIAL EMOTIONAL
30 DISTRESS.

31 (iii) HAVING AN ACTUAL AND SUBSTANTIAL DETRIMENTAL EFFECT ON THE
32 PUPIL'S PHYSICAL OR MENTAL HEALTH.

33 (iv) CAUSING A SUBSTANTIAL DISRUPTION IN, OR SUBSTANTIAL
34 INTERFERENCE WITH, THE ORDERLY OPERATION OF A SCHOOL.

35 (b) INCLUDES CONDUCT BASED ON ANY OF THE FOLLOWING:

36 (i) A STUDENT'S ACTUAL OR PERCEIVED RACE, COLOR, NATIONAL ORIGIN,
37 SEX, DISABILITY STATUS, SEXUAL ORIENTATION, GENDER IDENTITY, GENDER
38 EXPRESSION, ETHNICITY OR RELIGION.

39 (ii) OTHER DISTINGUISHING CHARACTERISTICS OF A STUDENT THAT MAY BE
40 DEFINED BY A STATE OR LOCAL EDUCATION AGENCY.

41 (iii) A STUDENT'S ASSOCIATION WITH A PERSON OR GROUP WITH ONE OR
42 MORE OF THE ACTUAL OR PERCEIVED CHARACTERISTICS LISTED IN ITEMS (i) AND
43 (ii) OF THIS SUBDIVISION.

44 ~~3.~~ 4. "Charter holder" means a person that enters into a charter
45 with the state board for charter schools. For the purposes of this

1 paragraph, "person" means an individual, partnership, corporation,
2 association or public or private organization of any kind.

3 ~~4.~~ 5. "Charter school" means a public school established by
4 contract with the state board of education, the state board for charter
5 schools, a university under the jurisdiction of the Arizona board of
6 regents, a community college district or a group of community college
7 districts pursuant to article 8 of this chapter to provide learning that
8 will improve pupil achievement.

9 ~~5.~~ 6. "Child with a disability" means a child with a disability as
10 defined in section 15-761.

11 ~~6.~~ 7. "Class A bonds" means general obligation bonds approved by a
12 vote of the qualified electors of a school district at an election held on
13 or before December 31, 1998.

14 ~~7.~~ 8. "Class B bonds" means general obligation bonds approved by a
15 vote of the qualified electors of a school district at an election held
16 from and after December 31, 1998.

17 ~~8.~~ 9. "Competency" means a demonstrated ability in a skill at a
18 specified performance level.

19 ~~9.~~ 10. "Course" means organized subject matter in which
20 instruction is offered within a given period of time and for which credit
21 toward promotion, graduation or certification is usually given. A course
22 consists of knowledge selected from a subject for instructional purposes
23 in the schools.

24 ~~10.~~ 11. "Course of study" means a list of required and optional
25 subjects to be taught in the schools.

26 ~~11.~~ 12. "Dual enrollment course" means a college-level course that
27 is conducted on the campus of a high school or on the campus of a career
28 technical education district, that is applicable to an established
29 community college academic degree or certificate program and that is
30 transferable to a university under the jurisdiction of the Arizona board
31 of regents. A dual enrollment course that is applicable to a community
32 college occupational degree or certificate program may be transferable to
33 a university under the jurisdiction of the Arizona board of regents.

34 ~~12.~~ 13. "Elementary grades" means kindergarten programs and grades
35 one through eight.

36 ~~13.~~ 14. "Fiscal year" means the year beginning July 1 and ending
37 June 30.

38 ~~14.~~ 15. "Governing board" means a body organized ~~for the~~
39 ~~government~~ TO GOVERN and ~~management of~~ MANAGE the schools within a school
40 district or a county school superintendent in ~~the conduct of~~ CONDUCTING an
41 accommodation school.

42 ~~15.~~ 16. "Lease" means an agreement for ~~conveyance~~ CONVEYING and
43 ~~possession of~~ POSSESSING real or personal property.

44 ~~16.~~ 17. "Limited property value" means the value determined
45 pursuant to title 42, chapter 13, article 7. ~~Limited property value shall~~

1 ~~be~~ THAT IS used as the basis for assessing, fixing, determining and
2 levying primary property taxes.

3 ~~17.~~ 18. "Nontest" means not relating to knowledge or skills in
4 reading, writing, mathematics, social studies, science or any other
5 course.

6 ~~18.~~ 19. "Parent" means the natural or adoptive parent of a child
7 or a person who has custody of a child.

8 ~~19.~~ 20. "Person who has custody" means a parent or legal guardian
9 of a child, a person to whom custody of the child has been given by order
10 of a court or a person who stands in loco parentis to the child.

11 ~~20.~~ 21. "Primary property taxes" means all ad valorem taxes except
12 for secondary property taxes.

13 ~~21.~~ 22. "Private school" means a nonpublic institution where
14 instruction is imparted.

15 ~~22.~~ 23. "School" or "public school" means any public institution
16 established for the purposes of offering instruction to pupils in programs
17 for preschool children with disabilities, kindergarten programs or any
18 combination of elementary grades or secondary grades one through twelve.

19 ~~23.~~ 24. "School district" means a political subdivision of this
20 state with geographic boundaries organized ~~for the purpose of the~~
21 ~~administration~~ TO ADMINISTER, support and ~~maintenance of~~ MAINTAIN the
22 public schools or an accommodation school.

23 ~~24.~~ 25. "Secondary grades" means grades nine through twelve.

24 ~~25.~~ 26. "Secondary property taxes" means ad valorem taxes used to
25 pay the principal of and the interest and redemption charges on any bonded
26 indebtedness or other lawful long-term obligation issued or incurred for a
27 specific purpose by a school district or a community college district and
28 amounts levied pursuant to an election to exceed a budget, expenditure or
29 tax limitation.

30 ~~26.~~ 27. "Subject" means a division or field of organized
31 knowledge, such as English or mathematics, or a selection from an
32 organized body of knowledge for a course or teaching unit, such as the
33 English novel or elementary algebra.

34 Sec. 2. Title 15, chapter 1, article 8, Arizona Revised Statutes,
35 is amended by adding section 15-186.02, to read:

36 15-186.02. Bullying policies and procedures

37 EACH CHARTER SCHOOL GOVERNING BODY SHALL PRESCRIBE AND ENFORCE
38 POLICIES AND PROCEDURES TO PROHIBIT PUPILS FROM HARASSING, INTIMIDATING
39 AND BULLYING OTHER PUPILS. THESE POLICIES MAY INCLUDE A POLICY
40 PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING AT ANY OFF-CAMPUS
41 LOCATION OR ACTIVITY IF THE ALLEGED ACTIVITY IS REPORTED TO SCHOOL
42 OFFICIALS AND IF THE HARASSMENT, INTIMIDATION OR BULLYING CREATES A
43 HOSTILE ENVIRONMENT FOR THE ALLEGED VICTIM AT SCHOOL, INFRINGES ON THE
44 RIGHTS OF THE ALLEGED VICTIM AT SCHOOL OR MATERIALLY AND SUBSTANTIALLY

1 DISRUPTS THE EDUCATION PROCESS OR THE ORDERLY OPERATION OF THE SCHOOL.
2 THESE POLICIES AND PROCEDURES SHALL INCLUDE ALL OF THE FOLLOWING:

3 1. A POLICY THAT PROHIBITS HARASSMENT, INTIMIDATION AND BULLYING
4 THROUGH THE USE OF ELECTRONIC TECHNOLOGY AND ELECTRONIC COMMUNICATIONS ON
5 SCHOOL GROUNDS, ON SCHOOL PROPERTY, ON SCHOOL BUSES, AT SCHOOL BUS STOPS,
6 AT SCHOOL-SPONSORED EVENTS AND ON SCHOOL COMPUTERS, NETWORKS, FORUMS AND
7 MAILING LISTS.

8 2. A STATEMENT THAT ALL PUPILS ARE PROTECTED UNDER THESE POLICIES
9 AND THAT BULLYING IS PROHIBITED WITHOUT REGARD TO THE SUBJECT MATTER OF
10 THE BULLYING OR THE MOTIVATION OF THE PERPETRATOR.

11 3. A PROCEDURE FOR PUPILS, PARENTS AND CHARTER SCHOOL EMPLOYEES TO
12 CONFIDENTIALLY REPORT TO SCHOOL OFFICIALS INCIDENTS OF HARASSMENT,
13 INTIMIDATION OR BULLYING. THE CHARTER SCHOOL SHALL MAKE AVAILABLE WRITTEN
14 FORMS DESIGNED TO PROVIDE A FULL AND DETAILED DESCRIPTION OF THE INCIDENT
15 AND ANY OTHER RELEVANT INFORMATION ABOUT THE INCIDENT.

16 4. A REQUIREMENT THAT CHARTER SCHOOL EMPLOYEES REPORT IN WRITING
17 SUSPECTED INCIDENTS OF HARASSMENT, INTIMIDATION OR BULLYING TO THE
18 APPROPRIATE SCHOOL OFFICIAL AND A DESCRIPTION OF APPROPRIATE DISCIPLINARY
19 PROCEDURES FOR EMPLOYEES WHO FAIL TO REPORT SUSPECTED INCIDENTS THAT ARE
20 KNOWN TO THE EMPLOYEE.

21 5. A REQUIREMENT THAT, AT THE BEGINNING OF EACH SCHOOL YEAR, SCHOOL
22 OFFICIALS PROVIDE ALL PUPILS WITH A WRITTEN COPY OF THE RIGHTS,
23 PROTECTIONS AND SUPPORT SERVICES AVAILABLE TO EACH PUPIL WHO IS AN ALLEGED
24 VICTIM OF AN INCIDENT REPORTED PURSUANT TO THIS SECTION.

25 6. IF AN INCIDENT IS REPORTED PURSUANT TO THIS SECTION, A
26 REQUIREMENT THAT SCHOOL OFFICIALS, IN COMPLIANCE WITH STATE RULES AND
27 FEDERAL REGULATIONS ADOPTED TO COMPLY WITH THE FAMILY EDUCATIONAL RIGHTS
28 AND PRIVACY ACT OF 1974 (P.L. 93-380; 88 STAT. 57), NOTIFY THE ALLEGED
29 VICTIM'S PARENT OR GUARDIAN OF THE INCIDENT AND PROVIDE THE ALLEGED VICTIM
30 WITH A WRITTEN COPY OF THE RIGHTS, PROTECTIONS AND SUPPORT SERVICES
31 AVAILABLE TO THAT PUPIL. TO AVOID ADDITIONAL NEGATIVE CONSEQUENCES TO THE
32 ALLEGED VICTIM'S HEALTH AND WELL-BEING AND BEFORE NOTIFYING THE ALLEGED
33 VICTIM'S PARENT, SCHOOL OFFICIALS, IN CONSULTATION WITH ON-SITE SCHOOL
34 COUNSELORS AND SOCIAL WORKERS, IF AVAILABLE, SHALL EVALUATE THE
35 NOTIFICATION IN THE SAME MANNER AS ANY OTHER EDUCATIONALLY RELEVANT
36 DECISION BY CONSIDERING THE HEALTH, WELL-BEING AND SAFETY OF ANY PUPIL
37 INVOLVED IN THE INCIDENT. SCHOOL OFFICIALS SHALL NOTIFY THE PARENT OR
38 GUARDIAN OF A PUPIL WHO IS THE ALLEGED PERPETRATOR PURSUANT TO THE CHARTER
39 SCHOOL'S DISCIPLINARY NOTIFICATION POLICIES AND PROCEDURES.

40 7. A FORMAL PROCESS FOR DOCUMENTING REPORTED INCIDENTS OF
41 HARASSMENT, INTIMIDATION OR BULLYING AND PROVIDING FOR THE
42 CONFIDENTIALITY, MAINTENANCE AND DISPOSITION OF THIS DOCUMENTATION.
43 CHARTER SCHOOLS SHALL MAINTAIN DOCUMENTATION OF ALL INCIDENTS REPORTED
44 PURSUANT TO THIS SECTION FOR AT LEAST SIX YEARS. THE CHARTER SCHOOL SHALL
45 NOT USE THAT DOCUMENTATION TO IMPOSE DISCIPLINARY ACTION UNLESS THE

1 APPROPRIATE SCHOOL OFFICIAL HAS INVESTIGATED AND DETERMINED THAT A
2 REPORTED INCIDENT OF HARASSMENT, INTIMIDATION OR BULLYING OCCURRED. IF A
3 CHARTER SCHOOL PROVIDES DOCUMENTATION OF REPORTED INCIDENTS TO PERSONS
4 OTHER THAN SCHOOL OFFICIALS OR LAW ENFORCEMENT, THE CHARTER SCHOOL SHALL
5 REDACT ALL INDIVIDUALLY IDENTIFIABLE INFORMATION.

6 8. A FORMAL PROCESS FOR THE APPROPRIATE SCHOOL OFFICIALS TO
7 INVESTIGATE A SUSPECTED INCIDENT OF HARASSMENT, INTIMIDATION OR BULLYING,
8 INCLUDING PROCEDURES TO TIMELY NOTIFY THE ALLEGED VICTIM AND THE ALLEGED
9 VICTIM'S PARENT OR GUARDIAN WHEN A SCHOOL OFFICIAL OR EMPLOYEE BECOMES
10 AWARE OF THE SUSPECTED INCIDENT OF HARASSMENT, INTIMIDATION OR BULLYING.

11 9. DISCIPLINARY PROCEDURES FOR PUPILS WHO HAVE ADMITTED COMMITTING
12 OR HAVE BEEN FOUND TO HAVE COMMITTED AN INCIDENT OF HARASSMENT,
13 INTIMIDATION OR BULLYING.

14 10. A PROCEDURE THAT SETS FORTH CONSEQUENCES FOR SUBMITTING A FALSE
15 REPORT OF AN INCIDENT OF HARASSMENT, INTIMIDATION OR BULLYING.

16 11. PROCEDURES DESIGNED TO PROTECT THE HEALTH AND SAFETY OF PUPILS
17 WHO ARE PHYSICALLY OR EMOTIONALLY HARMED, OR BOTH, AS THE RESULT OF AN
18 INCIDENT OF HARASSMENT, INTIMIDATION OR BULLYING, INCLUDING, IF
19 APPROPRIATE, PROCEDURES TO CONTACT EMERGENCY MEDICAL SERVICES OR LAW
20 ENFORCEMENT AGENCIES, OR BOTH.

21 12. AN EDUCATIONAL REQUIREMENT DESIGNED TO PREVENT HARASSMENT,
22 INTIMIDATION AND BULLYING THAT INCLUDES ANNUAL TRAINING FOR ADMINISTRATORS
23 AND CHARTER SCHOOL EMPLOYEES IN PREVENTING, IDENTIFYING, RESPONDING TO AND
24 REPORTING INCIDENTS OF HARASSMENT, INTIMIDATION OR BULLYING. BEGINNING IN
25 THE 2021-2022 SCHOOL YEAR, ALL TEACHERS SHALL COMPLETE THIS TRAINING
26 DURING THEIR FIRST YEAR OF TEACHING AND ONCE EVERY THREE YEARS THEREAFTER.
27 THE CHARTER SCHOOL MAY CONDUCT THIS TRAINING IN CONJUNCTION WITH THE
28 TRAINING REQUIRED UNDER SECTION 15-120. THIS REQUIREMENT SHALL ALSO
29 INCLUDE SIMILAR TRAINING FOR PUPILS AND PARENTS.

30 13. THE SAME DEFINITION OF BULLYING PRESCRIBED IN SECTION 15-101.

31 Sec. 3. Title 15, chapter 2, article 2, Arizona Revised Statutes,
32 is amended by adding section 15-245, to read:

33 15-245. Mental health and social and emotional learning;
34 training and resource materials; posting; update

35 THE DEPARTMENT OF EDUCATION SHALL MAKE AVAILABLE MENTAL HEALTH AND
36 SOCIAL AND EMOTIONAL LEARNING TRAINING AND RESOURCE MATERIALS THAT COMPLY
37 WITH THE REQUIREMENTS OF SECTION 15-186.02 AND SECTION 15-341, SUBSECTION
38 A, PARAGRAPH 36 AND POST THIS INFORMATION ON THE DEPARTMENT'S WEBSITE. ON
39 OR BEFORE JULY 1, 2022, THE DEPARTMENT SHALL IDENTIFY OR DEVELOP AND POST
40 ON THE DEPARTMENT'S WEBSITE A LIST OF APPROVED MATERIALS THAT SCHOOLS MAY
41 USE TO PROVIDE THE TRAINING PRESCRIBED IN SECTION 15-186.02 AND SECTION
42 15-341, SUBSECTION A, PARAGRAPH 36. THE DEPARTMENT SHALL ANNUALLY UPDATE
43 THESE APPROVED MATERIALS.

1 Sec. 4. Section 15-341, Arizona Revised Statutes, is amended to
2 read:

3 15-341. General powers and duties; immunity; delegation

4 A. The governing board shall:

5 1. Prescribe and enforce policies and procedures ~~for the governance~~
6 ~~of~~ TO GOVERN the schools that are not inconsistent with law or rules
7 prescribed by the state board of education.

8 2. Exclude from schools all books, publications, papers or
9 audiovisual materials of a sectarian, partisan or denominational
10 character. This paragraph does not prohibit the elective course permitted
11 by section 15-717.01.

12 3. Manage and control the school property within its district,
13 except that a district may enter into a partnership with an entity,
14 including a charter school, another school district or a military base, to
15 operate a school or offer educational services in a district building,
16 including at a vacant or partially used building, or in any building on
17 the entity's property pursuant to a written agreement between the parties.

18 4. Acquire school furniture, apparatus, equipment, library books
19 and supplies for ~~the use of the~~ schools TO USE.

20 5. Prescribe the curricula and criteria for the promotion and
21 graduation of pupils as provided in sections 15-701 and 15-701.01.

22 6. Furnish, repair and insure, at full insurable value, the school
23 property of the district.

24 7. Construct school buildings on approval by a vote of the district
25 electors.

26 8. ~~Make~~ In the name of the district, ~~conveyances of~~ CONVEY property
27 belonging to the district and sold by the board.

28 9. Purchase school sites when authorized by a vote of the district
29 at an election conducted as nearly as practicable in the same manner as
30 the election provided in section 15-481 and held on a date prescribed in
31 section 15-491, subsection E, but such authorization shall not necessarily
32 specify the site to be purchased and such authorization shall not be
33 necessary to exchange unimproved property as provided in section 15-342,
34 paragraph 23.

35 10. Construct, improve and furnish buildings used for school
36 purposes when such buildings or premises are leased from the national park
37 service.

38 11. Purchase school sites or construct, improve and furnish school
39 buildings from the proceeds of the sale of school property only on
40 approval by a vote of the district electors.

41 12. Hold pupils to strict account for disorderly conduct on school
42 property.

43 13. Discipline students for disorderly conduct on the way to and
44 from school.

1 14. Except as provided in section 15-1224, deposit all monies
2 received by the district as gifts, grants and devises with the county
3 treasurer who shall credit the deposits as designated in the uniform
4 system of financial records. If not inconsistent with the terms of the
5 gifts, grants and devises given, any balance remaining after expenditures
6 for the intended purpose of the monies have been made shall be used for
7 reduction of school district taxes for the budget year, except that in the
8 case of accommodation schools the county treasurer shall carry the balance
9 forward for use by the county school superintendent for accommodation
10 schools for the budget year.

11 15. Provide that, if a parent or legal guardian chooses not to
12 accept a decision of the teacher as provided in paragraph 42 of this
13 subsection, the parent or legal guardian may request in writing that the
14 governing board review the teacher's decision. This paragraph does not
15 release school districts from any liability relating to a child's
16 promotion or retention.

17 16. Provide for adequate supervision over pupils in instructional
18 and noninstructional activities by certificated or noncertificated
19 personnel.

20 17. Use school monies received from the state and county school
21 apportionment exclusively ~~for payment of~~ TO PAY salaries of teachers and
22 other employees and contingent expenses of the district.

23 18. ~~Make an annual~~ ANNUALLY report to the county school
24 superintendent on or before October 1 in the manner and form and on the
25 blanks prescribed by the superintendent of public instruction or county
26 school superintendent. The board shall also ~~make reports~~ REPORT directly
27 to the county school superintendent or the superintendent of public
28 instruction whenever required.

29 19. Deposit all monies received by school districts other than
30 student activities monies or monies from auxiliary operations as provided
31 in sections 15-1125 and 15-1126 with the county treasurer to the credit of
32 the school district except as provided in paragraph 20 of this subsection
33 and sections 15-1223 and 15-1224, and the board shall expend the monies as
34 provided by law for other school funds.

35 20. Establish bank accounts in which the board during a month may
36 deposit miscellaneous monies received directly by the district. The board
37 shall remit monies deposited in the bank accounts at least monthly to the
38 county treasurer for deposit as provided in paragraph 19 of this
39 subsection and in accordance with the uniform system of financial records.

40 21. Prescribe and enforce policies and procedures for disciplinary
41 action against a teacher who engages in conduct that is a violation of the
42 policies of the governing board but that is not cause for dismissal of the
43 teacher or for revocation of the certificate of the teacher. Disciplinary
44 action may include suspension without pay for a period of time not to
45 exceed ten school days. Disciplinary action shall not include suspension

1 with pay or suspension without pay for a period of time longer than ten
2 school days. The procedures shall include notice, hearing and appeal
3 provisions for violations that are cause for disciplinary action. The
4 governing board may designate a person or persons to act on behalf of the
5 board on these matters.

6 22. Prescribe and enforce policies and procedures for disciplinary
7 action against an administrator who engages in conduct that is a violation
8 of the policies of the governing board regarding duties of administrators
9 but that is not cause for dismissal of the administrator or for revocation
10 of the certificate of the administrator. Disciplinary action may include
11 suspension without pay for a period of time not to exceed ten school days.
12 Disciplinary action shall not include suspension with pay or suspension
13 without pay for a period of time longer than ten school days. The
14 procedures shall include notice, hearing and appeal provisions for
15 violations that are cause for disciplinary action. The governing board
16 may designate a person or persons to act on behalf of the board on these
17 matters. For violations that are cause for dismissal, the provisions of
18 notice, hearing and appeal in chapter 5, article 3 of this title shall
19 apply. The filing of a timely request for a hearing suspends the
20 imposition of a suspension without pay or a dismissal pending completion
21 of the hearing.

22 23. Notwithstanding sections 13-3108 and 13-3120, prescribe and
23 enforce policies and procedures that prohibit a person from carrying or
24 possessing a weapon on school grounds unless the person is a peace officer
25 or has obtained specific authorization from the school administrator.

26 24. Prescribe and enforce policies and procedures relating to the
27 health and safety of all pupils participating in district-sponsored
28 practice sessions or games or other interscholastic athletic activities,
29 including:

30 (a) The provision of water.

31 (b) Guidelines, information and forms, developed in consultation
32 with a statewide private entity that supervises interscholastic
33 activities, to inform and educate coaches, pupils and parents of the
34 dangers of concussions and head injuries and the risks of continued
35 participation in athletic activity after a concussion. The policies and
36 procedures shall require that, before a pupil participates in an athletic
37 activity, the pupil and the pupil's parent must sign an information form
38 at least once each school year that states that the parent is aware of the
39 nature and risk of concussion. The policies and procedures shall require
40 that a pupil who is suspected of sustaining a concussion in a practice
41 session, game or other interscholastic athletic activity be immediately
42 removed from the athletic activity and that the pupil's parent or guardian
43 be notified. A coach from the pupil's team or an official or a licensed
44 health care provider may remove a pupil from play. A team parent may also
45 remove the parent's own child from play. A pupil may return to play on

1 the same day if a health care provider rules out a suspected concussion at
2 the time the pupil is removed from play. On a subsequent day, the pupil
3 may return to play if the pupil has been evaluated by and received written
4 clearance to resume participation in athletic activity from a health care
5 provider who has been trained in the evaluation and management of
6 concussions and head injuries. A health care provider who is a volunteer
7 and who provides clearance to participate in athletic activity on the day
8 of the suspected injury or on a subsequent day is immune from civil
9 liability with respect to all decisions made and actions taken that are
10 based on good faith implementation of the requirements of this
11 subdivision, except in cases of gross negligence or wanton or wilful
12 neglect. A school district, school district employee, team coach,
13 official or team volunteer or a parent or guardian of a team member is not
14 subject to civil liability for any act, omission or policy undertaken in
15 good faith to comply with the requirements of this subdivision or for a
16 decision made or an action taken by a health care provider. A group or
17 organization that uses property or facilities owned or operated by a
18 school district for athletic activities shall comply with the requirements
19 of this subdivision. A school district and its employees and volunteers
20 are not subject to civil liability for any other person or organization's
21 failure or alleged failure to comply with the requirements of this
22 subdivision. This subdivision does not apply to teams that are based in
23 another state and that participate in an athletic activity in this state.
24 For the purposes of this subdivision, athletic activity does not include
25 dance, rhythmic gymnastics, competitions or exhibitions of academic skills
26 or knowledge or other similar forms of physical noncontact activities,
27 civic activities or academic activities, whether engaged in for the
28 purposes of competition or recreation. For the purposes of this
29 subdivision, "health care provider" means a physician who is licensed
30 pursuant to title 32, chapter 13 or 17, an athletic trainer who is
31 licensed pursuant to title 32, chapter 41, a nurse practitioner who is
32 licensed pursuant to title 32, chapter 15, and a physician assistant who
33 is licensed pursuant to title 32, chapter 25.

34 (c) Guidelines, information and forms that are developed in
35 consultation with a statewide private entity that supervises
36 interscholastic activities to inform and educate coaches, pupils and
37 parents of the dangers of heat-related illnesses, sudden cardiac death and
38 prescription opioid use. Before a pupil participates in any
39 district-sponsored practice session or game or other interscholastic
40 athletic activity, the pupil and the pupil's parent must be provided with
41 information at least once each school year on the risks of heat-related
42 illnesses, sudden cardiac death and prescription opioid addiction.

43 25. Establish an assessment, data gathering and reporting system as
44 prescribed in chapter 7, article 3 of this title.

1 26. Provide special education programs and related services
2 pursuant to section 15-764, subsection A to all children with disabilities
3 as defined in section 15-761.

4 27. Administer competency tests prescribed by the state board of
5 education for the graduation of pupils from high school.

6 28. Ensure that insurance coverage is secured for all construction
7 projects for purposes of general liability, property damage and workers'
8 compensation and secure performance and payment bonds for all construction
9 projects.

10 29. Keep in the personnel file of all current and former employees
11 who provide instruction to pupils at a school information about the
12 employee's educational and teaching background and experience in a
13 particular academic content subject area. A school district shall inform
14 parents and guardians of the availability of the information and shall
15 make the information available for inspection on request of parents and
16 guardians of pupils enrolled at a school. This paragraph does not require
17 any school to release personally identifiable information in relation to
18 any teacher or employee, including the teacher's or employee's address,
19 salary, social security number or telephone number.

20 30. Report to local law enforcement agencies any suspected crime
21 against a person or property that is a serious offense as defined in
22 section 13-706 or that involves a deadly weapon or dangerous instrument or
23 serious physical injury and any conduct that poses a threat of death or
24 serious physical injury to employees, students or anyone on the property
25 of the school. This paragraph does not limit or preclude the reporting by
26 a school district or an employee of a school district of suspected crimes
27 other than those required to be reported by this paragraph. For the
28 purposes of this paragraph, "dangerous instrument", "deadly weapon" and
29 "serious physical injury" have the same meanings prescribed in section
30 13-105.

31 31. In conjunction with local law enforcement agencies and
32 emergency response agencies, develop an emergency response plan for each
33 school in the school district in accordance with minimum standards
34 developed jointly by the department of education and the division of
35 emergency management within the department of emergency and military
36 affairs.

37 32. Provide written notice to the parents or guardians of all
38 students enrolled in the school district at least ten days before a public
39 meeting to discuss closing a school within the school district. The
40 notice shall include the reasons for the proposed closure and the time and
41 place of the meeting. The governing board shall fix a time for a public
42 meeting on the proposed closure not less than ten days before voting in a
43 public meeting to close the school. The school district governing board
44 shall give notice of the time and place of the meeting. At the time and
45 place designated in the notice, the school district governing board shall

1 hear reasons for or against closing the school. The school district
2 governing board is exempt from this paragraph if the governing board
3 determines that the school shall be closed because it poses a danger to
4 the health or safety of the pupils or employees of the school. A
5 governing board may consult with the school facilities board for technical
6 assistance and for information on the impact of closing a school. The
7 information provided from the school facilities board shall not require
8 the governing board to take or not take any action.

9 33. Incorporate instruction on Native American history into
10 appropriate existing curricula.

11 34. Prescribe and enforce policies and procedures:

12 (a) Allowing pupils who have been diagnosed with anaphylaxis by a
13 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or
14 25 or by a registered nurse practitioner licensed and certified pursuant
15 to title 32, chapter 15 to carry and self-administer emergency
16 medications, including epinephrine auto-injectors, while at school and at
17 school-sponsored activities. The pupil's name on the prescription label
18 on the medication container or on the medication device and annual written
19 documentation from the pupil's parent or guardian to the school that
20 authorizes possession and self-administration is sufficient proof that the
21 pupil is entitled to the possession and self-administration of the
22 medication. The policies shall require a pupil who uses an epinephrine
23 auto-injector while at school and at school-sponsored activities to notify
24 the nurse or the designated school staff person of the use of the
25 medication as soon as practicable. A school district and its employees
26 are immune from civil liability with respect to all decisions made and
27 actions taken that are based on good faith implementation of the
28 requirements of this subdivision, except in cases of wanton or wilful
29 neglect.

30 (b) For the emergency administration of epinephrine auto-injectors
31 by a trained employee of a school district pursuant to section 15-157.

32 35. Allow the possession and self-administration of prescription
33 medication for breathing disorders in handheld inhaler devices by pupils
34 who have been prescribed that medication by a health care professional
35 licensed pursuant to title 32. The pupil's name on the prescription label
36 on the medication container or on the handheld inhaler device and annual
37 written documentation from the pupil's parent or guardian to the school
38 that authorizes possession and self-administration shall be sufficient
39 proof that the pupil is entitled to the possession and self-administration
40 of the medication. A school district and its employees are immune from
41 civil liability with respect to all decisions made and actions taken that
42 are based on a good faith implementation of the requirements of this
43 paragraph.

1 36. Prescribe and enforce policies and procedures to prohibit pupils
2 from harassing, intimidating and bullying other pupils. THESE POLICIES
3 MAY INCLUDE A POLICY PROHIBITING HARASSMENT, INTIMIDATION AND BULLYING AT
4 ANY OFF-CAMPUS LOCATION OR ACTIVITY IF THE ALLEGED ACTIVITY IS REPORTED TO
5 SCHOOL OFFICIALS AND IF THE HARASSMENT, INTIMIDATION OR BULLYING CREATES A
6 HOSTILE ENVIRONMENT FOR THE ALLEGED VICTIM AT SCHOOL, INFRINGES ON THE
7 RIGHTS OF THE ALLEGED VICTIM AT SCHOOL OR MATERIALLY AND SUBSTANTIALLY
8 DISRUPTS THE EDUCATION PROCESS OR THE ORDERLY OPERATION OF THE SCHOOL.
9 THESE POLICIES AND PROCEDURES SHALL INCLUDE ALL OF THE FOLLOWING:

10 (a) A POLICY THAT PROHIBITS HARASSMENT, INTIMIDATION AND BULLYING
11 THROUGH THE USE OF ELECTRONIC TECHNOLOGY AND ELECTRONIC COMMUNICATIONS on
12 school grounds, on school property, on school buses, at school bus stops,
13 at school-sponsored events and ~~activities and through the use of~~
14 ~~electronic technology or electronic communication~~ on school computers,
15 networks, forums and mailing lists. ~~that include the following components:~~

16 (b) A STATEMENT THAT ALL PUPILS ARE PROTECTED UNDER THESE POLICIES
17 AND THAT BULLYING IS PROHIBITED WITHOUT REGARD TO THE SUBJECT MATTER OF
18 THE BULLYING OR THE MOTIVATION OF THE PERPETRATOR.

19 ~~(a)~~ (c) A procedure for pupils, parents and school district
20 employees to confidentially report to school officials incidents of
21 harassment, intimidation or bullying. The school shall make available
22 written forms designed to provide a full and detailed description of the
23 incident and any other relevant information about the incident.

24 ~~(b)~~ (d) A requirement that school district employees report in
25 writing suspected incidents of harassment, intimidation or bullying to the
26 appropriate school official and a description of appropriate disciplinary
27 procedures for employees who fail to report suspected incidents that are
28 known to the employee.

29 ~~(c)~~ (e) A requirement that, at the beginning of each school year,
30 school officials provide all pupils with a written copy of the rights,
31 protections and support services available to ~~a~~ EACH pupil who is an
32 alleged victim of an incident reported pursuant to this paragraph.

33 ~~(d)~~ (f) If an incident is reported pursuant to this paragraph, a
34 requirement that school officials, ~~provide a pupil who is an~~ IN COMPLIANCE
35 WITH STATE RULES AND FEDERAL REGULATIONS ADOPTED TO COMPLY WITH THE FAMILY
36 EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974 (P.L. 93-380; 88 STAT. 57),
37 NOTIFY THE ALLEGED VICTIM'S PARENT OR GUARDIAN OF THE INCIDENT AND PROVIDE
38 THE alleged victim ~~of the incident~~ with a written copy of the rights,
39 protections and support services available to that pupil. TO AVOID
40 ADDITIONAL NEGATIVE CONSEQUENCES TO THE ALLEGED VICTIM'S HEALTH AND
41 WELL-BEING AND BEFORE NOTIFYING THE ALLEGED VICTIM'S PARENT, SCHOOL
42 OFFICIALS, IN CONSULTATION WITH ON-SITE SCHOOL COUNSELORS AND SOCIAL
43 WORKERS, IF AVAILABLE, SHALL EVALUATE THE NOTIFICATION IN THE SAME MANNER
44 AS ANY OTHER EDUCATIONALLY RELEVANT DECISION BY CONSIDERING THE HEALTH,
45 WELL-BEING AND SAFETY OF ANY PUPIL INVOLVED IN THE INCIDENT. SCHOOL

1 OFFICIALS SHALL NOTIFY THE PARENT OR GUARDIAN OF A PUPIL WHO IS THE
2 ALLEGED PERPETRATOR PURSUANT TO THE SCHOOL DISTRICT'S DISCIPLINARY
3 NOTIFICATION POLICIES AND PROCEDURES.

4 ~~(e)~~ (g) A formal process for ~~the documentation of~~ DOCUMENTING
5 reported incidents of harassment, intimidation or bullying and PROVIDING
6 for the confidentiality, maintenance and disposition of this
7 documentation. School districts shall maintain documentation of all
8 incidents reported pursuant to this paragraph for at least six years. The
9 school shall not use that documentation to impose disciplinary action
10 unless the appropriate school official has investigated and determined
11 that ~~the~~ A reported ~~incidents~~ INCIDENT of harassment, intimidation or
12 bullying occurred. If a school provides documentation of reported
13 incidents to persons other than school officials or law enforcement, ~~THE~~
14 SCHOOL SHALL REDACT all individually identifiable information ~~shall be~~
15 redacted.

16 ~~(f)~~ (h) A formal process for ~~the investigation by~~ the appropriate
17 school officials ~~of~~ TO INVESTIGATE A suspected ~~incidents~~ INCIDENT of
18 harassment, intimidation or bullying, including procedures ~~for notifying~~
19 TO TIMELY NOTIFY the alleged victim and the alleged victim's parent or
20 guardian when a school official or employee becomes aware of the suspected
21 incident of harassment, intimidation or bullying.

22 ~~(g)~~ (i) Disciplinary procedures for pupils who have admitted or
23 HAVE been found to have committed ~~incidents~~ AN INCIDENT of harassment,
24 intimidation or bullying.

25 ~~(h)~~ (j) A procedure that sets forth consequences for submitting A
26 false ~~reports~~ REPORT of ~~incidents~~ AN INCIDENT of harassment, intimidation
27 or bullying.

28 ~~(i)~~ (k) Procedures designed to protect the health and safety of
29 pupils who are physically OR EMOTIONALLY harmed, OR BOTH, as the result of
30 ~~incidents~~ AN INCIDENT of harassment, intimidation and bullying, including,
31 if appropriate, procedures to contact emergency medical services or law
32 enforcement agencies, or both.

33 ~~(j) Definitions of harassment, intimidation and bullying.~~

34 (l) AN EDUCATIONAL REQUIREMENT DESIGNED TO PREVENT HARASSMENT,
35 INTIMIDATION AND BULLYING THAT INCLUDES ANNUAL TRAINING FOR ADMINISTRATORS
36 AND SCHOOL EMPLOYEES IN PREVENTING, IDENTIFYING, RESPONDING TO AND
37 REPORTING INCIDENTS OF HARASSMENT, INTIMIDATION OR BULLYING. BEGINNING IN
38 THE 2021-2022 SCHOOL YEAR, ALL TEACHERS SHALL COMPLETE THIS TRAINING
39 DURING THEIR FIRST YEAR OF TEACHING AND ONCE EVERY THREE YEARS THEREAFTER.
40 THE SCHOOL DISTRICT MAY CONDUCT THIS TRAINING IN CONJUNCTION WITH THE
41 TRAINING REQUIRED UNDER SECTION 15-120. THIS REQUIREMENT SHALL ALSO
42 INCLUDE SIMILAR TRAINING FOR PUPILS AND PARENTS.

43 (m) THE SAME DEFINITION OF BULLYING PRESCRIBED IN SECTION 15-101.

1 37. Prescribe and enforce policies and procedures regarding
2 changing or adopting attendance boundaries that include the following
3 components:

4 (a) A procedure for holding public meetings to discuss attendance
5 boundary changes or adoptions that allows public comments.

6 (b) A procedure to notify the parents or guardians of the students
7 affected.

8 (c) A procedure to notify the residents of the households affected
9 by the attendance boundary changes.

10 (d) A process for placing public meeting notices and proposed maps
11 on the school district's website for public review, if the school district
12 maintains a website.

13 (e) A formal process for presenting the attendance boundaries of
14 the affected area in public meetings that allows public comments.

15 (f) A formal process for notifying the residents and parents or
16 guardians of the affected area as to the decision of the governing board
17 on the school district's website, if the school district maintains a
18 website.

19 (g) A formal process for updating attendance boundaries on the
20 school district's website within ninety days of an adopted boundary
21 change. The school district shall send a direct link to the school
22 district's attendance boundaries website to the department of real estate.

23 38. If the state board of education determines that the school
24 district has committed an overexpenditure as defined in section 15-107,
25 provide a copy of the fiscal management report submitted pursuant to
26 section 15-107, subsection H on its website and make copies available to
27 the public on request. The school district shall comply with a request
28 within five business days after receipt.

29 39. Ensure that the contract for the superintendent is structured
30 in a manner in which up to twenty percent of the total annual salary
31 included for the superintendent in the contract is classified as
32 performance pay. This paragraph does not require school districts to
33 increase total compensation for superintendents. Unless the school
34 district governing board votes to implement an alternative procedure at a
35 public meeting called for this purpose, the performance pay portion of the
36 superintendent's total annual compensation shall be determined as follows:

37 (a) Twenty-five percent of the performance pay shall be determined
38 based on the percentage of academic gain determined by the department of
39 education of pupils who are enrolled in the school district compared to
40 the academic gain achieved by the highest ranking of the fifty largest
41 school districts in this state. For the purposes of this subdivision, the
42 department of education shall determine academic gain by the academic
43 growth achieved by each pupil who has been enrolled at the same school in
44 a school district for at least five consecutive months measured against
45 that pupil's academic results in the 2008-2009 school year. For the

1 purposes of this subdivision, of the fifty largest school districts in
2 this state, the school district with pupils who demonstrate the highest
3 statewide percentage of overall academic gain measured against academic
4 results for the 2008-2009 school year shall be assigned a score of 100 and
5 the school district with pupils who demonstrate the lowest statewide
6 percentage of overall academic gain measured against academic results for
7 the 2008-2009 school year shall be assigned a score of 0.

8 (b) Twenty-five percent of the performance pay shall be determined
9 by the percentage of parents of pupils who are enrolled at the school
10 district who assign a letter grade of "A" to the school on a survey of
11 parental satisfaction with the school district. The parental satisfaction
12 survey shall be administered and scored by an independent entity that is
13 selected by the governing board and that demonstrates sufficient expertise
14 and experience to accurately measure the results of the survey. The
15 parental satisfaction survey shall use standard random sampling procedures
16 and provide anonymity and confidentiality to each parent who participates
17 in the survey. The letter grade scale used on the parental satisfaction
18 survey shall direct parents to assign one of the following letter grades:

- 19 (i) A letter grade of "A" if the school district is excellent.
- 20 (ii) A letter grade of "B" if the school district is above average.
- 21 (iii) A letter grade of "C" if the school district is average.
- 22 (iv) A letter grade of "D" if the school district is below average.
- 23 (v) A letter grade of "F" if the school district is a failure.

24 (c) Twenty-five percent of the performance pay shall be determined
25 by the percentage of teachers who are employed at the school district and
26 who assign a letter grade of "A" to the school on a survey of teacher
27 satisfaction with the school. The teacher satisfaction survey shall be
28 administered and scored by an independent entity that is selected by the
29 governing board and that demonstrates sufficient expertise and experience
30 to accurately measure the results of the survey. The teacher satisfaction
31 survey shall use standard random sampling procedures and provide anonymity
32 and confidentiality to each teacher who participates in the survey. The
33 letter grade scale used on the teacher satisfaction survey shall direct
34 teachers to assign one of the following letter grades:

- 35 (i) A letter grade of "A" if the school district is excellent.
- 36 (ii) A letter grade of "B" if the school district is above average.
- 37 (iii) A letter grade of "C" if the school district is average.
- 38 (iv) A letter grade of "D" if the school district is below average.
- 39 (v) A letter grade of "F" if the school district is a failure.

40 (d) Twenty-five percent of the performance pay shall be determined
41 by other criteria selected by the governing board.

42 40. Maintain and store permanent public records of the school
43 district as required by law. Notwithstanding section 39-101, the
44 standards adopted by the Arizona state library, archives and public
45 records for the maintenance and storage of school district public records

1 shall allow school districts to elect to satisfy the requirements of this
2 paragraph by maintaining and storing these records either on paper or in
3 an electronic format, or a combination of a paper and electronic format.

4 41. Adopt in a public meeting and implement policies for principal
5 evaluations. Before adopting principal evaluation policies, the school
6 district governing board shall provide opportunities for public discussion
7 on the proposed policies. The governing board shall adopt policies that:

8 (a) Are designed to improve principal performance and improve
9 student achievement.

10 (b) Include the use of quantitative data on the academic progress
11 for all students, which shall account for between twenty percent and
12 thirty-three percent of the evaluation outcomes.

13 (c) Include four performance classifications, designated as highly
14 effective, effective, developing and ineffective.

15 (d) Describe both of the following:

16 (i) The methods used to evaluate the performance of principals,
17 including the data used to measure student performance and job
18 effectiveness.

19 (ii) The formula used to determine evaluation outcomes.

20 42. Prescribe and enforce policies and procedures that define the
21 duties of principals and teachers. These policies and procedures shall
22 authorize teachers to take and maintain daily classroom attendance, make
23 the decision to promote or retain a pupil in a grade in common school or
24 to pass or fail a pupil in a course in high school, subject to review by
25 the governing board in the manner provided in section 15-342,
26 paragraph 11.

27 43. Prescribe and enforce policies and procedures for the emergency
28 administration by an employee of a school district pursuant to section
29 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
30 by the United States food and drug administration.

31 44. In addition to the notification requirements prescribed in
32 paragraph 36 of this subsection, prescribe and enforce reasonable and
33 appropriate policies to notify a pupil's parent or guardian if any person
34 engages in harassing, threatening or intimidating conduct against that
35 pupil. A school district and its officials and employees are immune from
36 civil liability with respect to all decisions made and actions taken that
37 are based on good faith implementation of the requirements of this
38 paragraph, except in cases of gross negligence or wanton or wilful
39 neglect. A person engages in threatening or intimidating if the person
40 threatens or intimidates by word or conduct to cause physical injury to
41 another person or serious damage to the property of another on school
42 grounds. A person engages in harassment if, with intent to harass or with
43 knowledge that the person is harassing another person, the person
44 anonymously or otherwise contacts, communicates or causes a communication
45 with another person by verbal, electronic, mechanical, telephonic or

1 written means in a manner that harasses on school grounds or substantially
2 disrupts the school environment.

3 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this
4 section, the county school superintendent may construct, improve and
5 furnish school buildings or purchase or sell school sites in the conduct
6 of an accommodation school.

7 C. If any school district acquires real or personal property,
8 whether by purchase, exchange, condemnation, gift or otherwise, the
9 governing board shall pay to the county treasurer any taxes on the
10 property that were unpaid as of the date of acquisition, including
11 penalties and interest. The lien for unpaid delinquent taxes, penalties
12 and interest on property acquired by a school district:

13 1. Is not abated, extinguished, discharged or merged in the title
14 to the property.

15 2. Is enforceable in the same manner as other delinquent tax liens.

16 D. The governing board may not locate a school on property that is
17 less than one-fourth mile from agricultural land regulated pursuant to
18 section 3-365, except that the owner of the agricultural land may agree to
19 comply with the buffer zone requirements of section 3-365. If the owner
20 agrees in writing to comply with the buffer zone requirements and records
21 the agreement in the office of the county recorder as a restrictive
22 covenant running with the title to the land, the school district may
23 locate a school within the affected buffer zone. The agreement may
24 include any stipulations regarding the school, including conditions for
25 future expansion of the school and changes in the operational status of
26 the school that will result in a breach of the agreement.

27 E. A school district, its governing board members, its school
28 council members and its employees are immune from civil liability for the
29 consequences of adoption and implementation of policies and procedures
30 pursuant to subsection A of this section and section 15-342. This waiver
31 does not apply if the school district, its governing board members, its
32 school council members or its employees are guilty of gross negligence or
33 intentional misconduct.

34 F. A governing board may delegate in writing to a superintendent,
35 principal or head teacher the authority to prescribe procedures that are
36 consistent with the governing board's policies.

37 G. Notwithstanding any other provision of this title, a school
38 district governing board shall not take any action that would result in a
39 reduction of pupil square footage unless the governing board notifies the
40 school facilities board established by section 15-2001 of the proposed
41 action and receives written approval from the school facilities board to
42 take the action. A reduction includes an increase in administrative space
43 that results in a reduction of pupil square footage or sale of school
44 sites or buildings, or both. A reduction includes a reconfiguration of
45 grades that results in a reduction of pupil square footage of any grade

1 level. This subsection does not apply to temporary reconfiguration of
2 grades to accommodate new school construction if the temporary
3 reconfiguration does not exceed one year. The sale of equipment that
4 results in a reduction that falls below the equipment requirements
5 prescribed in section 15-2011, subsection B is subject to commensurate
6 withholding of school district additional assistance monies
7 pursuant to the direction of the school facilities board. Except as
8 provided in section 15-342, paragraph 10, proceeds from the sale of school
9 sites, buildings or other equipment shall be deposited in the school plant
10 fund as provided in section 15-1102.

11 H. Subsections C through G of this section apply to a county board
12 of supervisors and a county school superintendent when operating and
13 administering an accommodation school.

14 I. A school district governing board may delegate authority in
15 writing to the superintendent of the school district to submit plans for
16 new school facilities to the school facilities board for the purpose of
17 certifying that the plans meet the minimum school facility adequacy
18 guidelines prescribed in section 15-2011.

19 Sec. 5. Intent

20 The legislature finds and declares that:

21 1. All students have the right to participate fully in the
22 educational process and to be free from harassment, intimidation and
23 bullying.

24 2. A safe and civil environment in school is necessary for students
25 to learn and to achieve high academic standards.

26 3. Harassment, intimidation and bullying, like other disruptive or
27 violent behaviors, are forms of conduct that disrupt both a student's
28 ability to learn and a school's ability to educate its students in a safe
29 environment.

30 4. Staff and volunteers should be expected to demonstrate
31 appropriate behavior, treat others with civility and respect and refuse to
32 tolerate bullying, intimidation and harassment.

33 Sec. 6. Short title

34 This act may be cited as the "Arizona Safe Schools Act of 2021".