



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

HB 2112: classroom instruction; race; ethnicity; sex
Sponsor: Representative Udall, LD 25
Committee on Education

Overview

Prohibits school district, charter school or state agency employees who are involved with students and teachers in preschool through the 12th grade from using public monies for or allowing instruction in specified concepts.

History

Currently, a school district or charter school may not include in its program of instruction any courses that promote the overthrow of the United States government, promote resentment toward a race or class of people, are designed primarily for pupils of a particular ethnic group or advocate ethnic solidarity instead of the treatment of pupils as individuals. Statute provides that courses for Native American pupils that are required to comply with federal law, the grouping of students according to academic performance that may result in disparate impact by ethnicity, courses that include the history of any ethnic group and that are open to all students and courses that include the discussion of controversial aspects of history may not be restricted or prohibited.

If a school district or charter school is found to be in violation of this prohibition on courses and fails to correct the violation within 60 days of notice, the school district or charter school may have up to 10% of its monthly state aid apportionment withheld ([A.R.S. § 15-112](#)).

School district governing boards are responsible for prescribing curricula that include the academic standards in at least the areas of reading, writing, mathematics, science and social studies for students in common school and high school grades ([A.R.S. §§ 15-701, 15-701.01](#)).

Provisions

Prohibition of Specified Instruction

1. Prohibits a teacher, administrator or other employee of a school district, charter school or state agency who is involved with students and teachers in preschool through the 12th grade from:
 - a) Using public monies for instruction that presents any form of blame or judgment based on race, ethnicity or sex; and
 - b) Allowing instruction in or making part of a course any of the following concepts:
 - i. One race, ethnic group or sex is inherently morally or intellectually superior to another race, ethnic group or sex;
 - ii. An individual, by virtue of their race, ethnicity or sex, is inherently racist, sexist or oppressive;
 - iii. An individual should be invidiously discriminated against or receive adverse treatment because of their race, ethnicity or sex;
 - iv. An individual's moral character is determined by their race, ethnicity or sex;
 - v. An individual, by virtue of their race, ethnicity or sex, bears responsibility for actions committed by other members of the same race, ethnic group or sex;
 - vi. An individual should feel discomfort, guilt, anguish or psychological distress because of their race, ethnicity or sex; and

- vii. Academic achievement, meritocracy or traits such as hard work ethic are racist or sexist or were created by members of a particular race, ethnic group or sex to oppress members of another race, ethnic group or sex. (Sec. 2)
2. Permits an attorney acting on behalf of a public school to request a legal opinion of the Attorney General (AG) or county attorney as to whether a proposed use of school district resources would violate the prohibition on specified instruction. (Sec. 2)
3. Subjects a teacher who violates the prohibition on specified instruction to disciplinary action as deemed appropriate by the State Board of Education. (Sec. 2)
4. Allows the AG or the county attorney to initiate a suit in superior court in the county where an alleged violation of the prohibition on specified instruction occurs. (Sec. 2)
5. Enables the court to impose a civil penalty of not more than \$5,000 per school district, charter school or state agency for each violation of the prohibition on specified instruction. (Sec. 2)
6. Specifies that *instruction* includes instruction that is part of a teacher preparation program. (Sec. 2)
7. States that training on sexual harassment or lessons on recognizing and reporting abuse is not precluded. (Sec. 2)

Miscellaneous

8. Allows age- and grade-appropriate classroom instruction regarding child assault awareness and abuse. (Sec. 1)
9. Repeals statutes relating to child assault awareness and abuse prevention instruction and prohibited instruction on specified concepts. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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