SENATE BILL 1166

AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-120.05; RELATING TO PUBLIC SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 15, chapter 1, article 1, Arizona Revised Statutes, is amended by adding section 15-120.05, to read:

15-120.05. Pronouns; first name; biological sex; parental notification; prohibition; policies; definition

A. A PUBLIC SCHOOL MUST NOTIFY A STUDENT'S PARENTS NOT LATER THAN FIVE SCHOOL DAYS AFTER THE FIRST TIME THAT AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF THE PUBLIC SCHOOL KNOWINGLY ADDRESSES, IDENTIFIES OR REFERS TO THE STUDENT BY EITHER OF THE FOLLOWING:

1. A PRONOUN THAT DIFFERS FROM THE PRONOUN THAT ALIGNS WITH THE STUDENT'S BIOLOGICAL SEX.

2. A FIRST NAME OTHER THAN THE FIRST OR MIDDLE NAME THAT IS LISTED ON THE STUDENT'S OFFICIAL SCHOOL RECORDS, EXCEPT THAT AN EMPLOYEE OR INDEPENDENT CONTRACTOR MAY ADDRESS, IDENTIFY OR REFER TO A STUDENT BY A NICKNAME THAT IS COMMONLY ASSOCIATED WITH THE STUDENT'S NAME OF RECORD.

B. SUBSECTION A OF THIS SECTION DOES NOT APPLY IF THE STUDENT IS AT LEAST EIGHTEEN YEARS OF AGE.

C. A PUBLIC SCHOOL, SCHOOL DISTRICT OR CHARTER SCHOOL MAY NOT REQUIRE AN EMPLOYEE OR INDEPENDENT CONTRACTOR TO ADDRESS, IDENTIFY OR REFER TO A PERSON BY A PRONOUN THAT DIFFERS FROM THE PRONOUN THAT ALIGNS WITH THE PERSON'S BIOLOGICAL SEX IF DOING SO IS CONTRARY TO THE EMPLOYEE'S OR INDEPENDENT CONTRACTOR'S RELIGIOUS OR MORAL CONVICTIONS.

D. EACH SCHOOL DISTRICT GOVERNING BOARD AND CHARTER SCHOOL GOVERNING BODY SHALL ADOPT POLICIES TO IMPLEMENT THIS SECTION.

E. THIS SECTION DOES NOT PROHIBIT ANY PERSON DESCRIBED IN SUBSECTION A OF THIS SECTION FROM DISCUSSING MATTERS OF PUBLIC CONCERN OUTSIDE THE CONTEXT OF THE PERSON'S OFFICIAL DUTIES.

F. FOR THE PURPOSES OF THIS SECTION, "BIOLOGICAL SEX" MEANS A PERSON'S IMMUTABLE BIOLOGICAL SEX AS DETERMINED BY ANATOMY, PHYSIOLOGY, GENETICS AND HORMONES EXISTING AT THE TIME OF THE PERSON'S BIRTH.

Sec. 2. Severability

If a provision of this act or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to this end the provisions of this act are severable.