

REFERENCE TITLE: public schools; teachers; expressive rights

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

HB 2655

Introduced by
Representatives Parker B: Heap, Jones, Kolodin, Marshall, McGarr,
Montenegro, Parker J, Pingerelli, Smith; Senators Hoffman, Wadsack

AN ACT

AMENDING TITLE 15, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-509; RELATING TO SCHOOL EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 5, article 1, Arizona Revised
3 Statutes, is amended by adding section 15-509, to read:

4 15-509. Teachers; school employees; transparency and
5 expressive rights; judicial relief

6 A. A TEACHER OR ANY OTHER EMPLOYEE OF A SCHOOL DISTRICT OR CHARTER
7 SCHOOL IS NOT SUBJECT TO ANY DISCIPLINARY ACTION OR ADVERSE EMPLOYMENT
8 ACTION FOR DOING ANY OF THE FOLLOWING:

9 1. INFORMING A STUDENT'S PARENT OF ANY INFORMATION REGARDING THE
10 STUDENT THAT THE TEACHER OR OTHER EMPLOYEE REASONABLY BELIEVES THE PARENT
11 SHOULD KNOW.

12 2. DECLINING TO ADDRESS AN INDIVIDUAL USING A NAME, PRONOUN OR
13 TITLE THAT IS INCONSISTENT WITH THE INDIVIDUAL'S BIOLOGICAL SEX.

14 3. ENGAGING IN RELIGIOUS EXPRESSION, PRAYER OR DISCUSSIONS OR
15 SHARING RELIGIOUS MATERIALS WITH OTHER TEACHERS AND EMPLOYEES AT THE SAME
16 TIMES AND IN THE SAME MANNER THAT TEACHERS AND EMPLOYEES ARE ALLOWED TO
17 ENGAGE IN NONRELIGIOUS EXPRESSION AND DISCUSSIONS.

18 4. SERVING AS A SPONSOR OF ANY STUDENT RELIGIOUS CLUB AND ASSISTING
19 STUDENTS IN PLANNING MEETINGS, ACTIVITIES AND EVENTS TO THE SAME EXTENT
20 THAT A TEACHER OR EMPLOYEE WHO SPONSORS A NONRELIGIOUS CLUB IS ALLOWED TO
21 ASSIST STUDENTS.

22 5. PARTICIPATING IN VOLUNTARY STUDENT-INITIATED, STUDENT-LED
23 PRAYER, SUCH AS PRAYER BEFORE A SPORTING EVENT, WHEN INVITED TO
24 PARTICIPATE BY THE STUDENTS IF THE PARTICIPATION IS IN THE TEACHER'S OR
25 EMPLOYEE'S PERSONAL CAPACITY AND NOT AS A REPRESENTATIVE OF THE SCHOOL
26 DISTRICT OR CHARTER SCHOOL.

27 6. WEARING ANY RELIGIOUS CLOTHING, SYMBOL OR JEWELRY IF THE ITEM
28 OTHERWISE COMPLIES WITH ANY DRESS CODE IMPLEMENTED BY THE SCHOOL DISTRICT
29 OR CHARTER SCHOOL.

30 7. DECORATING THE TEACHER'S OR EMPLOYEE'S OFFICE, CLASSROOM, DESK
31 OR OTHER PERSONAL SPACE WITH ITEMS THAT REFLECT THE TEACHER'S OR
32 EMPLOYEE'S RELIGIOUS BELIEFS TO THE SAME EXTENT THAT OTHER TEACHERS AND
33 EMPLOYEES ARE ALLOWED TO DECORATE THEIR OFFICES, CLASSROOMS, DESKS AND
34 OTHER PERSONAL SPACES.

35 B. AN INDIVIDUAL WHO IS ADVERSELY AFFECTED BY A VIOLATION OF THIS
36 SECTION HAS A PRIVATE CAUSE OF ACTION AND MAY RAISE THIS SECTION AS A
37 DEFENSE IN ANY JUDICIAL OR ADMINISTRATIVE PROCEEDING WITHOUT REGARD TO
38 WHETHER THE PROCEEDING IS BROUGHT BY OR IN THE NAME OF THIS STATE OR ANY
39 OTHER PERSON OR PARTY. AN INDIVIDUAL WHO SUCCESSFULLY ASSERTS A CLAIM OR
40 DEFENSE UNDER THIS SECTION MAY RECOVER DECLARATORY RELIEF, INJUNCTIVE
41 RELIEF, COMPENSATORY DAMAGES, REASONABLE ATTORNEY FEES AND COSTS AND ANY
42 OTHER APPROPRIATE RELIEF.