



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

VETOED

AMENDED

FACT SHEET FOR S.B. 1410

violations of state law; schools
(NOW: schools districts; parent complaints; reporting)

As passed by the Senate, S.B. 1410 required the Attorney General to investigate a school district governing board (governing board) official action or a county or municipality written policy, rule or regulation that a legislator alleges violates state law or the Arizona Constitution.

The House of Representatives adopted a strike-everything amendment that does the following:

Purpose

Requires a governing board to establish a mechanism to receive and investigate parent complaints for alleged violations of a parent's or student's rights. Outlines reporting requirements relating to parent complaints for governing boards and the Arizona Department of Education (ADE).

Background

Arizona's Parents' Bill of Rights reserves parental rights to a parent of a minor child without interference from the state, a political subdivision or other governmental entity or any other institution. Outlined rights include: 1) directing the child's education, upbringing and moral or religious training; 2) making health care decisions for the child; and 3) accessing and reviewing all records, including medical records, unless otherwise prohibited. A parent may bring suit against a government entity for any action that interferes with or usurps the fundamental rights of parents. Statute declares that parents have inalienable rights that are more comprehensive than those listed in the Parents' Bill of Rights, unless legally waived or terminated (A.R.S. §§ [1-601](#) and [1-602](#)).

Each governing board must adopt a parental involvement policy that includes plans and procedures by which parents may: 1) learn about their child's course of study, review learning materials and withdraw their child from an activity, class or program; 2) access the school's library collection; and 3) learn about parental rights and responsibilities. A parent may request information relating to the parental involvement policy during regular business hours as outlined and a governing board may adopt a policy to provide the information to parents in an electronic form ([A.R.S. § 15-102](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

School District Parent Complaint Mechanism

1. Requires a governing board to prescribe and enforce policies and procedures to establish a mechanism for each school operated by the school district (district school) to receive and investigate complaints filed by parents of students alleging that the school, the school district or an employee or contractor of the school or school district has violated any of the parent's or student's rights.

2. Requires the adopted parent complaint policies and procedures to require each district school to:
 - a) at the beginning of each school year or the time of a student's enrollment, notify each parent of the right to file a formal complaint, including the process and requirements;
 - b) designate an administrator who is responsible for receiving, investigating and resolving all filed complaints; and
 - c) on at least a quarterly basis, report to the governing board specified information regarding parent complaints.

3. Prescribes the following information for inclusion in a district school's quarterly parent complaint report:
 - a) the number of unresolved complaints at the beginning of the relevant time period, disaggregated by the subject of the complaint;
 - b) the number of new complaints that have been filed during the relevant time period, disaggregated by the subject of the complaint; and
 - c) for each complaint included in the report:
 - i. if the complaint was dismissed, the reason for dismissal;
 - ii. if the complaint is under investigation, the date the complaint was filed and, if applicable, the dates on which additional information was requested or received by the designated administrator;
 - iii. if the complaint was withdrawn by the complainant, the reason for withdrawal if available, the designated administrator's findings, any action taken by the school to address the subject of the complaint, and, if applicable, the terms of the agreement between the school and the complainant; or
 - iv. if the designated administrator finds that at least one of the violations alleged in the complaint were true, what action the school has taken or will take to address the violation and prevent future violations.

4. Requires each governing board, by July 1, 2024, and each subsequent year, to annually:
 - a) compile parent complaint information reported during the previous school year; and
 - b) submit the compiled parent complaint information to ADE in the form and manner ADE prescribes.

5. Adds, to the rights that a parent may learn about through procedures in a governing board's parental involvement policy, the parental right to file a complaint if the parent believes that the school, the school district or an employee or contractor of the school or school district has violated any of the parent's or student's rights.

ADE Annual Parent Complaint Report

6. Requires ADE to compile an annual report from the compiled parent complaint information submitted by governing boards and create a summary that includes the number of:
 - a) unresolved complaints at the beginning of the school year, disaggregated by the subject of the complaint;
 - b) new complaints that were filed during the school year, disaggregated by the subject of the complaint;
 - c) violations that were found, including any corrective action taken by the school or school district; and
 - d) complaints for each school district during the school year that:
 - i. were dismissed, with the reason for dismissal;

- ii. are under investigation, with the average number of days between the date a complaint is filed and the date the complaint is resolved; or
 - iii. were withdrawn, including whether the withdrawal was pursuant to an agreement between the complainant and the school or school district.
7. Requires ADE, by September 1, 2024, and each subsequent year, to submit the annual parent complaint report to the Governor, the President of the Senate and the Speaker of the House of Representatives and provide a copy of the report to the Secretary of State and the Auditor General.

Miscellaneous

8. Becomes effective on the general effective date.

Amendments Adopted by the House of Representatives

- Adopted the strike-everything amendment relating to parent complaints.

Governor's Veto Message

The Governor indicates in her [veto message](#) that S.B. 1410 is an unnecessary mandate on school districts without further justification to collect parent complaint data at the state level.

House Action

Senate Action

ED	3/28/23	DPA/SE	6-4-0-0	Final Read	6/13/23	16-12-2
3 rd Read	5/15/23		31-27-1-0-1			

Vetoed by the Governor 6/20/23

Prepared by Senate Research

June 21, 2023

LB/MH/slp