

Senate Engrossed

state board; allegations of misconduct

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

SENATE BILL 1659

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

4 15-350. Investigation of immoral or unprofessional conduct;
5 confidentiality; definition

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

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

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

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

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

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

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

33 C. THE HIGHEST RANKING OFFICIAL OF A SCHOOL OR SCHOOL DISTRICT
34 DESCRIBED IN SUBSECTION B, PARAGRAPH 1 OR 2 OF THIS SECTION MAY REQUEST
35 FROM THE STATE BOARD OF EDUCATION INFORMATION RELATING TO ALLEGATIONS THAT
36 A CERTIFICATED OR NONCERTIFICATED PERSON ENGAGED IN CONDUCT THAT, IF TRUE,
37 CONSTITUTES GROUNDS FOR DISCIPLINARY ACTION IF THE CERTIFICATED OR
38 NONCERTIFICATED PERSON RESIGNED OR OTHERWISE SEPARATED FROM EMPLOYMENT
39 WITH A SCHOOL BEFORE THE STATE BOARD OF EDUCATION EITHER INVESTIGATES THE
40 ALLEGATIONS OR DETERMINES WHETHER TO TAKE DISCIPLINARY ACTION AGAINST THE
41 PERSON. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, THE STATE BOARD OF
42 EDUCATION, AFTER VERIFYING THE OFFICIAL'S IDENTITY, SHALL PROVIDE THE
43 REQUESTED INFORMATION, IF AVAILABLE, TO THE OFFICIAL OR TO AN
44 ADMINISTRATOR WHO IS DESIGNATED BY THE OFFICIAL. IF PROVIDING THE
45 REQUESTED INFORMATION PURSUANT TO THIS SUBSECTION MIGHT IMPEDE THE STATE

1 BOARD OF EDUCATION'S INVESTIGATION OF THE ALLEGATIONS, THE STATE BOARD OF
2 EDUCATION MAY DENY THE OFFICIAL'S REQUEST OR PROVIDE THE INFORMATION TO
3 THE OFFICIAL OR ADMINISTRATOR AFTER THE STATE BOARD OF EDUCATION COMPLETES
4 THE INVESTIGATION.

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

8 ~~D.~~ E. An investigator who is regularly employed and paid by the
9 state board of education has the authority to access criminal history
10 records and criminal history record information, as defined in section
11 41-1750, from law enforcement agencies.

12 ~~E.~~ F. The department of education shall provide to the state board
13 of education access to the educator information system maintained by the
14 department and any related systems deemed necessary by the board to
15 investigate and adjudicate allegations of conduct constituting grounds for
16 disciplinary action.

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