

REFERENCE TITLE: emergency response; students with disabilities

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

## **SB 1315**

Introduced by  
Senators Diaz: Alston, Burch, Epstein, Fernandez, Gabaldón, Gonzales,  
Hatathlie, Hernandez, Marsh, Mendez, Miranda, Sundareshan, Terán;  
Representative Schwiebert

AN ACT

AMENDING SECTION 15-341, ARIZONA REVISED STATUTES; RELATING TO SCHOOL  
DISTRICT GOVERNING BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-341, Arizona Revised Statutes, is amended to  
3 read:

4 15-341. General powers and duties; immunity; delegation

5 A. The governing board shall:

6 1. Prescribe and enforce policies and procedures to govern the  
7 schools that are not inconsistent with the laws or rules prescribed by the  
8 state board of education.

9 2. Exclude from schools all books, publications, papers or  
10 audiovisual materials of a sectarian, partisan or denominational  
11 character. This paragraph does not prohibit the elective course allowed  
12 by section 15-717.01.

13 3. Manage and control the school property within its district,  
14 except that a district may enter into a partnership with an entity,  
15 including a charter school, another school district or a military base, to  
16 operate a school or offer educational services in a district building,  
17 including at a vacant or partially used building, or in any building on  
18 the entity's property pursuant to a written agreement between the parties.

19 4. Acquire school furniture, apparatus, equipment, library books  
20 and supplies for the schools to use.

21 5. Prescribe the curricula and criteria for the promotion and  
22 graduation of pupils as provided in sections 15-701 and 15-701.01.

23 6. Furnish, repair and insure, at full insurable value, the school  
24 property of the district.

25 7. Construct school buildings on approval by a vote of the district  
26 electors.

27 8. In the name of the district, convey property belonging to the  
28 district and sold by the board.

29 9. Purchase school sites when authorized by a vote of the district  
30 at an election conducted as nearly as practicable in the same manner as  
31 the election provided in section 15-481 and held on a date prescribed in  
32 section 15-491, subsection E, but such authorization shall not necessarily  
33 specify the site to be purchased and such authorization shall not be  
34 necessary to exchange unimproved property as provided in section 15-342,  
35 paragraph 23.

36 10. Construct, improve and furnish buildings used for school  
37 purposes when such buildings or premises are leased from the national park  
38 service.

39 11. Purchase school sites or construct, improve and furnish school  
40 buildings from the proceeds of the sale of school property only on  
41 approval by a vote of the district electors.

42 12. Hold pupils to strict account for disorderly conduct on school  
43 property.

44 13. Discipline students for disorderly conduct on the way to and  
45 from school.

1           14. Except as provided in section 15-1224, deposit all monies  
2 received by the district as gifts, grants and devises with the county  
3 treasurer who shall credit the deposits as designated in the uniform  
4 system of financial records. If not inconsistent with the terms of the  
5 gifts, grants and devises given, any balance remaining after expenditures  
6 for the intended purpose of the monies have been made shall be used to  
7 reduce school district taxes for the budget year, except that in the case  
8 of accommodation schools the county treasurer shall carry the balance  
9 forward for use by the county school superintendent for accommodation  
10 schools for the budget year.

11           15. Provide that, if a parent or legal guardian chooses not to  
12 accept a decision of the teacher as provided in paragraph 42 of this  
13 subsection, the parent or legal guardian may request in writing that the  
14 governing board review the teacher's decision. This paragraph does not  
15 release school districts from any liability relating to a child's  
16 promotion or retention.

17           16. Provide for adequate supervision over pupils in instructional  
18 and noninstructional activities by certificated or noncertificated  
19 personnel.

20           17. Use school monies received from the state and county school  
21 apportionment exclusively to pay salaries of teachers and other employees  
22 and contingent expenses of the district.

23           18. Annually report to the county school superintendent on or  
24 before October 1 in the manner and form and on the blanks prescribed by  
25 the superintendent of public instruction or county school superintendent.  
26 The board shall also report directly to the county school superintendent  
27 or the superintendent of public instruction whenever required.

28           19. Deposit all monies received by school districts other than  
29 student activities monies or monies from auxiliary operations as provided  
30 in sections 15-1125 and 15-1126 with the county treasurer to the credit of  
31 the school district except as provided in paragraph 20 of this subsection  
32 and sections 15-1223 and 15-1224, and the board shall spend the monies as  
33 provided by law for other school funds.

34           20. Establish bank accounts in which the board during a month may  
35 deposit miscellaneous monies received directly by the district. The board  
36 shall remit monies deposited in the bank accounts at least monthly to the  
37 county treasurer for deposit as provided in paragraph 19 of this  
38 subsection and in accordance with the uniform system of financial records.

39           21. Prescribe and enforce policies and procedures for disciplinary  
40 action against a teacher who engages in conduct that is a violation of the  
41 policies of the governing board but that is not cause for dismissal of the  
42 teacher or for revocation of the certificate of the teacher. Disciplinary  
43 action may include suspension without pay for a period of time not to  
44 exceed ten school days. Disciplinary action shall not include suspension  
45 with pay or suspension without pay for a period of time longer than ten

1 school days. The procedures shall include notice, hearing and appeal  
2 provisions for violations that are cause for disciplinary action. The  
3 governing board may designate a person or persons to act on behalf of the  
4 board on these matters.

5 22. Prescribe and enforce policies and procedures for disciplinary  
6 action against an administrator who engages in conduct that is a violation  
7 of the policies of the governing board regarding duties of administrators  
8 but that is not cause for dismissal of the administrator or for revocation  
9 of the certificate of the administrator. Disciplinary action may include  
10 suspension without pay for a period of time not to exceed ten school days.  
11 Disciplinary action shall not include suspension with pay or suspension  
12 without pay for a period of time longer than ten school days. The  
13 procedures shall include notice, hearing and appeal provisions for  
14 violations that are cause for disciplinary action. The governing board  
15 may designate a person or persons to act on behalf of the board on these  
16 matters. For violations that are cause for dismissal, the provisions of  
17 notice, hearing and appeal in chapter 5, article 3 of this title apply.  
18 The filing of a timely request for a hearing suspends the imposition of a  
19 suspension without pay or a dismissal pending completion of the hearing.

20 23. Notwithstanding sections 13-3108 and 13-3120, prescribe and  
21 enforce policies and procedures that prohibit a person from carrying or  
22 possessing a weapon on school grounds unless the person is a peace officer  
23 or has obtained specific authorization from the school administrator.

24 24. Prescribe and enforce policies and procedures relating to the  
25 health and safety of all pupils participating in district-sponsored  
26 practice sessions or games or other interscholastic athletic activities,  
27 including:

28 (a) The provision of water.

29 (b) Guidelines, information and forms, developed in consultation  
30 with a statewide private entity that supervises interscholastic  
31 activities, to inform and educate coaches, pupils and parents of the  
32 dangers of concussions and head injuries and the risks of continued  
33 participation in athletic activity after a concussion. The policies and  
34 procedures shall require that, before a pupil participates in an athletic  
35 activity, the pupil and the pupil's parent sign an information form at  
36 least once each school year that states that the parent is aware of the  
37 nature and risk of concussion. The policies and procedures shall require  
38 that a pupil who is suspected of sustaining a concussion in a practice  
39 session, game or other interscholastic athletic activity be immediately  
40 removed from the athletic activity and that the pupil's parent or guardian  
41 be notified. A coach from the pupil's team or an official or a licensed  
42 health care provider may remove a pupil from play. A team parent may also  
43 remove the parent's own child from play. A pupil may return to play on  
44 the same day if a health care provider rules out a suspected concussion at  
45 the time the pupil is removed from play. On a subsequent day, the pupil

1 may return to play if the pupil has been evaluated by and received written  
2 clearance to resume participation in athletic activity from a health care  
3 provider who has been trained in evaluating and managing concussions and  
4 head injuries. A health care provider who is a volunteer and who provides  
5 clearance to participate in athletic activity on the day of the suspected  
6 injury or on a subsequent day is immune from civil liability with respect  
7 to all decisions made and actions taken that are based on good faith  
8 implementation of the requirements of this subdivision, except in cases of  
9 gross negligence or wanton or wilful neglect. A school district, school  
10 district employee, team coach, official or team volunteer or a parent or  
11 guardian of a team member is not subject to civil liability for any act,  
12 omission or policy undertaken in good faith to comply with the  
13 requirements of this subdivision or for a decision made or an action taken  
14 by a health care provider. A group or organization that uses property or  
15 facilities owned or operated by a school district for athletic activities  
16 shall comply with the requirements of this subdivision. A school district  
17 and its employees and volunteers are not subject to civil liability for  
18 any other person or organization's failure or alleged failure to comply  
19 with the requirements of this subdivision. This subdivision does not  
20 apply to teams that are based in another state and that participate in an  
21 athletic activity in this state. For the purposes of this subdivision,  
22 athletic activity does not include dance, rhythmic gymnastics,  
23 competitions or exhibitions of academic skills or knowledge or other  
24 similar forms of physical noncontact activities, civic activities or  
25 academic activities, whether engaged in for the purposes of competition or  
26 recreation. For the purposes of this subdivision, "health care provider"  
27 means a physician who is licensed pursuant to title 32, chapter 13, 14 or  
28 17, an athletic trainer who is licensed pursuant to title 32, chapter 41,  
29 a nurse practitioner who is licensed pursuant to title 32, chapter 15, and  
30 a physician assistant who is licensed pursuant to title 32, chapter 25.

31 (c) Guidelines, information and forms that are developed in  
32 consultation with a statewide private entity that supervises  
33 interscholastic activities to inform and educate coaches, pupils and  
34 parents of the dangers of heat-related illnesses, sudden cardiac death and  
35 prescription opioid use. Before a pupil participates in any  
36 district-sponsored practice session or game or other interscholastic  
37 athletic activity, the pupil and the pupil's parent must be provided with  
38 information at least once each school year on the risks of heat-related  
39 illnesses, sudden cardiac death and prescription opioid addiction.

40 25. Establish an assessment, data gathering and reporting system as  
41 prescribed in chapter 7, article 3 of this title.

42 26. Provide special education programs and related services  
43 pursuant to section 15-764, subsection A to all children with disabilities  
44 as defined in section 15-761.

1           27. Administer competency tests prescribed by the state board of  
2 education for the graduation of pupils from high school.

3           28. Ensure that insurance coverage is secured for all construction  
4 projects for purposes of general liability, property damage and workers'  
5 compensation and secure performance and payment bonds for all construction  
6 projects.

7           29. Keep in the personnel file of all current and former employees  
8 who provide instruction to pupils at a school information about the  
9 employee's educational and teaching background and experience in a  
10 particular academic content subject area. A school district shall inform  
11 parents and guardians of the availability of the information and shall  
12 make the information available for inspection on request of parents and  
13 guardians of pupils enrolled at a school. This paragraph does not require  
14 any school to release personally identifiable information in relation to  
15 any teacher or employee, including the teacher's or employee's address,  
16 salary, social security number or telephone number.

17           30. Report to local law enforcement agencies any suspected crime  
18 against a person or property that is a serious offense as defined in  
19 section 13-706 or that involves a deadly weapon or dangerous instrument or  
20 serious physical injury and any conduct that poses a threat of death or  
21 serious physical injury to employees, students or anyone on the property  
22 of the school. This paragraph does not limit or preclude the reporting by  
23 a school district or an employee of a school district of suspected crimes  
24 other than those required to be reported by this paragraph. For the  
25 purposes of this paragraph, "dangerous instrument", "deadly weapon" and  
26 "serious physical injury" have the same meanings prescribed in section  
27 13-105.

28           31. In conjunction with local law enforcement agencies and  
29 emergency response agencies, develop an emergency response plan for each  
30 school in the school district in accordance with minimum standards  
31 developed jointly by the department of education and the division of  
32 emergency management within the department of emergency and military  
33 affairs. **ANY EMERGENCY RESPONSE PLAN DEVELOPED PURSUANT TO THIS PARAGRAPH  
34 MUST ADDRESS HOW THE SCHOOL AND EMERGENCY RESPONDERS WILL COMMUNICATE WITH  
35 AND PROVIDE ASSISTANCE TO STUDENTS WITH DISABILITIES.**

36           32. Provide written notice to the parents or guardians of all  
37 students enrolled in the school district at least ten days before a public  
38 meeting to discuss closing a school within the school district. The  
39 notice shall include the reasons for the proposed closure and the time and  
40 place of the meeting. The governing board shall fix a time for a public  
41 meeting on the proposed closure not less than ten days before voting in a  
42 public meeting to close the school. The school district governing board  
43 shall give notice of the time and place of the meeting. At the time and  
44 place designated in the notice, the school district governing board shall  
45 hear reasons for or against closing the school. The school district

1 governing board is exempt from this paragraph if the governing board  
2 determines that the school shall be closed because it poses a danger to  
3 the health or safety of the pupils or employees of the school. A  
4 governing board may consult with the division of school facilities within  
5 the department of administration for technical assistance and for  
6 information on the impact of closing a school. The information provided  
7 from the division of school facilities within the department of  
8 administration shall not require the governing board to take or not take  
9 any action.

10 33. Incorporate instruction on Native American history into  
11 appropriate existing curricula.

12 34. Prescribe and enforce policies and procedures:

13 (a) Allowing pupils who have been diagnosed with anaphylaxis by a  
14 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or  
15 25 or by a registered nurse practitioner licensed and certified pursuant  
16 to title 32, chapter 15 to carry and self-administer emergency  
17 medications, including epinephrine auto-injectors, while at school and at  
18 school-sponsored activities. The pupil's name on the prescription label  
19 on the medication container or on the medication device and annual written  
20 documentation from the pupil's parent or guardian to the school that  
21 authorizes possession and self-administration is sufficient proof that the  
22 pupil is entitled to possess and self-administer the medication. The  
23 policies shall require a pupil who uses an epinephrine auto-injector while  
24 at school and at school-sponsored activities to notify the nurse or the  
25 designated school staff person of the use of the medication as soon as  
26 practicable. A school district and its employees are immune from civil  
27 liability with respect to all decisions made and actions taken that are  
28 based on good faith implementation of the requirements of this  
29 subdivision, except in cases of wanton or wilful neglect.

30 (b) For the emergency administration of epinephrine auto-injectors  
31 by a trained employee of a school district pursuant to section 15-157.

32 35. Allow the possession and self-administration of prescription  
33 medication for breathing disorders in handheld inhaler devices by pupils  
34 who have been prescribed that medication by a health care professional  
35 licensed pursuant to title 32. The pupil's name on the prescription label  
36 on the medication container or on the handheld inhaler device and annual  
37 written documentation from the pupil's parent or guardian to the school  
38 that authorizes possession and self-administration is sufficient proof  
39 that the pupil is entitled to possess and self-administer the  
40 medication. A school district and its employees are immune from civil  
41 liability with respect to all decisions made and actions taken that are  
42 based on a good faith implementation of the requirements of this  
43 paragraph.

44 36. Prescribe and enforce policies and procedures to prohibit  
45 pupils from harassing, intimidating and bullying other pupils on school

1 grounds, on school property, on school buses, at school bus stops, at  
2 school-sponsored events and activities and through the use of electronic  
3 technology or electronic communication on school computers, networks,  
4 forums and mailing lists that include the following components:

5 (a) A procedure for pupils, parents and school district employees  
6 to confidentially report to school officials incidents of harassment,  
7 intimidation or bullying. The school shall make available written forms  
8 designed to provide a full and detailed description of the incident and  
9 any other relevant information about the incident.

10 (b) A requirement that school district employees report in writing  
11 suspected incidents of harassment, intimidation or bullying to the  
12 appropriate school official and a description of appropriate disciplinary  
13 procedures for employees who fail to report suspected incidents that are  
14 known to the employee.

15 (c) A requirement that, at the beginning of each school year,  
16 school officials provide all pupils with a written copy of the rights,  
17 protections and support services available to a pupil who is an alleged  
18 victim of an incident reported pursuant to this paragraph.

19 (d) If an incident is reported pursuant to this paragraph, a  
20 requirement that school officials provide a pupil who is an alleged victim  
21 of the incident with a written copy of the rights, protections and support  
22 services available to that pupil.

23 (e) A formal process for documenting reported incidents of  
24 harassment, intimidation or bullying and providing for the  
25 confidentiality, maintenance and disposition of this documentation.  
26 School districts shall maintain documentation of all incidents reported  
27 pursuant to this paragraph for at least six years. The school shall not  
28 use that documentation to impose disciplinary action unless the  
29 appropriate school official has investigated and determined that the  
30 reported incidents of harassment, intimidation or bullying occurred. If a  
31 school provides documentation of reported incidents to persons other than  
32 school officials or law enforcement, all individually identifiable  
33 information shall be redacted.

34 (f) A formal process for the appropriate school officials to  
35 investigate suspected incidents of harassment, intimidation or bullying,  
36 including procedures for notifying the alleged victim and the alleged  
37 victim's parent or guardian when a school official or employee becomes  
38 aware of the suspected incident of harassment, intimidation or bullying.

39 (g) Disciplinary procedures for pupils who have admitted or been  
40 found to have committed incidents of harassment, intimidation or bullying.

41 (h) A procedure that sets forth consequences for submitting false  
42 reports of incidents of harassment, intimidation or bullying.

43 (i) Procedures designed to protect the health and safety of pupils  
44 who are physically harmed as the result of incidents of harassment,



1 intimidation and bullying, including, if appropriate, procedures to  
2 contact emergency medical services or law enforcement agencies, or both.

3 (j) Definitions of harassment, intimidation and bullying.

4 37. Prescribe and enforce policies and procedures regarding  
5 changing or adopting attendance boundaries that include the following  
6 components:

7 (a) A procedure for holding public meetings to discuss attendance  
8 boundary changes or adoptions that allows public comments.

9 (b) A procedure to notify the parents or guardians of the students  
10 affected, including assurance that, if that school remains open as part of  
11 the boundary change and capacity is available, students assigned to a new  
12 attendance area may stay enrolled in their current school.

13 (c) A procedure to notify the residents of the households affected  
14 by the attendance boundary changes.

15 (d) A process for placing public meeting notices and proposed maps  
16 on the school district's website for public review, if the school district  
17 maintains a website.

18 (e) A formal process for presenting the attendance boundaries of  
19 the affected area in public meetings that allows public comments.

20 (f) A formal process for notifying the residents and parents or  
21 guardians of the affected area as to the decision of the governing board  
22 on the school district's website, if the school district maintains a  
23 website.

24 (g) A formal process for updating attendance boundaries on the  
25 school district's website within ninety days after an adopted boundary  
26 change. The school district shall send a direct link to the school  
27 district's attendance boundaries website to the department of real estate.

28 38. If the state board of education determines that the school  
29 district has committed an overexpenditure as defined in section 15-107,  
30 provide a copy of the fiscal management report submitted pursuant to  
31 section 15-107, subsection H on its website and make copies available to  
32 the public on request. The school district shall comply with a request  
33 within five business days after receipt.

34 39. Ensure that the contract for the superintendent is structured  
35 in a manner in which up to twenty percent of the total annual salary  
36 included for the superintendent in the contract is classified as  
37 performance pay. This paragraph does not require school districts to  
38 increase total compensation for superintendents. Unless the school  
39 district governing board votes to implement an alternative procedure at a  
40 public meeting called for this purpose, the performance pay portion of the  
41 superintendent's total annual compensation shall be determined as follows:

42 (a) Twenty-five percent of the performance pay shall be determined  
43 based on the percentage of academic gain determined by the department of  
44 education of pupils who are enrolled in the school district compared to  
45 the academic gain achieved by the highest ranking of the fifty largest

1 school districts in this state. For the purposes of this subdivision, the  
2 department of education shall determine academic gain by the academic  
3 growth achieved by each pupil who has been enrolled at the same school in  
4 a school district for at least five consecutive months measured against  
5 that pupil's academic results in the 2008-2009 school year. For the  
6 purposes of this subdivision, of the fifty largest school districts in  
7 this state, the school district with pupils who demonstrate the highest  
8 statewide percentage of overall academic gain measured against academic  
9 results for the 2008-2009 school year shall be assigned a score of 100 and  
10 the school district with pupils who demonstrate the lowest statewide  
11 percentage of overall academic gain measured against academic results for  
12 the 2008-2009 school year shall be assigned a score of 0.

13 (b) Twenty-five percent of the performance pay shall be determined  
14 by the percentage of parents of pupils who are enrolled at the school  
15 district who assign a letter grade of "A" to the school on a survey of  
16 parental satisfaction with the school district. The parental satisfaction  
17 survey shall be administered and scored by an independent entity that is  
18 selected by the governing board and that demonstrates sufficient expertise  
19 and experience to accurately measure the results of the survey. The  
20 parental satisfaction survey shall use standard random sampling procedures  
21 and provide anonymity and confidentiality to each parent who participates  
22 in the survey. The letter grade scale used on the parental satisfaction  
23 survey shall direct parents to assign one of the following letter grades:

- 24 (i) A letter grade of "A" if the school district is excellent.
- 25 (ii) A letter grade of "B" if the school district is above average.
- 26 (iii) A letter grade of "C" if the school district is average.
- 27 (iv) A letter grade of "D" if the school district is below average.
- 28 (v) A letter grade of "F" if the school district is a failure.

29 (c) Twenty-five percent of the performance pay shall be determined  
30 by the percentage of teachers who are employed at the school district and  
31 who assign a letter grade of "A" to the school on a survey of teacher  
32 satisfaction with the school. The teacher satisfaction survey shall be  
33 administered and scored by an independent entity that is selected by the  
34 governing board and that demonstrates sufficient expertise and experience  
35 to accurately measure the results of the survey. The teacher satisfaction  
36 survey shall use standard random sampling procedures and provide anonymity  
37 and confidentiality to each teacher who participates in the survey. The  
38 letter grade scale used on the teacher satisfaction survey shall direct  
39 teachers to assign one of the following letter grades:

- 40 (i) A letter grade of "A" if the school district is excellent.
- 41 (ii) A letter grade of "B" if the school district is above average.
- 42 (iii) A letter grade of "C" if the school district is average.
- 43 (iv) A letter grade of "D" if the school district is below average.
- 44 (v) A letter grade of "F" if the school district is a failure.

1 (d) Twenty-five percent of the performance pay shall be determined  
2 by other criteria selected by the governing board.

3 40. Maintain and store permanent public records of the school  
4 district as required by law. Notwithstanding section 39-101, the  
5 standards adopted by the Arizona state library, archives and public  
6 records for the maintenance and storage of school district public records  
7 shall allow school districts to elect to satisfy the requirements of this  
8 paragraph by maintaining and storing these records either on paper or in  
9 an electronic format, or a combination of a paper and electronic format.

10 41. Adopt in a public meeting and implement policies for principal  
11 evaluations. Before adopting principal evaluation policies, the school  
12 district governing board shall provide opportunities for public discussion  
13 on the proposed policies. The governing board shall adopt policies that:

14 (a) Are designed to improve principal performance and improve  
15 student achievement.

16 (b) Include the use of quantitative data on the academic progress  
17 for all students, which shall account for between twenty percent and  
18 thirty-three percent of the evaluation outcomes.

19 (c) Include four performance classifications, designated as highly  
20 effective, effective, developing and ineffective.

21 (d) Describe both of the following:

22 (i) The methods used to evaluate the performance of principals,  
23 including the data used to measure student performance and job  
24 effectiveness.

25 (ii) The formula used to determine evaluation outcomes.

26 42. Prescribe and enforce policies and procedures that define the  
27 duties of principals and teachers. These policies and procedures shall  
28 authorize teachers to take and maintain daily classroom attendance, make  
29 the decision to promote or retain a pupil in a grade in common school or  
30 to pass or fail a pupil in a course in high school, subject to review by  
31 the governing board in the manner provided in section 15-342,  
32 paragraph 11.

33 43. Prescribe and enforce policies and procedures for the emergency  
34 administration by an employee of a school district pursuant to section  
35 36-2267 of naloxone hydrochloride or any other opioid antagonist approved  
36 by the United States food and drug administration.

37 44. In addition to the notification requirements prescribed in  
38 paragraph 36 of this subsection, prescribe and enforce reasonable and  
39 appropriate policies to notify a pupil's parent or guardian if any person  
40 engages in harassing, threatening or intimidating conduct against that  
41 pupil. A school district and its officials and employees are immune from  
42 civil liability with respect to all decisions made and actions taken that  
43 are based on good faith implementation of the requirements of this  
44 paragraph, except in cases of gross negligence or wanton or wilful  
45 neglect. A person engages in threatening or intimidating if the person

1 threatens or intimidates by word or conduct to cause physical injury to  
2 another person or serious damage to the property of another on school  
3 grounds. A person engages in harassment if, with intent to harass or with  
4 knowledge that the person is harassing another person, the person  
5 anonymously or otherwise contacts, communicates or causes a communication  
6 with another person by verbal, electronic, mechanical, telephonic or  
7 written means in a manner that harasses on school grounds or substantially  
8 disrupts the school environment.

9 45. Each fiscal year, provide to each school district employee a  
10 total compensation statement that is broken down by category of benefit or  
11 payment and that includes, for that employee, at least all of the  
12 following:

13 (a) Base salary and any additional pay.

14 (b) Medical benefits and the value of any employer-paid portions of  
15 insurance plan premiums.

16 (c) Retirement benefit plans, including social security.

17 (d) Legally required benefits.

18 (e) Any paid leave.

19 (f) Any other payment made to or on behalf of the employee.

20 (g) Any other benefit provided to the employee.

21 46. Develop and adopt in a public meeting policies to allow for  
22 visits, tours and observations of all classrooms by parents of enrolled  
23 pupils and parents who wish to enroll their children in the school  
24 district unless a visit, tour or observation threatens the health and  
25 safety of pupils and staff. These policies and procedures must be easily  
26 accessible from the home page on each school's website.

27 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this  
28 section, the county school superintendent may construct, improve and  
29 furnish school buildings or purchase or sell school sites in the conduct  
30 of an accommodation school.

31 C. If any school district acquires real or personal property,  
32 whether by purchase, exchange, condemnation, gift or otherwise, the  
33 governing board shall pay to the county treasurer any taxes on the  
34 property that were unpaid as of the date of acquisition, including  
35 penalties and interest. The lien for unpaid delinquent taxes, penalties  
36 and interest on property acquired by a school district:

37 1. Is not abated, extinguished, discharged or merged in the title  
38 to the property.

39 2. Is enforceable in the same manner as other delinquent tax liens.

40 D. The governing board may not locate a school on property that is  
41 less than one-fourth mile from agricultural land regulated pursuant to  
42 section 3-365, except that the owner of the agricultural land may agree to  
43 comply with the buffer zone requirements of section 3-365. If the owner  
44 agrees in writing to comply with the buffer zone requirements and records  
45 the agreement in the office of the county recorder as a restrictive

1 covenant running with the title to the land, the school district may  
2 locate a school within the affected buffer zone. The agreement may  
3 include any stipulations regarding the school, including conditions for  
4 future expansion of the school and changes in the operational status of  
5 the school that will result in a breach of the agreement.

6 E. A school district, its governing board members, its school  
7 council members and its employees are immune from civil liability for the  
8 consequences of adopting and implementing policies and procedures pursuant  
9 to subsection A of this section and section 15-342. This waiver does not  
10 apply if the school district, its governing board members, its school  
11 council members or its employees are guilty of gross negligence or  
12 intentional misconduct.

13 F. A governing board may delegate in writing to a superintendent,  
14 principal or head teacher the authority to prescribe procedures that are  
15 consistent with the governing board's policies.

16 G. Notwithstanding any other provision of this title, a school  
17 district governing board shall not take any action that would result in a  
18 reduction of pupil square footage unless the governing board notifies the  
19 school facilities oversight board established by section 41-5701.02 of the  
20 proposed action and receives written approval from the school facilities  
21 oversight board to take the action. A reduction includes an increase in  
22 administrative space that results in a reduction of pupil square footage  
23 or sale of school sites or buildings, or both. A reduction includes a  
24 reconfiguration of grades that results in a reduction of pupil square  
25 footage of any grade level. This subsection does not apply to temporary  
26 reconfiguration of grades to accommodate new school construction if the  
27 temporary reconfiguration does not exceed one year. The sale of equipment  
28 that results in a reduction that falls below the equipment requirements  
29 prescribed in section 41-5711, subsection B is subject to commensurate  
30 withholding of school district additional assistance monies  
31 pursuant to the direction of the school facilities oversight board.  
32 Except as provided in section 15-342, paragraph 10, proceeds from the sale  
33 of school sites, buildings or other equipment shall be deposited in the  
34 school plant fund as provided in section 15-1102.

35 H. Subsections C through G of this section apply to a county board  
36 of supervisors and a county school superintendent when operating and  
37 administering an accommodation school.

38 I. A school district governing board may delegate authority in  
39 writing to the superintendent of the school district to submit plans for  
40 new school facilities to the school facilities oversight board for the  
41 purpose of certifying that the plans meet the minimum school facility  
42 adequacy guidelines prescribed in section 41-5711.

43 J. For the purposes of subsection A, paragraph 37 of this section,  
44 attendance boundaries may not be used to require students to attend  
45 certain schools based on the student's place of residence.