

REFERENCE TITLE: schools; communications; public receipt option

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

HB 2614

Introduced by

Representatives Chaplik: Biasiucci, Blackman, Burges, Carroll, Carter, Cobb, Cook, Diaz, Dunn, Fillmore, Finchem, Grantham, Hoffman, Kaiser, Kavanagh, Nguyen, Osborne, Parker, Payne, Pingerelli, Toma, Weninger, Wilmeth, Senators Borrelli, Rogers, Ugenti-Rita

AN ACT

AMENDING SECTION 15-102, ARIZONA REVISED STATUTES; RELATING TO SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-102, Arizona Revised Statutes, is amended to
3 read:

4 15-102. Parental involvement in the school; district-wide or
5 charter-wide communications; civil penalty;
6 definition

7 A. The governing board, in consultation with parents, teachers and
8 administrators, shall develop and adopt a policy to promote the
9 involvement of parents and guardians of children enrolled in the schools
10 within the school district, including:

11 1. A plan for parent participation in the schools that is designed
12 to improve parent and teacher cooperation in such areas as homework,
13 attendance and discipline. The plan shall provide for the administration
14 of a parent-teacher satisfaction survey.

15 2. Procedures by which parents may learn about the course of study
16 for their children and review learning materials, including the source of
17 any supplemental educational materials.

18 3. Procedures by which parents who object to any learning material
19 or activity on the basis that the material or activity is harmful may
20 withdraw their children from the activity or from the class or program in
21 which the material is used. Objection to a learning material or activity
22 on the basis that the material or activity is harmful includes objection
23 to the material or activity because it questions beliefs or practices in
24 sex, morality or religion.

25 4. If a school district offers any sex education curricula pursuant
26 to section 15-711 or 15-716 or pursuant to any rules adopted by the state
27 board of education, procedures to prohibit the school district from
28 providing sex education instruction to a pupil unless the pupil's parent
29 provides written permission for the child to participate in the sex
30 education curricula.

31 5. Procedures by which parents will be notified in advance of and
32 given the opportunity to opt their children in to any instruction,
33 learning materials or presentations regarding sexuality, in courses other
34 than formal sex education curricula.

35 6. Procedures by which parents may learn about the nature and
36 purpose of clubs and activities that are part of the school curriculum,
37 extracurricular clubs and activities that have been approved by the
38 school.

39 7. Procedures by which parents may learn about parental rights and
40 responsibilities under the laws of this state, including the following:

41 (a) The right to opt in to a sex education curriculum if one is
42 provided by the school district.

- 1 (b) Open enrollment rights pursuant to section 15-816.01.
- 2 (c) The right to opt out of assignments pursuant to this section.
- 3 (d) The right to opt out of immunizations pursuant to section
4 15-873.
- 5 (e) The promotion requirements prescribed in section 15-701.
- 6 (f) The minimum course of study and competency requirements for
7 graduation from high school prescribed in section 15-701.01.
- 8 (g) The right to opt out of instruction on acquired immune
9 deficiency syndrome pursuant to section 15-716.
- 10 (h) The right to review test results pursuant to section 15-743.
- 11 (i) The right to participate in gifted programs pursuant to section
12 15-779.01.
- 13 (j) The right to access instructional materials pursuant to section
14 15-730.
- 15 (k) The right to receive a school report card pursuant to section
16 15-746.
- 17 (l) The attendance requirements prescribed in sections 15-802,
18 15-803 and 15-821.
- 19 (m) The right to public review of courses of study and textbooks
20 pursuant to sections 15-721 and 15-722.
- 21 (n) The right to be excused from school attendance for religious
22 purposes pursuant to section 15-806.
- 23 (o) Policies related to parental involvement pursuant to this
24 section.
- 25 (p) The right to seek membership on school councils pursuant to
26 section 15-351.
- 27 (q) Information about the student accountability information system
28 as prescribed in section 15-1041.
- 29 (r) The right to access the failing schools tutoring fund pursuant
30 to section 15-241.
- 31 B. The policy adopted by the governing board pursuant to this
32 section may also include the following components:
 - 33 1. A plan by which parents will be made aware of the district's
34 parental involvement policy and this section, including:
 - 35 (a) Rights under the family educational rights and privacy act of
36 1974 (20 United States Code section 1232g) relating to access to
37 children's official records.
 - 38 (b) The parent's right to inspect the school district policies and
39 curriculum.
 - 40 2. Efforts to encourage the development of parenting skills.
 - 41 3. Communicating to parents techniques that are designed to assist
42 the child's learning experience in the home.

- 1 4. Efforts to encourage access to community and support services
2 for children and families.
- 3 5. Promoting communication between the school and parents
4 concerning school programs and the academic progress of the parents'
5 children.
- 6 6. Identifying opportunities for parents to participate in and
7 support classroom instruction at the school.
- 8 7. Efforts to support, with appropriate training, parents as shared
9 decision-makers and to encourage membership on school councils.
- 10 8. Recognizing the diversity of parents and developing guidelines
11 that promote widespread parental participation and involvement in the
12 school at various levels.
- 13 9. Developing preparation programs and specialized courses for
14 certificated employees and administrators that promote parental
15 involvement.
- 16 10. Developing strategies and programmatic structures at schools to
17 encourage and enable parents to participate actively in their children's
18 education.
- 19 C. The governing board may adopt a policy to provide to parents the
20 information required by this section in an electronic form.
- 21 D. A parent shall submit a written request for information pursuant
22 to this section during regular business hours to either the school
23 principal at the school site or the superintendent of the school district
24 at the office of the school district. Within ten days after receiving the
25 request for information, the school principal or the superintendent of the
26 school district shall either deliver the requested information to the
27 parent or submit to the parent a written explanation of the reasons for
28 denying the requested information. If the request for information is
29 denied or the parent does not receive the requested information within
30 fifteen days after submitting the request for information, the parent may
31 submit a written request for the information to the school district
32 governing board, which shall formally consider the request at the next
33 scheduled public meeting of the governing board if the request can be
34 properly noticed on the agenda. If the request cannot be properly noticed
35 on the agenda, the governing board shall formally consider the request at
36 the next subsequent public meeting of the governing board.
- 37 E. IF A SCHOOL DISTRICT PROVIDES DISTRICT-WIDE COMMUNICATIONS TO
38 COMMUNITY MEMBERS VIA AN ELECTRONIC PLATFORM, THE SCHOOL DISTRICT'S HOME
39 WEBSITE MUST PROMINENTLY DISPLAY A PUBLIC OPTION TO RECEIVE THESE
40 COMMUNICATIONS. A SCHOOL DISTRICT MAY NOT REMOVE ANY PERSON FROM THE
41 SCHOOL DISTRICT'S ELECTRONIC COMMUNICATIONS DISTRIBUTION LIST FOR
42 DISTRICT-WIDE MESSAGING UNLESS THE PERSON ELECTS TO NO LONGER RECEIVE
43 THESE COMMUNICATIONS.

1 F. A SCHOOL DISTRICT MAY NOT DISCLOSE ITS ELECTRONIC COMMUNICATIONS
2 DISTRIBUTION LIST FOR DISTRICT-WIDE MESSAGING DESCRIBED IN SUBSECTION E OF
3 THIS SECTION TO ANY THIRD PARTY. THE ATTORNEY GENERAL OR THE COUNTY
4 ATTORNEY FOR THE COUNTY IN WHICH AN ALLEGED VIOLATION OF THIS SUBSECTION
5 OCCURS MAY INITIATE A SUIT IN THE SUPERIOR COURT IN THE COUNTY IN WHICH
6 THE SCHOOL DISTRICT IS LOCATED FOR THE PURPOSE OF COMPLYING WITH THIS
7 SUBSECTION. FOR EACH VIOLATION OF THIS SUBSECTION, INCLUDING SUBSEQUENT
8 OR CONTINUED VIOLATIONS, THE COURT MAY IMPOSE A CIVIL PENALTY ON THE
9 SCHOOL DISTRICT OF \$2,000 PER EMAIL ADDRESS ON THE ELECTRONIC
10 COMMUNICATIONS DISTRIBUTION LIST THAT WAS DISCLOSED IN VIOLATION OF THIS
11 SUBSECTION. AFTER A HEARING, A SCHOOL DISTRICT MAY TERMINATE ANY EMPLOYEE
12 WHO IS RESPONSIBLE FOR VIOLATING THIS SUBSECTION.

13 ~~F.~~ G. For the purposes of this section, "parent" means the natural
14 or adoptive parent or legal guardian of a minor child.