

REFERENCE TITLE: firearms regulated by state; repeal

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

## **HB 2431**

Introduced by  
Representatives Gutierrez: Crews, Villegas

### **AN ACT**

REPEALING SECTION 13-3108, ARIZONA REVISED STATUTES; AMENDING SECTION 15-341, ARIZONA REVISED STATUTES; RELATING TO WEAPONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Repeal

3 Section 13-3108, Arizona Revised Statutes, is repealed.

4 Sec. 2. Section 15-341, Arizona Revised Statutes, is amended to  
5 read:

6 15-341. General powers and duties; immunity; delegation

7 A. The governing board shall:

8 1. Prescribe and enforce policies and procedures to govern the  
9 schools that are not inconsistent with the laws or rules prescribed by the  
10 state board of education.

11 2. Exclude from schools all books, publications, papers or  
12 audiovisual materials of a sectarian, partisan or denominational  
13 character. This paragraph does not prohibit the elective course allowed  
14 by section 15-717.01.

15 3. Manage and control the school property within its district,  
16 except that a district may enter into a partnership with an entity,  
17 including a charter school, another school district or a military base, to  
18 operate a school or offer educational services in a district building,  
19 including at a vacant or partially used building, or in any building on  
20 the entity's property pursuant to a written agreement between the parties.

21 4. Acquire school furniture, apparatus, equipment, library books  
22 and supplies for the schools to use.

23 5. Prescribe the curricula and criteria for the promotion and  
24 graduation of pupils as provided in sections 15-701 and 15-701.01.

25 6. Furnish, repair and insure, at full insurable value, the school  
26 property of the district.

27 7. Construct school buildings on approval by a vote of the district  
28 electors.

29 8. In the name of the district, convey property belonging to the  
30 district and sold by the board.

31 9. Purchase school sites when authorized by a vote of the district  
32 at an election conducted as nearly as practicable in the same manner as  
33 the election provided in section 15-481 and held on a date prescribed in  
34 section 15-491, subsection E, but such authorization shall not necessarily  
35 specify the site to be purchased and such authorization shall not be  
36 necessary to exchange unimproved property as provided in section 15-342,  
37 paragraph 23.

38 10. Construct, improve and furnish buildings used for school  
39 purposes when such buildings or premises are leased from the national park  
40 service.

41 11. Purchase school sites or construct, improve and furnish school  
42 buildings from the proceeds of the sale of school property only on  
43 approval by a vote of the district electors.

44 12. Hold pupils to strict account for disorderly conduct on school  
45 property.

1       13. Discipline students for disorderly conduct on the way to and  
2 from school.

3       14. Except as provided in section 15-1224, deposit all monies  
4 received by the district as gifts, grants and devises with the county  
5 treasurer who shall credit the deposits as designated in the uniform  
6 system of financial records. If not inconsistent with the terms of the  
7 gifts, grants and devises given, any balance remaining after expenditures  
8 for the intended purpose of the monies have been made shall be used to  
9 reduce school district taxes for the budget year, except that in the case  
10 of accommodation schools the county treasurer shall carry the balance  
11 forward for use by the county school superintendent for accommodation  
12 schools for the budget year.

13       15. Provide that, if a parent or legal guardian chooses not to  
14 accept a decision of the teacher as provided in paragraph 42 of this  
15 subsection, the parent or legal guardian may request in writing that the  
16 governing board review the teacher's decision. This paragraph does not  
17 release school districts from any liability relating to a child's  
18 promotion or retention.

19       16. Provide for adequate supervision over pupils in instructional  
20 and noninstructional activities by certificated or noncertificated  
21 personnel.

22       17. Use school monies received from the state and county school  
23 apportionment exclusively to pay salaries of teachers and other employees  
24 and contingent expenses of the district.

25       18. Annually report to the county school superintendent on or  
26 before October 1 in the manner and form and on the blanks prescribed by  
27 the superintendent of public instruction or county school superintendent.  
28 The board shall also report directly to the county school superintendent  
29 or the superintendent of public instruction whenever required.

30       19. Deposit all monies received by school districts other than  
31 student activities monies or monies from auxiliary operations as provided  
32 in sections 15-1125 and 15-1126 with the county treasurer to the credit of  
33 the school district except as provided in paragraph 20 of this subsection  
34 and sections 15-1223 and 15-1224, and the board shall spend the monies as  
35 provided by law for other school funds.

36       20. Establish bank accounts in which the board during a month may  
37 deposit miscellaneous monies received directly by the district. The board  
38 shall remit monies deposited in the bank accounts at least monthly to the  
39 county treasurer for deposit as provided in paragraph 19 of this  
40 subsection and in accordance with the uniform system of financial records.

41       21. Prescribe and enforce policies and procedures for disciplinary  
42 action against a teacher who engages in conduct that is a violation of the  
43 policies of the governing board but that is not cause for dismissal of the  
44 teacher or for revocation of the certificate of the teacher. Disciplinary  
45 action may include suspension without pay for a period of time not to

1 exceed ten school days. Disciplinary action shall not include suspension  
2 with pay or suspension without pay for a period of time longer than ten  
3 school days. The procedures shall include notice, hearing and appeal  
4 provisions for violations that are cause for disciplinary action. The  
5 governing board may designate a person or persons to act on behalf of the  
6 board on these matters.

7 22. Prescribe and enforce policies and procedures for disciplinary  
8 action against an administrator who engages in conduct that is a violation  
9 of the policies of the governing board regarding duties of administrators  
10 but that is not cause for dismissal of the administrator or for revocation  
11 of the certificate of the administrator. Disciplinary action may include  
12 suspension without pay for a period of time not to exceed ten school days.  
13 Disciplinary action shall not include suspension with pay or suspension  
14 without pay for a period of time longer than ten school days. The  
15 procedures shall include notice, hearing and appeal provisions for  
16 violations that are cause for disciplinary action. The governing board  
17 may designate a person or persons to act on behalf of the board on these  
18 matters. For violations that are cause for dismissal, the provisions of  
19 notice, hearing and appeal in chapter 5, article 3 of this title apply.  
20 The filing of a timely request for a hearing suspends the imposition of a  
21 suspension without pay or a dismissal pending completion of the hearing.

22 23. Notwithstanding ~~sections 13-3108 and~~ SECTION 13-3120, prescribe  
23 and enforce policies and procedures that prohibit a person from carrying  
24 or possessing a weapon on school grounds unless the person is a peace  
25 officer or has obtained specific authorization from the school  
26 administrator.

27 24. Prescribe and enforce policies and procedures relating to the  
28 health and safety of all pupils participating in district-sponsored  
29 practice sessions or games or other interscholastic athletic activities,  
30 including:

31 (a) The provision of water.

32 (b) Guidelines, information and forms, developed in consultation  
33 with a statewide private entity that supervises interscholastic  
34 activities, to inform and educate coaches, pupils and parents of the  
35 dangers of concussions and head injuries and the risks of continued  
36 participation in athletic activity after a concussion. The policies and  
37 procedures shall require that, before a pupil participates in an athletic  
38 activity, the pupil and the pupil's parent sign an information form at  
39 least once each school year that states that the parent is aware of the  
40 nature and risk of concussion. The policies and procedures shall require  
41 that a pupil who is suspected of sustaining a concussion in a practice  
42 session, game or other interscholastic athletic activity be immediately  
43 removed from the athletic activity and that the pupil's parent or guardian  
44 be notified. A coach from the pupil's team or an official or a licensed  
45 health care provider may remove a pupil from play. A team parent may also

1 remove the parent's own child from play. A pupil may return to play on  
2 the same day if a health care provider rules out a suspected concussion at  
3 the time the pupil is removed from play. On a subsequent day, the pupil  
4 may return to play if the pupil has been evaluated by and received written  
5 clearance to resume participation in athletic activity from a health care  
6 provider who has been trained in evaluating and managing concussions and  
7 head injuries. A health care provider who is a volunteer and who provides  
8 clearance to participate in athletic activity on the day of the suspected  
9 injury or on a subsequent day is immune from civil liability with respect  
10 to all decisions made and actions taken that are based on good faith  
11 implementation of the requirements of this subdivision, except in cases of  
12 gross negligence or wanton or wilful neglect. A school district, school  
13 district employee, team coach, official or team volunteer or a parent or  
14 guardian of a team member is not subject to civil liability for any act,  
15 omission or policy undertaken in good faith to comply with the  
16 requirements of this subdivision or for a decision made or an action taken  
17 by a health care provider. A group or organization that uses property or  
18 facilities owned or operated by a school district for athletic activities  
19 shall comply with the requirements of this subdivision. A school district  
20 and its employees and volunteers are not subject to civil liability for  
21 any other person or organization's failure or alleged failure to comply  
22 with the requirements of this subdivision. This subdivision does not  
23 apply to teams that are based in another state and that participate in an  
24 athletic activity in this state. For the purposes of this subdivision,  
25 athletic activity does not include dance, rhythmic gymnastics,  
26 competitions or exhibitions of academic skills or knowledge or other  
27 similar forms of physical noncontact activities, civic activities or  
28 academic activities, whether engaged in for the purposes of competition or  
29 recreation. For the purposes of this subdivision, "health care provider"  
30 means a physician who is licensed pursuant to title 32, chapter 13, 14 or  
31 17, an athletic trainer who is licensed pursuant to title 32, chapter 41,  
32 a nurse practitioner who is licensed pursuant to title 32, chapter 15, and  
33 a physician assistant who is licensed pursuant to title 32, chapter 25.

34 (c) Guidelines, information and forms that are developed in  
35 consultation with a statewide private entity that supervises  
36 interscholastic activities to inform and educate coaches, pupils and  
37 parents of the dangers of heat-related illnesses, sudden cardiac death and  
38 prescription opioid use. Before a pupil participates in any  
39 district-sponsored practice session or game or other interscholastic  
40 athletic activity, the pupil and the pupil's parent must be provided with  
41 information at least once each school year on the risks of heat-related  
42 illnesses, sudden cardiac death and prescription opioid addiction.

43 25. Establish an assessment, data gathering and reporting system as  
44 prescribed in chapter 7, article 3 of this title.

1           26. Provide special education programs and related services  
2 pursuant to section 15-764, subsection A to all children with disabilities  
3 as defined in section 15-761.

4           27. Administer competency tests prescribed by the state board of  
5 education for the graduation of pupils from high school.

6           28. Ensure that insurance coverage is secured for all construction  
7 projects for purposes of general liability, property damage and workers'  
8 compensation and secure performance and payment bonds for all construction  
9 projects.

10          29. Collect and maintain information about each current and former  
11 teacher's educational and teaching background and experience in a  
12 particular academic content subject area. A school district shall either  
13 post the information on the school district's website or make the  
14 information available for inspection on request of parents and guardians  
15 of pupils enrolled at a school. This paragraph does not require any  
16 school to release personally identifiable information in relation to any  
17 teacher, including the teacher's address, salary, social security number  
18 or telephone number.

19          30. Report to local law enforcement agencies any suspected crime  
20 against a person or property that is a serious offense as defined in  
21 section 13-706 or that involves a deadly weapon or dangerous instrument or  
22 serious physical injury and any conduct that poses a threat of death or  
23 serious physical injury to employees, students or anyone on the property  
24 of the school. This paragraph does not limit or preclude the reporting by  
25 a school district or an employee of a school district of suspected crimes  
26 other than those required to be reported by this paragraph. For the  
27 purposes of this paragraph, "dangerous instrument", "deadly weapon" and  
28 "serious physical injury" have the same meanings prescribed in section  
29 13-105.

30          31. In conjunction with local law enforcement agencies and  
31 emergency response agencies, develop an emergency response plan for each  
32 school in the school district in accordance with minimum standards  
33 developed jointly by the department of education and the division of  
34 emergency management within the department of emergency and military  
35 affairs. Any emergency response plan developed pursuant to this paragraph  
36 must address how the school and emergency responders will communicate with  
37 and provide assistance to students with disabilities.

38          32. Provide written notice to the parents or guardians of all  
39 students enrolled in the school district at least ten days before a public  
40 meeting to discuss closing a school within the school district. The  
41 notice shall include the reasons for the proposed closure and the time and  
42 place of the meeting. The governing board shall fix a time for a public  
43 meeting on the proposed closure not less than ten days before voting in a  
44 public meeting to close the school. The school district governing board  
45 shall give notice of the time and place of the meeting. At the time and

1 place designated in the notice, the school district governing board shall  
2 hear reasons for or against closing the school. The school district  
3 governing board is exempt from this paragraph if the governing board  
4 determines that the school shall be closed because it poses a danger to  
5 the health or safety of the pupils or employees of the school. A  
6 governing board may consult with the division of school facilities within  
7 the department of administration for technical assistance and for  
8 information on the impact of closing a school. The information provided  
9 from the division of school facilities within the department of  
10 administration shall not require the governing board to take or not take  
11 any action.

12 33. Incorporate instruction on Native American history into  
13 appropriate existing curricula.

14 34. Prescribe and enforce policies and procedures:

15 (a) Allowing pupils who have been diagnosed with anaphylaxis by a  
16 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or  
17 25 or by a registered nurse practitioner licensed and certified pursuant  
18 to title 32, chapter 15 to carry and self-administer emergency  
19 medications, including epinephrine auto-injectors, while at school and at  
20 school-sponsored activities. The pupil's name on the prescription label  
21 on the medication container or on the medication device and annual written  
22 documentation from the pupil's parent or guardian to the school that  
23 authorizes possession and self-administration is sufficient proof that the  
24 pupil is entitled to possess and self-administer the medication. The  
25 policies shall require a pupil who uses an epinephrine auto-injector while  
26 at school and at school-sponsored activities to notify the nurse or the  
27 designated school staff person of the use of the medication as soon as  
28 practicable. A school district and its employees are immune from civil  
29 liability with respect to all decisions made and actions taken that are  
30 based on good faith implementation of the requirements of this  
31 subdivision, except in cases of wanton or wilful neglect.

32 (b) For the emergency administration of epinephrine auto-injectors  
33 by a trained employee of a school district pursuant to section 15-157.

34 35. Allow the possession and self-administration of prescription  
35 medication for breathing disorders in handheld inhaler devices by pupils  
36 who have been prescribed that medication by a health care professional  
37 licensed pursuant to title 32. The pupil's name on the prescription label  
38 on the medication container or on the handheld inhaler device and annual  
39 written documentation from the pupil's parent or guardian to the school  
40 that authorizes possession and self-administration is sufficient proof  
41 that the pupil is entitled to possess and self-administer the medication.  
42 A school district and its employees are immune from civil liability with  
43 respect to all decisions made and actions taken that are based on a good  
44 faith implementation of the requirements of this paragraph.

36. Prescribe and enforce policies and procedures to prohibit pupils from harassing, intimidating and bullying other pupils on school grounds, on school property, on school buses, at school bus stops, at school-sponsored events and activities and through the use of electronic technology or electronic communication on school computers, networks, forums and mailing lists that include the following components:

(a) A procedure for pupils, parents and school district employees to confidentially report to school officials incidents of harassment, intimidation or bullying. The school shall make available written forms designed to provide a full and detailed description of the incident and any other relevant information about the incident.

(b) A requirement that school district employees report in writing suspected incidents of harassment, intimidation or bullying to the appropriate school official and a description of appropriate disciplinary procedures for employees who fail to report suspected incidents that are known to the employee.

(c) A requirement that, at the beginning of each school year, school officials provide all pupils with a written copy of the rights, protections and support services available to a pupil who is an alleged victim of an incident reported pursuant to this paragraph.

(d) If an incident is reported pursuant to this paragraph, a requirement that school officials provide a pupil who is an alleged victim of the incident with a written copy of the rights, protections and support services available to that pupil.

(e) A formal process for documenting reported incidents of harassment, intimidation or bullying and providing for the confidentiality, maintenance and disposition of this documentation. School districts shall maintain documentation of all incidents reported pursuant to this paragraph for at least six years. The school shall not use that documentation to impose disciplinary action unless the appropriate school official has investigated and determined that the reported incidents of harassment, intimidation or bullying occurred. If a school provides documentation of reported incidents to persons other than school officials or law enforcement, all individually identifiable information shall be redacted.

(f) A formal process for the appropriate school officials to investigate suspected incidents of harassment, intimidation or bullying, including procedures for notifying the alleged victim and the alleged victim's parent or guardian when a school official or employee becomes aware of the suspected incident of harassment, intimidation or bullying.

(g) Disciplinary procedures for pupils who have admitted or been found to have committed incidents of harassment, intimidation or bullying.

(h) A procedure that sets forth consequences for submitting false reports of incidents of harassment, intimidation or bullying.



1 (i) Procedures designed to protect the health and safety of pupils  
2 who are physically harmed as the result of incidents of harassment,  
3 intimidation and bullying, including, if appropriate, procedures to  
4 contact emergency medical services or law enforcement agencies, or both.

5 (j) Definitions of harassment, intimidation and bullying.

6 37. Prescribe and enforce policies and procedures regarding  
7 changing or adopting attendance boundaries that include the following  
8 components:

9 (a) A procedure for holding public meetings to discuss attendance  
10 boundary changes or adoptions that allows public comments.

11 (b) A procedure to notify the parents or guardians of the students  
12 affected, including assurance that, if that school remains open as part of  
13 the boundary change and capacity is available, students assigned to a new  
14 attendance area may stay enrolled in their current school.

15 (c) A procedure to notify the residents of the households affected  
16 by the attendance boundary changes.

17 (d) A process for placing public meeting notices and proposed maps  
18 on the school district's website for public review, if the school district  
19 maintains a website.

20 (e) A formal process for presenting the attendance boundaries of  
21 the affected area in public meetings that allows public comments.

22 (f) A formal process for notifying the residents and parents or  
23 guardians of the affected area as to the decision of the governing board  
24 on the school district's website, if the school district maintains a  
25 website.

26 (g) A formal process for updating attendance boundaries on the  
27 school district's website within ninety days after an adopted boundary  
28 change. The school district shall send a direct link to the school  
29 district's attendance boundaries website to the department of real estate.

30 38. If the state board of education determines that the school  
31 district has committed an overexpenditure as defined in section 15-107,  
32 provide a copy of the fiscal management report submitted pursuant to  
33 section 15-107, subsection H on its website and make copies available to  
34 the public on request. The school district shall comply with a request  
35 within five business days after receipt.

36 39. Ensure that the contract for the superintendent is structured  
37 in a manner in which up to twenty percent of the total annual salary  
38 included for the superintendent in the contract is classified as  
39 performance pay. This paragraph does not require school districts to  
40 increase total compensation for superintendents. Unless the school  
41 district governing board votes to implement an alternative procedure at a  
42 public meeting called for this purpose, the performance pay portion of the  
43 superintendent's total annual compensation shall be determined as follows:

1 (a) Twenty-five percent of the performance pay shall be determined  
2 based on the percentage of academic gain determined by the department of  
3 education of pupils who are enrolled in the school district compared to  
4 the academic gain achieved by the highest ranking of the fifty largest  
5 school districts in this state. For the purposes of this subdivision, the  
6 department of education shall determine academic gain by the academic  
7 growth achieved by each pupil who has been enrolled at the same school in  
8 a school district for at least five consecutive months measured against  
9 that pupil's academic results in the 2008-2009 school year. For the  
10 purposes of this subdivision, of the fifty largest school districts in  
11 this state, the school district with pupils who demonstrate the highest  
12 statewide percentage of overall academic gain measured against academic  
13 results for the 2008-2009 school year shall be assigned a score of 100 and  
14 the school district with pupils who demonstrate the lowest statewide  
15 percentage of overall academic gain measured against academic results for  
16 the 2008-2009 school year shall be assigned a score of 0.

17 (b) Twenty-five percent of the performance pay shall be determined  
18 by the percentage of parents of pupils who are enrolled at the school  
19 district who assign a letter grade of "A" to the school on a survey of  
20 parental satisfaction with the school district. The parental satisfaction  
21 survey shall be administered and scored by an independent entity that is  
22 selected by the governing board and that demonstrates sufficient expertise  
23 and experience to accurately measure the results of the survey. The  
24 parental satisfaction survey shall use standard random sampling procedures  
25 and provide anonymity and confidentiality to each parent who participates  
26 in the survey. The letter grade scale used on the parental satisfaction  
27 survey shall direct parents to assign one of the following letter grades:

- 28 (i) A letter grade of "A" if the school district is excellent.
- 29 (ii) A letter grade of "B" if the school district is above average.
- 30 (iii) A letter grade of "C" if the school district is average.
- 31 (iv) A letter grade of "D" if the school district is below average.
- 32 (v) A letter grade of "F" if the school district is a failure.

33 (c) Twenty-five percent of the performance pay shall be determined  
34 by the percentage of teachers who are employed at the school district and  
35 who assign a letter grade of "A" to the school on a survey of teacher  
36 satisfaction with the school. The teacher satisfaction survey shall be  
37 administered and scored by an independent entity that is selected by the  
38 governing board and that demonstrates sufficient expertise and experience  
39 to accurately measure the results of the survey. The teacher satisfaction  
40 survey shall use standard random sampling procedures and provide anonymity  
41 and confidentiality to each teacher who participates in the survey. The  
42 letter grade scale used on the teacher satisfaction survey shall direct  
43 teachers to assign one of the following letter grades:

- 1 (i) A letter grade of "A" if the school district is excellent.
- 2 (ii) A letter grade of "B" if the school district is above average.
- 3 (iii) A letter grade of "C" if the school district is average.
- 4 (iv) A letter grade of "D" if the school district is below average.
- 5 (v) A letter grade of "F" if the school district is a failure.
- 6 (d) Twenty-five percent of the performance pay shall be determined
- 7 by other criteria selected by the governing board.

8 40. Maintain and store permanent public records of the school  
9 district as required by law. Notwithstanding section 39-101, the  
10 standards adopted by the Arizona state library, archives and public  
11 records for the maintenance and storage of school district public records  
12 shall allow school districts to elect to satisfy the requirements of this  
13 paragraph by maintaining and storing these records either on paper or in  
14 an electronic format, or a combination of a paper and electronic format.

15 41. Adopt in a public meeting and implement policies for principal  
16 evaluations. Before adopting principal evaluation policies, the school  
17 district governing board shall provide opportunities for public discussion  
18 on the proposed policies. The governing board shall adopt policies that:

19 (a) Are designed to improve principal performance and improve  
20 student achievement.

21 (b) Include the use of quantitative data on the academic progress  
22 for all students, which shall account for between twenty percent and  
23 thirty-three percent of the evaluation outcomes.

24 (c) Include four performance classifications, designated as highly  
25 effective, effective, developing and ineffective.

26 (d) Describe both of the following:

27 (i) The methods used to evaluate the performance of principals,  
28 including the data used to measure student performance and job  
29 effectiveness.

30 (ii) The formula used to determine evaluation outcomes.

31 42. Prescribe and enforce policies and procedures that define the  
32 duties of principals and teachers. These policies and procedures shall  
33 authorize teachers to take and maintain daily classroom attendance, make  
34 the decision to promote or retain a pupil in a grade in common school or  
35 to pass or fail a pupil in a course in high school, subject to review by  
36 the governing board in the manner provided in section 15-342,  
37 paragraph 11.

38 43. Prescribe and enforce policies and procedures for the emergency  
39 administration by an employee of a school district pursuant to section  
40 36-2267 of naloxone hydrochloride or any other opioid antagonist approved  
41 by the United States food and drug administration.

42 44. In addition to the notification requirements prescribed in  
43 paragraph 36 of this subsection, prescribe and enforce reasonable and  
44 appropriate policies to notify a pupil's parent or guardian if any person  
45 engages in harassing, threatening or intimidating conduct against that

1 pupil. A school district and its officials and employees are immune from  
 2 civil liability with respect to all decisions made and actions taken that  
 3 are based on good faith implementation of the requirements of this  
 4 paragraph, except in cases of gross negligence or wanton or wilful  
 5 neglect. A person engages in threatening or intimidating if the person  
 6 threatens or intimidates by word or conduct to cause physical injury to  
 7 another person or serious damage to the property of another on school  
 8 grounds. A person engages in harassment if, with intent to harass or with  
 9 knowledge that the person is harassing another person, the person  
 10 anonymously or otherwise contacts, communicates or causes a communication  
 11 with another person by verbal, electronic, mechanical, telephonic or  
 12 written means in a manner that harasses on school grounds or substantially  
 13 disrupts the school environment.

14 45. Each fiscal year, provide to each school district employee a  
 15 total compensation statement that is broken down by category of benefit or  
 16 payment and that includes, for that employee, at least all of the  
 17 following:

- 18 (a) Base salary and any additional pay.
- 19 (b) Medical benefits and the value of any employer-paid portions of
- 20 insurance plan premiums.
- 21 (c) Retirement benefit plans, including social security.
- 22 (d) Legally required benefits.
- 23 (e) Any paid leave.
- 24 (f) Any other payment made to or on behalf of the employee.
- 25 (g) Any other benefit provided to the employee.

26 46. Develop and adopt in a public meeting policies to allow for  
 27 visits, tours and observations of all classrooms by parents of enrolled  
 28 pupils and parents who wish to enroll their children in the school  
 29 district unless a visit, tour or observation threatens the health and  
 30 safety of pupils and staff. These policies and procedures must be easily  
 31 accessible from the home page on each school's website.

32 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this  
 33 section, the county school superintendent may construct, improve and  
 34 furnish school buildings or purchase or sell school sites in the conduct  
 35 of an accommodation school.

36 C. If any school district acquires real or personal property,  
 37 whether by purchase, exchange, condemnation, gift or otherwise, the  
 38 governing board shall pay to the county treasurer any taxes on the  
 39 property that were unpaid as of the date of acquisition, including  
 40 penalties and interest. The lien for unpaid delinquent taxes, penalties  
 41 and interest on property acquired by a school district:

- 42 1. Is not abated, extinguished, discharged or merged in the title
- 43 to the property.
- 44 2. Is enforceable in the same manner as other delinquent tax liens.

1           D. The governing board may not locate a school on property that is  
2 less than one-fourth mile from agricultural land regulated pursuant to  
3 section 3-365, except that the owner of the agricultural land may agree to  
4 comply with the buffer zone requirements of section 3-365. If the owner  
5 agrees in writing to comply with the buffer zone requirements and records  
6 the agreement in the office of the county recorder as a restrictive  
7 covenant running with the title to the land, the school district may  
8 locate a school within the affected buffer zone. The agreement may  
9 include any stipulations regarding the school, including conditions for  
10 future expansion of the school and changes in the operational status of  
11 the school that will result in a breach of the agreement.

12           E. A school district, its governing board members, its school  
13 council members and its employees are immune from civil liability for the  
14 consequences of adopting and implementing policies and procedures pursuant  
15 to subsection A of this section and section 15-342. This waiver does not  
16 apply if the school district, its governing board members, its school  
17 council members or its employees are guilty of gross negligence or  
18 intentional misconduct.

19           F. A governing board may delegate in writing to a superintendent,  
20 principal or head teacher the authority to prescribe procedures that are  
21 consistent with the governing board's policies.

22           G. Notwithstanding any other provision of this title, a school  
23 district governing board shall not take any action that would result in a  
24 reduction of pupil square footage unless the governing board notifies the  
25 school facilities oversight board established by section 41-5701.02 of the  
26 proposed action and receives written approval from the school facilities  
27 oversight board to take the action. A reduction includes an increase in  
28 administrative space that results in a reduction of pupil square footage  
29 or sale of school sites or buildings, or both. A reduction includes a  
30 reconfiguration of grades that results in a reduction of pupil square  
31 footage of any grade level. This subsection does not apply to temporary  
32 reconfiguration of grades to accommodate new school construction if the  
33 temporary reconfiguration does not exceed one year. The sale of equipment  
34 that results in a reduction that falls below the equipment requirements  
35 prescribed in section 41-5711, subsection B is subject to commensurate  
36 withholding of school district district additional assistance monies  
37 pursuant to the direction of the school facilities oversight board.  
38 Except as provided in section 15-342, paragraph 10, proceeds from the sale  
39 of school sites, buildings or other equipment shall be deposited in the  
40 school plant fund as provided in section 15-1102.

41           H. Subsections C through G of this section apply to a county board  
42 of supervisors and a county school superintendent when operating and  
43 administering an accommodation school.

1           I. A school district governing board may delegate authority in  
2 writing to the superintendent of the school district to submit plans for  
3 new school facilities to the school facilities oversight board for the  
4 purpose of certifying that the plans meet the minimum school facility  
5 adequacy guidelines prescribed in section 41-5711.

6           J. For the purposes of subsection A, paragraph 37 of this section,  
7 attendance boundaries may not be used to require students to attend  
8 certain schools based on the student's place of residence.