

House Engrossed

schools; instruction; victims of communism

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HOUSE BILL 2629

AN ACT

AMENDING TITLE 1, CHAPTER 3, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 1-323; AMENDING SECTION 15-203, ARIZONA REVISED STATUTES;
AMENDING TITLE 15, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-710.03; RELATING TO SCHOOL INSTRUCTION.

(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 1-323, to read:
4 1-323. Victims of communism day; observation
5 A. NOVEMBER 7, IN EACH YEAR, SHALL BE OBSERVED AS VICTIMS OF
6 COMMUNISM DAY.
7 B. VICTIMS OF COMMUNISM DAY IS NOT A LEGAL HOLIDAY.
8 C. IF VICTIMS OF COMMUNISM DAY FALLS ON A SATURDAY, SUNDAY OR OTHER
9 DAY WHEN A PUBLIC SCHOOL IS NOT IN SESSION, THE PRECEDING OR FOLLOWING
10 SCHOOL DAY SHALL BE OBSERVED IN THE PUBLIC SCHOOL AS THE HOLIDAY.
11 Sec. 2. Section 15-203, Arizona Revised Statutes, is amended to
12 read:
13 15-203. Powers and duties; definition
14 A. The state board of education shall:
15 1. Exercise general supervision over and regulate the conduct of
16 the public school system and adopt any rules and policies it deems
17 necessary to accomplish this purpose.
18 2. Keep a record of its proceedings.
19 3. Make rules for its own government.
20 4. Determine the policy and work undertaken by it.
21 5. Subject to title 41, chapter 4, article 4, employ staff.
22 6. Prescribe and supervise the duties of its employees pursuant to
23 title 41, chapter 4, article 4, if not otherwise prescribed by statute.
24 7. Delegate to the superintendent of public instruction the
25 execution of board policies and rules.
26 8. Recommend to the legislature changes or additions to the
27 statutes pertaining to schools.
28 9. Prepare, publish and distribute reports concerning the
29 educational welfare of this state.
30 10. Prepare a budget for expenditures necessary for proper
31 maintenance of the board and accomplishment of its purposes and present
32 the budget to the legislature.
33 11. Aid in the enforcement of laws relating to schools.
34 12. Prescribe a minimum course of study in the common schools,
35 minimum competency requirements for the promotion of pupils from the third
36 grade and minimum course of study and competency requirements for the
37 promotion of pupils from the eighth grade. The state board of education
38 shall prepare a fiscal impact statement of any proposed changes to the
39 minimum course of study or competency requirements and, on completion,
40 shall send a copy to the director of the joint legislative budget
41 committee and the director of the school facilities division within the
42 department of administration. The state board of education shall not
43 adopt any changes in the minimum course of study or competency
44 requirements in effect on July 1, 1998 that will have a fiscal impact on
45 school capital costs.

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

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

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

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

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

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

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

35 20. Impose such disciplinary action, including disciplinary action
36 pursuant to section 15-505 or the issuance of a letter of censure,
37 suspension, suspension with conditions or revocation of a certificate, on
38 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 state board of
2 education to investigate every written complaint alleging that a
3 certificated person, a person seeking certification or a noncertificated
4 person has engaged in immoral or unprofessional conduct.

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

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

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

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

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

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

33 (a) Currently resides in this state.

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

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

1 (ii) Awarding credit for completed coursework.

2 (iii) Allowing 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 D 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 E 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, beginning with math.

6 (b) ~~On or before December 31, 2022,~~ A mechanism to allow pupils in
7 grades seven through twelve who have demonstrated competency in a subject
8 to immediately obtain credit for the mastery of that subject. The rules
9 shall include a list of applicable subjects.

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

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

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

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

28 (d) Procedures for annually requesting a standing order for
29 epinephrine auto-injectors pursuant to section 15-157 from the chief
30 medical officer of the department of health services, the chief medical
31 officer of a county health department, a doctor of medicine licensed
32 pursuant to title 32, chapter 13, a doctor of naturopathic medicine
33 licensed pursuant to title 32, chapter 14 or a doctor of osteopathic
34 medicine licensed pursuant to title 32, chapter 17.

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

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

42 (a) Annual training in the recognition of respiratory distress
43 symptoms and the procedures to follow when respiratory distress occurs, in
44 accordance with good clinical practice, and the administration of

1 inhalers, as directed on the prescription protocol, by designated medical
2 and nonmedical school personnel.

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

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

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

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

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

24 42. For the purposes of Sandra Day O'Connor civics celebration day
25 instruction under section 15-710.01, develop a list of recommended
26 resources relating to civics education that align with the academic
27 standards prescribed by the state board of education in social studies
28 pursuant to sections 15-701 and 15-701.01. The state board shall
29 establish a process that allows public schools to recommend resources for
30 addition to the list.

31 43. Direct and oversee the work of all investigators related to
32 investigating certificated persons, persons seeking certification and
33 noncertificated persons for immoral or unprofessional conduct under this
34 title and rules adopted pursuant to this title. The investigators shall
35 be housed within and are employees of the state board of education.

36 44. Establish best practices for social media and cellular
37 telephone use between students and school personnel, including teachers,
38 coaches and counselors, and encourage school district governing boards and
39 charter school governing bodies to adopt policies that implement these
40 best practices. The state board of education shall make these best
41 practices available to both public and private schools.

42 45. For the purposes of 9/11 education day instruction under
43 section 15-710.02, develop a list of recommended resources relating to
44 age-appropriate education on the terrorist attacks of September 11, 2001
45 that align with the academic standards prescribed by the state board

1 pursuant to sections 15-701 and 15-701.01. The state board shall
2 establish a process that allows public schools to recommend resources for
3 addition to the list.

4 46. FOR THE PURPOSES OF VICTIMS OF COMMUNISM DAY INSTRUCTION UNDER
5 SECTION 15-710.03, DEVELOP A LIST OF RECOMMENDED RESOURCES RELATING TO
6 EDUCATION ON THE HISTORY OF COMMUNIST REGIMES AROUND THE WORLD THAT ALIGN
7 WITH THE ACADEMIC STANDARDS PRESCRIBED BY THE STATE BOARD OF EDUCATION IN
8 SOCIAL STUDIES PURSUANT TO SECTION 15-701.01. THE STATE BOARD SHALL
9 ESTABLISH A PROCESS THAT ALLOWS PUBLIC SCHOOLS TO RECOMMEND RESOURCES FOR
10 ADDITION TO THE LIST.

11 B. The state board of education may:

12 1. Contract.

13 2. Sue and be sued.

14 3. Distribute and score the tests prescribed in chapter 7, article
15 3 of this title.

16 4. Provide for an advisory committee or hearing officers to conduct
17 hearings and screenings to determine whether grounds exist to impose
18 disciplinary action against a certificated person, whether grounds exist
19 to reinstate a revoked or surrendered certificate, whether grounds exist
20 to approve or deny an initial application for certification or a request
21 for renewal of a certificate and whether grounds exist to impose or lift
22 disciplinary action against a noncertificated person. The board may
23 delegate its responsibility to conduct hearings and screenings to its
24 advisory committee or hearing officers. Hearings shall be conducted
25 pursuant to title 41, chapter 6, article 6.

26 5. Proceed with the disposal of any complaint requesting
27 disciplinary action against a noncertificated person after the board has
28 imposed disciplinary action pursuant to section 15-505 or against a person
29 holding a certificate as prescribed in subsection A, paragraph 14 of this
30 section after the suspension or expiration of the certificate or surrender
31 of the certificate by the holder.

32 6. Assess costs and reasonable attorney fees against a person who
33 files a frivolous complaint or who files a complaint in bad faith. Costs
34 assessed pursuant to this paragraph shall not exceed the expenses incurred
35 by the state board of education in the investigation of the complaint.

36 7. Issue subpoenas to compel the attendance and testimony of
37 witnesses and production of documents or any physical evidence in
38 connection with an investigation or hearing of an allegation that a
39 certificated person, a person seeking certification or a noncertificated
40 person has engaged in immoral or unprofessional conduct. If a subpoena
41 issued by the board is disobeyed, the board may petition the superior
42 court to enforce the subpoena. Any failure to obey an order of the court
43 pursuant to this paragraph may be punished by the court as contempt.

44 C. For the purposes of this section, "noncertificated person" has
45 the same meaning prescribed in section 15-505.

1 Sec. 3. Title 15, chapter 7, article 1, Arizona Revised Statutes,
2 is amended by adding section 15-710.03, to read:

3 15-710.03. Victims of communism day; instruction requirement

4 BEGINNING IN THE 2024-2025 SCHOOL YEAR, ANY AMERICAN GOVERNMENT
5 COURSE REQUIRED FOR GRADUATION FROM HIGH SCHOOL MUST INCLUDE AT LEAST
6 FORTY-FIVE MINUTES OF INSTRUCTION ON THE HISTORY OF COMMUNIST REGIMES
7 AROUND THE WORLD AND THE PREVALENCE OF POVERTY, STARVATION, MIGRATION,
8 SYSTEMIC LETHAL VIOLENCE AND SUPPRESSION OF SPEECH UNDER COMMUNIST
9 REGIMES. EDUCATION PURSUANT TO THIS SECTION MAY INCLUDE ANY OF THE
10 FOLLOWING:

- 11 1. MAO ZEDONG AND THE CULTURAL REVOLUTION.
- 12 2. JOSEPH STALIN AND THE SOVIET SYSTEM.
- 13 3. FIDEL CASTRO AND THE CUBAN REVOLUTION.
- 14 4. VLADIMIR LENIN AND THE RUSSIAN REVOLUTION.
- 15 5. POL POT AND THE KHMER ROUGE.
- 16 6. NICOLÁS MADURO AND THE CHAVISMO MOVEMENT.