



**ARIZONA STATE SENATE**  
*Fifty-Seventh Legislature, First Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1437

mandatory reporting; school employees; investigations

Purpose

Adds school district governing board (governing board) and charter school governing body (governing body) members to the list of individuals subject to the duty to report abuse, physical injury, neglect and denial or deprivation of medical care or nourishment of minors (abuse of minors). Expands reporting and investigation requirements relating to the duty to report immoral or unprofessional conduct.

Background

Any person who reasonably believes that a minor is or has been the victim of physical injury, abuse or neglect that appears to have been inflicted by nonaccidental means or denial or deprivation of necessary medical treatment, surgical care or nourishment must immediately report or cause reports of the information to be made to a peace officer, the Department of Child Safety (DCS) or tribal agency, if applicable. Statute subjects outlined individuals to the duty to report abuse of minors, including school personnel and any other person who has responsibility for the care or treatment of a minor. A *reportable offense* includes: 1) sexual offenses; 2) sexual exploitation of a minor; 3) surreptitious photographing, videotaping, filming or digitally recording a minor; 4) child sex trafficking; 5) incest; and 6) unlawful mutilation ([A.R.S. § 13-3620](#)).

Any certificated person, noncertificated person or governing board member who reasonably suspects or receives a reasonable allegation that a certificated or noncertificated person has engaged in conduct that is subject to the requirement to report abuse of minors must report or cause reports to be made to the State Board of Education (SBE) within three business days of the suspicion or allegation. A governing board, or school district employee who has control over personnel, may not take unlawful reprisal against a school employee for reporting a suspicion or allegation of immoral or unprofessional conduct in good faith. The SBE adopts rules prescribing the procedures for the investigation every written complaint alleging that a certificated or noncertificated person has engaged in immoral or unprofessional conduct and must impose disciplinary action as prescribed on a finding of immoral or unprofessional conduct (A.R.S. §§ [15-203](#) and [15-514](#)).

Each county attorney must develop, adopt and implement protocols to guide the conduct of investigations of allegations involving criminal conduct and ensure thorough investigations of accusations of crimes against children. The protocols must contain specified processes, standards and procedures, including: 1) the process for notification and receipt of criminal conduct allegations; 2) the standards for interdisciplinary investigations of specific types of abuse and neglect; 3) procedures for coordinating screening, response and investigation with other involved professional disciplines; and 4) training required for the involved child safety workers, law

enforcement officers and prosecutors to execute the investigation protocols, including forensic interviewing skills ([A.R.S. § 8-817](#)).

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

### Provisions

#### ***Duty to Report Abuse of Minors***

1. Adds governing board members and governing body members to the list of individuals subject to the duty to report abuse of minors.
2. Specifies that substitute teachers are subject to the duty to report abuse of minors.
3. Requires a school resource officer (SRO) or school safety officer (SSO) who receives a report relating to abuse of minors to immediately notify the law enforcement agency in the appropriate jurisdiction and submit all information relating to the report for the local law enforcement agency to investigate the reported conduct.
4. Determines that a student who is identified as a potential victim of a reportable offense may be interviewed only as provided by the adopted local county protocol.
5. Specifies that the requirement for a student to be interviewed only as provided by an adopted local county protocol does not prevent a SSO or SRO from:
  - a) receiving a voluntary report of a reportable offense from a student who is an alleged victim; or
  - b) asking a student minimal follow-up questions that are necessary and authorized by the adopted local county protocol.
6. Specifies that a report to an SRO or SSO relating to abuse of minors does not satisfy the duty to report abuse of minors.

#### ***Duty to Report Immoral or Unprofessional Conduct***

7. Requires the following individuals to immediately report or cause a report to be made to a local law enforcement agency, if the individual reasonably suspects or receives a reasonable allegation that a public school employee, including through a third party contractor, has engaged in conduct subject to the requirement to report abuse against minors:
  - a) a certificated person;
  - b) a noncertificated person;
  - c) a governing board member; and
  - d) a governing body member.
8. Applies, to a governing body member, the requirement to report to the SBE a reasonable suspicion or allegation that a certificated or noncertificated person engaged in conduct subject to the requirement to report abuse of minors.

9. Specifies that a report of immoral or unprofessional conduct to an SRO or SSO does not satisfy the requirements to report to a local law enforcement agency or the SBE.

***Immoral or Unprofessional Conduct Investigation Requirements***

10. Subjects any investigation relating to a suspicion, allegation or report of immoral or unprofessional conduct that is a reportable offense to the following requirements:
  - a) an SRO, SSO or school administrator must submit all information relating to the report to a local law enforcement agency for investigation purposes if the SRO, SSO or school administrator receives the report; and
  - b) a student who is identified as a potential victim of the alleged conduct may be interviewed only as provided by the adopted local county protocol.
11. Specifies that an SRO, SSO or school employee is not prevented from receiving a voluntary report that a school employee committed a reportable offense from a student who is an alleged victim.

***Miscellaneous***

12. Expands the definition of *unlawful reprisal* to include an action taken by a school or school district employee who has control over personnel decisions.
13. Defines *school safety officer* as an SRO who is working in an off-duty capacity.
14. Defines *student* as a student who is enrolled in a kindergarten program or any grades 1 through 12.
15. Defines *reportable offense*.
16. Makes technical and conforming changes.
17. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Restores the requirement for an individual to report immoral or unprofessional conduct for a reasonable suspicion, rather than reasonable belief.
2. Specifies that SSOs are not prevented from receiving voluntary reports of immoral or unprofessional conduct.

Amendments Adopted by the House of Representatives

1. Requires an SRO or SSO who receives a report relating to abuse of minors to notify the local law enforcement agency and submit all information for investigative purposes.
2. Determines that a student who is a victim of a reportable offense may only be interviewed as provided by the local county protocol.

3. Specifies that the interview requirements do not prevent an SRO or SSO from receiving a voluntary report from the student victim or asking the student necessary and authorized follow-up questions.
4. Specifies that a report to an SRO or SSO relating to abuse of minors does not satisfy the duty to report abuse of minors.
5. Subjects any investigation relating to immoral or unprofessional conduct that is a reportable offense, rather than sexual in nature, to outlined requirements.
6. Replaces the requirement that only a forensic interviewer may interview a student identified as a potential victim of immoral or unprofessional conduct with a requirement that a student who is identified as a potential victim may be interviewed only as provided by the local county protocol.
7. Defines *student* and *reportable offense*.
8. Makes technical and conforming changes.

Senate Action

ED            2/5/25     DPA   7-0-0  
3<sup>rd</sup> Read     2/20/25                17-12-1

House Action

PSLE        3/3/25     W/D     0-0-0  
ED           3/4/25     DPA     11-0-0-1  
3<sup>rd</sup>            3/18/25                38-20-2

Prepared by Senate Research  
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MH/ci