

REFERENCE TITLE: antisemitism; public schools; prohibition; penalties

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

HB 2867

Introduced by
Representatives Way: Carter N, Hernandez A, Hernandez C

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)

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

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

4 15-120.05. Antisemitism and anti-Semitic conduct, acts or
5 processes; prohibitions; civil liability;
6 discipline; rules; definitions

7 A. A PUBLIC SCHOOL, A TEACHER, A PRINCIPAL, A SCHOOL ADMINISTRATOR
8 OR A VOLUNTEER OR CONTRACTOR FOR A PUBLIC SCHOOL MAY NOT:

9 1. TEACH, INSTRUCT OR TRAIN STUDENTS IN ANY ANTISEMITISM OR
10 ANTI-SEMITIC CONDUCT, ACT OR PROCESS THAT CONSTITUTES HARASSMENT OR
11 DISCRIMINATION AND THAT CREATES A HOSTILE EDUCATIONAL ENVIRONMENT.

12 2. PROMOTE OR PROVIDE PROFESSIONAL DEVELOPMENT IN ANY ANTISEMITISM
13 OR ANTI-SEMITIC CONDUCT, ACT OR PROCESS THAT CONSTITUTES HARASSMENT OR
14 DISCRIMINATION AND THAT CREATES A HOSTILE WORK ENVIRONMENT OR A HOSTILE
15 EDUCATIONAL ENVIRONMENT.

16 3. CALL FOR GENOCIDE OF ANY GROUP OF PERSONS OR FOR THE MURDER OF
17 MEMBERS OF A PARTICULAR GROUP.

18 4. REQUIRE A STUDENT TO ADVOCATE FOR OR AGAINST A SPECIFIC TOPIC OR
19 POINT OF VIEW TO RECEIVE CREDIT ACROSS EVERY SUBJECT AREA FOR COURSEWORK
20 OR TO RECEIVE CREDITS THAT ARE NECESSARY FOR THE STUDENT TO GRADUATE FROM
21 HIGH SCHOOL.

22 B. THIS STATE, STATE AGENCIES, PUBLIC SCHOOLS AND TEACHERS MAY NOT:

23 1. APPLY FOR, SOLICIT, RECEIVE OR USE MONIES OR IN-KIND GOODS OR
24 SERVICES FROM ANY SOURCE FOR THE PURPOSE OF:

25 (a) TEACHING, INSTRUCTING OR TRAINING STUDENTS IN ANTISEMITISM OR
26 ANTI-SEMITIC CONDUCT, ACTS OR PROCESSES.

27 (b) DEVELOPING, PURCHASING OR ACQUIRING A CURRICULUM OR COURSE
28 MATERIALS FOR A COURSE THAT PROMOTES ANTISEMITISM OR ANTI-SEMITIC CONDUCT,
29 ACTS OR PROCESSES.

30 (c) PROVIDING TEACHER TRAINING OR PROFESSIONAL DEVELOPMENT FOR A
31 COURSE THAT PROMOTES ANTISEMITISM OR ANTI-SEMITIC CONDUCT, ACTS OR
32 PROCESSES.

33 (d) HIRING OR RETAINING A CONTRACTOR FOR ANY PURPOSE DESCRIBED IN
34 SUBDIVISION (a), (b) OR (c) OF THIS PARAGRAPH.

35 2. USE ANY PUBLIC MONIES TO SUPPORT THE COSTS OF TEACHING
36 ANTISEMITISM OR ANTI-SEMITIC CONDUCT, ACTS OR PROCESSES.

37 3. PROVIDE GRANTS OR OTHER MONIES TO OTHER STATE AGENCIES, PUBLIC
38 SCHOOLS OR TEACHERS TO SUPPORT THE COSTS OF TEACHING ANTISEMITISM OR
39 ANTI-SEMITIC CONDUCT, ACTS OR PROCESSES.

40 4. ACCEPT OR USE MONIES THAT ARE INTENDED OR REQUIRED TO BE USED TO
41 SUPPORT THE COSTS OF TEACHING OR PROMOTING ANTISEMITISM OR ANTI-SEMITIC
42 CONDUCT, ACTS OR PROCESSES TO STUDENTS WHO ARE ENROLLED IN A PUBLIC
43 SCHOOL.

1 C. A PUBLIC SCHOOL MAY NOT:

2 1. TAKE ANY ADVERSE EMPLOYMENT ACTION AGAINST A TEACHER, SCHOOL
3 ADMINISTRATOR OR OTHER SCHOOL EMPLOYEE BECAUSE THE TEACHER, SCHOOL
4 ADMINISTRATOR OR SCHOOL EMPLOYEE REFUSED TO TEACH OR PROMOTE ANTISEMITISM
5 OR ANTI-SEMITIC CONDUCT, ACTS OR PROCESSES OR TO SUPPORT, BELIEVE,
6 ENDORSE, EMBRACE, CONFESS, ACT ON OR OTHERWISE ASSIST ANTISEMITISM OR
7 ANTI-SEMITIC CONDUCT, ACTS OR PROCESSES. FOR THE PURPOSES OF THIS
8 PARAGRAPH, "ADVERSE EMPLOYMENT ACTION" INCLUDES PENALTIES AND
9 DISCRIMINATION.

10 2. REQUIRE A TEACHER, SCHOOL ADMINISTRATOR OR OTHER SCHOOL EMPLOYEE
11 TO COMPLETE A CURRICULUM THAT INCLUDES ANY ANTISEMITISM OR ANTI-SEMITIC
12 CONDUCT, ACT OR PROCESS AS A CONDITION OF EMPLOYMENT OR CONTINUED
13 EMPLOYMENT.

14 3. AWARD ACADEMIC CREDIT TO A HIGH SCHOOL STUDENT FOR COMPLETING A
15 COURSE THAT INCLUDES ANY ANTISEMITISM OR ANTI-SEMITIC CONDUCT, ACT OR
16 PROCESS OR THAT PROMOTES ANY ANTISEMITISM OR ANTI-SEMITIC CONDUCT, ACT OR
17 PROCESS.

18 D. A STUDENT WHO IS AT LEAST EIGHTEEN YEARS OF AGE, OR THE PARENTS
19 OF A MINOR STUDENT, MAY BRING AN ACTION IN A COURT OF COMPETENT
20 JURISDICTION TO ENJOIN ANY VIOLATION OF THIS SECTION THAT CREATES A
21 HOSTILE EDUCATION ENVIRONMENT FOR THE STUDENT. NOTWITHSTANDING ANY OTHER
22 LAW, AN INDIVIDUAL OR A PUBLIC SCHOOL THAT IS A NAMED DEFENDANT IN A CIVIL
23 ACTION THAT IS BROUGHT PURSUANT TO THIS SUBSECTION IS NOT IMMUNE FROM
24 CIVIL LIABILITY, AND EACH INDIVIDUAL IS PERSONALLY LIABLE FOR ANY DAMAGES
25 ARISING FROM THE INDIVIDUAL'S CONDUCT IN VIOLATION OF THIS SECTION. THIS
26 STATE, A STATE AGENCY OR A PUBLIC SCHOOL MAY NOT USE TAXPAYER MONIES TO
27 SATISFY A JUDGMENT THAT IS ENTERED AGAINST THE STATE, STATE AGENCY OR
28 PUBLIC SCHOOL IN AN ACTION BROUGHT PURSUANT TO THIS SUBSECTION OR TO
29 REIMBURSE AN INDIVIDUAL DEFENDANT WHO IS FOUND LIABLE FOR A VIOLATION OF
30 THIS SECTION. A COURT MAY AWARD ACTUAL DAMAGES, CONSEQUENTIAL DAMAGES,
31 PUNITIVE DAMAGES, COURT COSTS AND REASONABLE ATTORNEY FEES IN AN ACTION
32 BROUGHT PURSUANT TO THIS SUBSECTION.

33 E. A STUDENT, PARENT, TEACHER OR MEMBER OF THE PUBLIC MAY REPORT AN
34 ALLEGED VIOLATION OF THIS SECTION TO THE DEPARTMENT OF EDUCATION. IF THE
35 SUPERINTENDENT OF PUBLIC INSTRUCTION DETERMINES THAT A TEACHER OR
36 PRINCIPAL HAS KNOWINGLY OR RECKLESSLY VIOLATED THIS SECTION, THE
37 DEPARTMENT SHALL NOTIFY THE STATE BOARD OF EDUCATION. THE STATE BOARD OF
38 EDUCATION SHALL TAKE THE FOLLOWING ACTION AGAINST THE TEACHER OR PRINCIPAL
39 WHO IS FOUND TO HAVE VIOLATED THIS SECTION:

40 1. FOR A FIRST OFFENSE, ISSUE A FORMAL REPRIMAND.

41 2. FOR A SECOND OFFENSE, SUSPEND THE TEACHER'S OR PRINCIPAL'S
42 CERTIFICATE FOR A PERIOD OF TIME THAT IS DETERMINED BY THE STATE BOARD OF
43 EDUCATION BASED ON THE SEVERITY AND CIRCUMSTANCES OF THE VIOLATION.

44 3. FOR A THIRD OFFENSE, REVOKE THE TEACHER'S OR PRINCIPAL'S
45 CERTIFICATE.

1 F. THIS SECTION DOES NOT PROHIBIT ANY INDIVIDUAL FROM DISCUSSING OR
2 USING INSTRUCTIONAL MATERIALS AS A PART OF A COURSE OF INSTRUCTION ABOUT
3 THE HISTORY OF JEWS, JUDAISM OR THE STATE OF ISRAEL. THIS SECTION DOES
4 NOT DIMINISH OR INFRINGE ON ANY RIGHT PROTECTED UNDER THE CONSTITUTION OF
5 ARIZONA OR THE FIRST AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

6 G. THE STATE BOARD OF EDUCATION SHALL ADOPT RULES, SUBJECT TO
7 APPROVAL BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION, TO IMPLEMENT AND
8 ENFORCE THIS SECTION.

9 H. FOR THE PURPOSES OF THIS SECTION:

10 1. "ANTISEMITISM" MEANS ANTISEMITISM AS DEFINED BY THE
11 INTERNATIONAL HOLOCAUST REMEMBRANCE ALLIANCE ON MAY 26, 2016 AND AS
12 ADOPTED BY THE UNITED STATES DEPARTMENT OF STATE, INCLUDING THE
13 CONTEMPORARY EXAMPLES OF ANTISEMITISM IDENTIFIED IN THE ADOPTED
14 DEFINITION.

15 2. "HOSTILE EDUCATION ENVIRONMENT" MEANS THAT HARASSMENT OR
16 DISCRIMINATION IS SO SEVERE, PERVASIVE OR PERSISTENT THAT IT INTERFERES
17 WITH OR LIMITS A STUDENT'S ABILITY TO PARTICIPATE IN OR BENEFIT FROM THE
18 SERVICES, ACTIVITIES OR OPPORTUNITIES THAT ARE OFFERED BY A SCHOOL,
19 FACULTY MEMBER, SCHOOL ADMINISTRATOR, SCHOOL EMPLOYEE, SCHOOL OFFICIAL OR
20 SCHOOL CONTRACTOR.

21 Sec. 2. Notification to public schools

22 Not later than thirty days after the effective date of this act, the
23 department of education shall transmit a copy of this act to each public
24 school in this state.

25 Sec. 3. Short title

26 This act may be cited as "Antisemitism in Education Act".