

House Engrossed

classroom instruction; race; ethnicity; sex

State of Arizona  
House of Representatives  
Fifty-fifth Legislature  
Second Regular Session  
2022

# HOUSE BILL 2112

AN ACT

REPEALING SECTIONS 15-711.01 AND 15-717.02, ARIZONA REVISED STATUTES;  
AMENDING TITLE 15, CHAPTER 7, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING NEW SECTIONS 15-711.01 AND 15-717.02; RELATING TO SCHOOL  
INSTRUCTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Repeal

3 Sections 15-711.01 and 15-717.02, Arizona Revised Statutes, are  
4 repealed.

5 Sec. 2. Title 15, chapter 7, article 1, Arizona Revised Statutes,  
6 is amended by adding new sections 15-711.01 and 15-717.02, to read:

7 15-711.01. Instruction; child assault awareness; abuse  
8 prevention

9 NOTWITHSTANDING ANY OTHER LAW, AGE-APPROPRIATE AND GRADE-APPROPRIATE  
10 CLASSROOM INSTRUCTION REGARDING CHILD ASSAULT AWARENESS AND ABUSE  
11 PREVENTION IS ALLOWED.

12 15-717.02. Prohibited instruction; disciplinary action; legal  
13 action; civil penalty; definition

14 A. A TEACHER, ADMINISTRATOR OR OTHER EMPLOYEE OF A SCHOOL DISTRICT,  
15 CHARTER SCHOOL OR STATE AGENCY WHO IS INVOLVED WITH STUDENTS AND TEACHERS  
16 IN PRESCHOOL OR KINDERGARTEN PROGRAMS OR ANY OF GRADES ONE THROUGH TWELVE  
17 MAY NOT USE PUBLIC MONIES FOR INSTRUCTION THAT PROMOTES OR ADVOCATES FOR  
18 ANY FORM OF BLAME OR JUDGMENT ON THE BASIS OF RACE, ETHNICITY OR SEX.

19 B. A TEACHER, ADMINISTRATOR OR OTHER EMPLOYEE OF A SCHOOL DISTRICT,  
20 CHARTER SCHOOL OR STATE AGENCY WHO IS INVOLVED WITH STUDENTS AND TEACHERS  
21 IN PRESCHOOL OR KINDERGARTEN PROGRAMS OR ANY OF GRADES ONE THROUGH TWELVE  
22 MAY NOT ALLOW INSTRUCTION THAT PROMOTES OR ADVOCATES FOR ANY OF THE  
23 FOLLOWING CONCEPTS:

24 1. ONE RACE, ETHNIC GROUP OR SEX IS INHERENTLY MORALLY OR  
25 INTELLECTUALLY SUPERIOR TO ANOTHER RACE, ETHNIC GROUP OR SEX.

26 2. AN INDIVIDUAL, BY VIRTUE OF THE INDIVIDUAL'S RACE, ETHNICITY OR  
27 SEX, IS INHERENTLY RACIST, SEXIST OR OPPRESSIVE, WHETHER CONSCIOUSLY OR  
28 UNCONSCIOUSLY.

29 3. AN INDIVIDUAL SHOULD BE INVIDIOUSLY DISCRIMINATED AGAINST OR  
30 RECEIVE ADVERSE TREATMENT SOLELY OR PARTLY BECAUSE OF THE INDIVIDUAL'S  
31 RACE, ETHNICITY OR SEX.

32 4. AN INDIVIDUAL'S MORAL CHARACTER IS DETERMINED BY THE  
33 INDIVIDUAL'S RACE, ETHNICITY OR SEX.

34 5. AN INDIVIDUAL, BY VIRTUE OF THE INDIVIDUAL'S RACE, ETHNICITY OR  
35 SEX, BEARS RESPONSIBILITY FOR ACTIONS COMMITTED BY OTHER MEMBERS OF THE  
36 SAME RACE, ETHNIC GROUP OR SEX.

37 6. AN INDIVIDUAL SHOULD FEEL DISCOMFORT, GUILT, ANGUISH OR ANY  
38 OTHER FORM OF PSYCHOLOGICAL DISTRESS BECAUSE OF THE INDIVIDUAL'S RACE,  
39 ETHNICITY OR SEX.

40 7. ACADEMIC ACHIEVEMENT, MERITOCRACY OR TRAITS SUCH AS A HARD WORK  
41 ETHIC ARE RACIST OR SEXIST OR WERE CREATED BY MEMBERS OF A PARTICULAR  
42 RACE, ETHNIC GROUP OR SEX TO OPPRESS MEMBERS OF ANOTHER RACE, ETHNIC GROUP  
43 OR SEX.

44 C. AN ATTORNEY ACTING ON BEHALF OF A PUBLIC SCHOOL MAY REQUEST A  
45 LEGAL OPINION OF THE ATTORNEY GENERAL OR THE COUNTY ATTORNEY FOR THE

1 COUNTY IN WHICH AN ALLEGED VIOLATION OF THIS SECTION OCCURS AS TO WHETHER  
2 A PROPOSED USE OF SCHOOL DISTRICT RESOURCES WOULD VIOLATE THIS SECTION.

3 D. A TEACHER WHO VIOLATES THIS SECTION IS SUBJECT TO DISCIPLINARY  
4 ACTION, INCLUDING THE SUSPENSION OR REVOCATION OF THE TEACHER'S  
5 CERTIFICATE, AS THE STATE BOARD DEEMS APPROPRIATE.

6 E. THE ATTORNEY GENERAL OR THE COUNTY ATTORNEY FOR THE COUNTY IN  
7 WHICH AN ALLEGED VIOLATION OF THIS SECTION OCCURS MAY INITIATE A SUIT IN  
8 THE SUPERIOR COURT IN THE COUNTY IN WHICH THE SCHOOL DISTRICT, CHARTER  
9 SCHOOL OR STATE AGENCY IS LOCATED FOR THE PURPOSE OF COMPLYING WITH THIS  
10 SECTION.

11 F. FOR EACH VIOLATION OF THIS SECTION, INCLUDING SUBSEQUENT OR  
12 CONTINUED VIOLATIONS, THE COURT MAY IMPOSE A CIVIL PENALTY NOT TO EXCEED  
13 \$5,000 PER SCHOOL DISTRICT, CHARTER SCHOOL OR STATE AGENCY WHERE THE  
14 VIOLATION OCCURS.

15 G. THIS SECTION DOES NOT PRECLUDE ANY TRAINING ON SEXUAL HARASSMENT  
16 OR LESSONS ON RECOGNIZING AND REPORTING ABUSE.

17 H. FOR THE PURPOSES OF THIS SECTION, "INSTRUCTION" INCLUDES  
18 INSTRUCTION THAT IS PART OF A TEACHER PREPARATION PROGRAM.