

REFERENCE TITLE: state board; allegations of misconduct

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1659

Introduced by
Senator Bolick

AN ACT

AMENDING SECTION 15-350, ARIZONA REVISED STATUTES; RELATING TO THE STATE BOARD OF EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 15-350, Arizona Revised Statutes, is amended to read:

15-350. Investigation of immoral or unprofessional conduct; confidentiality; definition

A. On request of the state board of education or the department of education, any school or school district that has employed a certificated or noncertificated person during the time in which the person is alleged to have engaged in conduct constituting grounds for disciplinary action shall make available the attendance and testimony of witnesses, documents and any physical evidence within the school district's control for examination or copying. All information received and records or reports kept by the state board of education or the department of education during an investigation of immoral or unprofessional conduct are confidential and are not a public record.

B. Notwithstanding subsection A of this section, the state board of education may provide information, records or reports relating to the investigation of a certificated or noncertificated person to any of the following:

1. Any school or school district that currently employs the certificated or noncertificated person.

2. Any school or school district to which the certificated or noncertificated person has applied for employment.

3. Any third-party entity that contracts with a school or school district to provide educators and to which the person has applied for employment.

4. Any agency as defined in section 41-1001 that has received and is investigating an application by the certificated or noncertificated person for a certificate or license or that is investigating the person in order to make a certification or licensure decision.

5. A state education agency in another state, or the equivalent, with which a person holds a certificate or is applying for a certificate.

C. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, THE STATE BOARD OF EDUCATION, ON REQUEST, SHALL PROVIDE INFORMATION, RECORDS OR REPORTS RELATING TO ALLEGATIONS THAT A CERTIFICATED OR NONCERTIFICATED PERSON ENGAGED IN CONDUCT THAT, IF TRUE, CONSTITUTES GROUNDS FOR DISCIPLINARY ACTION TO ANY ENTITY LISTED IN SUBSECTION B OF THIS SECTION IF THE PERSON RESIGNED OR OTHERWISE SEPARATED FROM EMPLOYMENT WITH A SCHOOL BEFORE THE STATE BOARD OF EDUCATION EITHER INVESTIGATES THE ALLEGATIONS OR DETERMINES WHETHER TO TAKE DISCIPLINARY ACTION AGAINST THE PERSON.

~~D.~~ D. All information, records and reports received by any school or school district pursuant to this section shall be used for employment purposes only, are confidential and are not a public record.

~~E.~~ E. An investigator who is regularly employed and paid by the state board of education has the authority to access criminal history

1 records and criminal history record information, as defined in section
2 41-1750, from law enforcement agencies.

3 ~~F.~~ F. The department of education shall provide to the state board
4 of education access to the educator information system maintained by the
5 department and any related systems deemed necessary by the board to
6 investigate and adjudicate allegations of conduct constituting grounds for
7 disciplinary action.

8 ~~F.~~ G. For the purposes of this section, "noncertificated person"
9 has the same meaning prescribed in section 15-505.