



ARIZONA HOUSE OF REPRESENTATIVES

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First Regular Session

Senate: ED DP 4-2-1-0 | 3rd Read 17-12-1-0

House: ED DPA 7-5-0-0

SB1269: public schools; volunteer chaplains; authorization

Sponsor: Senator Rogers, LD 7

Caucus & COW

Overview

Permits school district governing boards (governing boards) and charter school governing bodies (governing bodies) to allow volunteer school chaplains (chaplains) to provide any combination of support, services and programs to students.

History

Statute declares all parental rights are exclusively reserved to a parent of a minor child without obstruction or interference from the state or any political subdivision, governmental entity or other institution. Parental rights include the right to direct the upbringing, education and moral or religious training of a minor child ([A.R.S. § 1-602](#)).

A school district, charter school, accommodation school and the Arizona State Schools for the Deaf and the Blind (public educational institution) may not discriminate against students or parents based on a religious viewpoint or expression. Students in public educational institutions may pray or engage in religious activities or expression before, during and after the school day to the same extent that students may engage in nonreligious activities or expression ([A.R.S. § 15-110](#)).

Statute requires noncertificated personnel and personnel who are neither paid school district employees nor the guardian of a student but who are required or allowed to provide services directly to students without supervision by a certificated employee to be fingerprinted. A school district may also require such personnel to obtain a fingerprint clearance card. School district personnel who must be fingerprinted or obtain a fingerprint clearance card are required to certify whether they are awaiting trial on, have ever been convicted of or admitted in open court or pursuant to a plea agreement to committing certain criminal offenses, such as sexual abuse of a minor, sexual exploitation of a minor or child abuse ([A.R.S. § 15-512](#)).

Provisions

1. Authorizes governing boards and governing bodies to allow chaplains to provide any combination of support, services and programs to students. (Sec. 1)
2. Instructs each governing board and governing body that allows chaplains to adopt a policy that includes:
 - a) a description of the support, services or programs the chaplain may provide to students;
 - b) procedures for the school district or charter school to maintain a list of chaplains who may provide support, services or programs to enrolled students; and

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

- c) a requirement for each individual school where a chaplain provides support, services or programs to:
 - i. notify all guardians that the support, services or programs are available;
 - ii. obtain written consent from a student's guardian before the student may receive support or services from, or participate in a program provided by, a chaplain; and
 - iii. provide each student's guardian an opportunity to select a chaplain from the list developed by the school district or charter school when the guardian provides written consent. (Sec. 1)
- 3. Requires the list of chaplains developed by a school district or charter school to:
 - a) include any religious affiliation of each chaplain; and
 - b) be posted on the school district's or charter school's website. (Sec. 1)
- 4. Applies statutory requirements for school personnel who are not paid employees to a chaplain who provides any combination of support, services and programs to students. (Sec. 1)

Amendments

Committee on Education

- 1. Specifies a governing board's policy must include procedures for each school operated by the school district (district school) to maintain a list of chaplains.
- 2. Requires a school principal, before a chaplain may be included on a district school's or charter school's list, to ensure each chaplain:
 - a) satisfies statutory requirements for school personnel who are not paid employees;
 - b) demonstrates they are an official member in a local religious group;
 - c) has a bachelor's degree;
 - d) has either:
 - i. a graduate degree in counseling or theology; or
 - ii. at least seven years of experience serving as a chaplain;
 - e) has at least two years of experience serving as a chaplain in a local religious group;
 - f) signs a statement attesting they will not teach or encourage students to engage in conduct contrary to the State Board of Education-adopted academic standards; and
 - g) demonstrates a sincere desire to enhance student welfare and meet any of the school district's or charter school's objectives for chaplains.
- 2. Allows a school principal to refuse to include any chaplain on the school's list if the principal determines that:
 - a) the chaplain fails to meet the prescribed requirements; or
 - b) allowing the chaplain to provide support, services or programs to students will be contrary to the pedagogical interests of the school.
- 3. Defines *chaplain*, *local religious group* and *religious group*.