

Senate Engrossed

schools; school libraries; books; prohibition

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

SENATE BILL 1700

AN ACT

AMENDING SECTIONS 15-102, 15-113 AND 15-189.07, ARIZONA REVISED STATUTES;
AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-249.01; AMENDING SECTIONS 15-341, 15-362, 15-721 AND
15-722, ARIZONA REVISED STATUTES; RELATING TO PUBLIC 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; definition

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

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

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

16 3. Beginning January 1, 2023, procedures by which parents have
17 access to the school's library collection of available books and materials
18 and parents may receive a list of books and materials borrowed from the
19 library by their children. ~~The policy must provide that the following are~~
20 ~~exempt from the procedures prescribed pursuant to this paragraph:~~

21 ~~(a) Schools without a full-time library media specialist or an~~
22 ~~equivalent position.~~

23 ~~(b) School district libraries that have agreements with county free~~
24 ~~library districts, municipal libraries or other entities pursuant to~~
25 ~~section 15-362, subsection D.~~

26 4. Procedures by which parents who object to any learning material
27 or activity on the basis that the material or activity is harmful may
28 withdraw their children from the activity or from the class or program in
29 which the material is used. Objection to a learning material or activity
30 on the basis that the material or activity is harmful includes objection
31 to the material or activity because it questions beliefs or practices in
32 sex, morality or religion.

33 5. If a school district offers any sex education curricula pursuant
34 to section 15-711 or 15-716 or pursuant to any rules adopted by the state
35 board of education, procedures to prohibit the school district from
36 providing sex education instruction to a ~~pupil~~ STUDENT unless the ~~pupil's~~
37 ~~STUDENT'S~~ parent provides written permission for the ~~child~~ STUDENT to
38 participate in the sex education curricula.

39 6. Procedures by which parents will be notified in advance of and
40 given the opportunity to opt their children in to any instruction,
41 learning materials or presentations regarding sexuality, in courses other
42 than formal sex education curricula.

1 7. Procedures by which parents may learn about the nature and
2 purpose of clubs and activities that are part of the school curriculum,
3 extracurricular clubs and activities that have been approved by the
4 school.

5 8. Procedures by which parents may learn about parental rights and
6 responsibilities under the laws of this state, including the following:

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

9 (b) Open enrollment rights pursuant to section 15-816.01.

10 (c) The right to opt out of assignments pursuant to this section.

11 (d) The right to opt out of immunizations pursuant to section
12 15-873.

13 (e) The promotion requirements prescribed in section 15-701.

14 (f) The minimum course of study and competency requirements for
15 graduation from high school prescribed in section 15-701.01.

16 (g) The right to opt out of instruction on acquired immune
17 deficiency syndrome pursuant to section 15-716.

18 (h) The right to review test results pursuant to section 15-743.

19 (i) The right to participate in gifted programs pursuant to section
20 15-779.01.

21 (j) The right to access instructional materials pursuant to section
22 15-730.

23 (k) The right to receive a school report card pursuant to section
24 15-746.

25 (l) The attendance requirements prescribed in sections 15-802,
26 15-803 and 15-821.

27 (m) The right to public review of courses of study, textbooks and
28 library books and materials pursuant to sections 15-721 and 15-722.

29 (n) The right to be excused from school attendance for religious
30 purposes pursuant to section 15-806.

31 (o) Policies related to parental involvement pursuant to this
32 section.

33 (p) The right to seek membership on school councils pursuant to
34 section 15-351.

35 (q) Information about the student accountability information system
36 as prescribed in section 15-1041.

37 (r) The right to access the failing schools tutoring fund pursuant
38 to section 15-241.

39 (s) The right to access all written and electronic records of a
40 school district or school district employee concerning the parent's child
41 pursuant to section 15-143.

42 (t) THE RIGHT TO REVIEW AND REQUEST THE REMOVAL OF A BOOK THAT IS
43 AVAILABLE TO STUDENTS IN THE LIBRARY OR THAT WILL BE USED FOR CLASSROOM
44 INSTRUCTION PURSUANT TO SECTIONS 15-113, 15-721 AND 15-722.

1 B. The policy adopted by the governing board pursuant to this
2 section may also include the following components:

3 1. A plan by which parents will be made aware of the district's
4 parental involvement policy and this section, including:

5 (a) Rights under the family educational rights and privacy act of
6 1974 (20 United States Code section 1232g) relating to access to
7 children's official records.

8 (b) The parent's right to inspect the school district policies and
9 curriculum.

10 2. Efforts to encourage the development of parenting skills.

11 3. Communicating to parents techniques that are designed to assist
12 the child's learning experience in the home.

13 4. Efforts to encourage access to community and support services
14 for children and families.

15 5. Promoting communication between the school and parents
16 concerning school programs and the academic progress of the parents'
17 children.

18 6. Identifying opportunities for parents to participate in and
19 support classroom instruction at the school.

20 7. Efforts to support, with appropriate training, parents as shared
21 decision-makers and to encourage membership on school councils.

22 8. Recognizing the diversity of parents and developing guidelines
23 that promote widespread parental participation and involvement in the
24 school at various levels.

25 9. Developing preparation programs and specialized courses for
26 certificated employees and administrators that promote parental
27 involvement.

28 10. Developing strategies and programmatic structures at schools to
29 encourage and enable parents to participate actively in their children's
30 education.

31 C. The governing board may adopt a policy to provide to parents the
32 information required by this section in an electronic form.

33 D. A parent shall submit a written request for information pursuant
34 to this section during regular business hours to either the school
35 principal at the school site or the superintendent of the school district
36 at the office of the school district. Within ten days after receiving the
37 request for information, the school principal or the superintendent of the
38 school district shall either deliver the requested information to the
39 parent or submit to the parent a written explanation of the reasons for
40 denying the requested information. If the request for information is
41 denied or the parent does not receive the requested information within
42 fifteen days after submitting the request for information, the parent may
43 request the information in writing from the school district governing
44 board, which shall formally consider the request at the next scheduled
45 public meeting of the governing board if the request can be properly

1 noticed on the agenda. If the request cannot be properly noticed on the
2 agenda, the governing board shall formally consider the request at the
3 next subsequent public meeting of the governing board.

4 E. For the purposes of this section, "parent" means the natural or
5 adoptive parent or legal guardian of a minor child.

6 Sec. 2. Section 15-113, Arizona Revised Statutes, is amended to
7 read:

8 15-113. Rights of parents; public educational institutions;
9 objectionable materials and books; definitions

10 A. A parent of a student in a public educational institution has
11 the right to review learning materials and activities in advance. ~~AND MAY~~
12 ~~TAKE THE FOLLOWING ACTIONS:~~

13 1. A parent who objects to any learning material or activity on the
14 basis that the material or activity is harmful may request to withdraw
15 that parent's student from the activity or from the class or program in
16 which the material is used and request an alternative assignment.

17 2. A PARENT WHO OBJECTS TO A BOOK THAT IS AVAILABLE TO STUDENTS IN
18 THE SCHOOL LIBRARY OR THAT WILL BE USED FOR CLASSROOM INSTRUCTION MAY
19 REQUEST THAT THE PUBLIC EDUCATIONAL INSTITUTION REMOVE THE BOOK FROM THE
20 LIBRARY OR CLASSROOM.

21 B. A PARENT WHO OBJECTS TO A BOOK PURSUANT TO SUBSECTION A,
22 PARAGRAPH 2 OF THIS SECTION BECAUSE THE PARENT FINDS THE BOOK TO BE LEWD
23 OR SEXUAL IN NATURE, TO PROMOTE GENDER FLUIDITY OR GENDER PRONOUNS OR TO
24 GROOM CHILDREN INTO NORMALIZING PEDOPHILIA SHALL SUBMIT THE BOOK AND THE
25 BASIS FOR THE FINDING TO THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION
26 15-249.01.

27 ~~B.~~ C. A charter school may require parents to waive the right to
28 object to learning materials or activities pursuant to subsection A,
29 PARAGRAPH 1 of this section as a condition of enrollment if the charter
30 school provides a complete list of books and materials to be used each
31 school year before the student enrolls. If the charter school introduces
32 books or materials that were not disclosed ~~prior to~~ BEFORE THE STUDENT'S
33 enrollment, the parent retains the right to object to those materials
34 pursuant to subsection A of this section.

35 ~~C.~~ D. A charter school may require that any request ~~to review~~
36 ~~learning materials or activities or to withdraw the student from learning~~
37 ~~materials or activities~~ pursuant to subsection A of this section be made
38 in writing.

39 ~~D.~~ E. A public educational institution shall obtain signed,
40 written consent from a student's parent or guardian before doing either of
41 the following:

42 1. Using video, audio or electronic materials that may be
43 inappropriate for the age of the student.

44 2. Providing sex education instruction to the student. At the same
45 time the public educational institution seeks consent, it shall inform the

1 student's parent or guardian of the parent's or guardian's right to review
2 the ~~instructional~~ LEARNING materials and activities.

3 ~~E.~~ F. For the purposes of this section:

4 1. "Objects to any learning material or activity on the basis that
5 the material or activity is harmful" means objecting to the material or
6 activity because of sexual content, violent content or profane or vulgar
7 language.

8 2. "Public educational institution" means any of the following:

9 (a) A school district, including its schools.

10 (b) A charter school.

11 (c) An accommodation school.

12 (d) The Arizona state schools for the deaf and the blind.

13 Sec. 3. Section 15-189.07, Arizona Revised Statutes, is amended to
14 read:

15 15-189.07. Library collection; parental access; public
16 review; objections; removal; prohibition

17 A. Each charter school governing body shall do all of the
18 following:

19 1. Beginning January 1, 2023, in consultation with parents,
20 teachers and administrators, develop and adopt procedures by which parents
21 have access to the charter school's library collection of available books
22 and materials and may receive a list of books and materials borrowed from
23 the library by their children.

24 2. Make available on the charter school's website for review by the
25 public a list of all books and materials purchased after January 1, 2023
26 for any of the charter school's school libraries for a period of at least
27 ~~sixty~~ ONE HUNDRED AND TWENTY days ~~after the purchase~~ BEFORE MAKING THE
28 BOOKS AND MATERIALS AVAILABLE TO STUDENTS. Each charter school site shall
29 make available on the school's website for review by the public a list of
30 all books and materials purchased after January 1, 2023 for the school
31 library for a period of at least ~~sixty~~ ONE HUNDRED AND TWENTY days ~~after~~
32 ~~the purchase~~ BEFORE MAKING THE BOOKS AND MATERIALS AVAILABLE TO STUDENTS.
33 This paragraph does not apply to the purchase of a book or material that
34 is intended to replace a lost or damaged book or material.

35 3. Ensure that each charter school site notifies the parents of
36 each ~~pupil~~ STUDENT enrolled at the charter school site of the opening and
37 closing dates of the public review required under paragraph 2 of this
38 ~~section~~ SUBSECTION within seven school days before the opening date.

39 ~~B. Charter school sites without a full-time library media~~
40 ~~specialist or an equivalent position are exempt from the requirements of~~
41 ~~this section and from any procedures adopted pursuant to this section.~~

42 B. A PARENT WHO OBJECTS TO A BOOK OR MATERIAL DURING THE PUBLIC
43 REVIEW REQUIRED UNDER SUBSECTION A, PARAGRAPH 2 OF THIS SECTION MAY
44 REQUEST THAT THE CHARTER SCHOOL NOT MAKE THE BOOK OR MATERIAL AVAILABLE TO
45 STUDENTS.

1 C. A PARENT WHO OBJECTS TO A BOOK OR MATERIAL DURING THE PUBLIC
2 REVIEW REQUIRED UNDER SUBSECTION A, PARAGRAPH 2 OF THIS SECTION BECAUSE
3 THE PARENT FINDS THE BOOK TO BE LEWD OR SEXUAL IN NATURE, TO PROMOTE
4 GENDER FLUIDITY OR GENDER PRONOUNS OR TO GROOM CHILDREN INTO NORMALIZING
5 PEDOPHILIA SHALL SUBMIT THE BOOK OR MATERIAL AND THE BASIS FOR THE FINDING
6 TO THE DEPARTMENT OF EDUCATION PURSUANT TO SECTION 15-249.01.

7 Sec. 4. Title 15, chapter 2, article 2, Arizona Revised Statutes,
8 is amended by adding section 15-249.01, to read:

9 15-249.01. Prohibited books; list; parent objections;
10 definition

11 A. THE DEPARTMENT OF EDUCATION SHALL ESTABLISH RULES AND PROCEDURES
12 FOR ESTABLISHING AND MAINTAINING A LIST OF BOOKS THAT PUBLIC EDUCATIONAL
13 INSTITUTIONS IN THIS STATE ARE PROHIBITED FROM USING OR MAKING AVAILABLE
14 TO STUDENTS, INCLUDING PROCEDURES FOR PARENTS TO SUBMIT BOOKS TO BE
15 INCLUDED ON THE LIST. THE DEPARTMENT SHALL POST THE LIST ON ITS WEBSITE.

16 B. A PARENT MAY SUBMIT A BOOK TO THE DEPARTMENT OF EDUCATION FOR
17 INCLUSION ON THE LIST DESCRIBED IN SUBSECTION A OF THIS SECTION IF THE
18 PARENT FINDS THE BOOK TO BE LEWD OR SEXUAL IN NATURE, TO PROMOTE GENDER
19 FLUIDITY OR GENDER PRONOUNS OR TO GROOM CHILDREN INTO NORMALIZING
20 PEDOPHILIA. THE DEPARTMENT SHALL REVIEW EACH SUBMISSION MADE BY A PARENT,
21 TOGETHER WITH THE BASIS FOR THE PARENT'S FINDINGS AND, IF THE DEPARTMENT
22 AGREES WITH THE PARENT'S FINDINGS, THE DEPARTMENT SHALL ADD THE BOOK TO
23 THE LIST DESCRIBED IN SUBSECTION A OF THIS SECTION.

24 C. FOR THE PURPOSES OF THIS SECTION, "BOOK" INCLUDES A TEXTBOOK, A
25 LIBRARY BOOK AND ANY OTHER MATERIAL MADE AVAILABLE TO STUDENTS IN AN
26 ELECTRONIC OR PRINT FORMAT.

27 Sec. 5. Section 15-341, Arizona Revised Statutes, is amended to
28 read:

29 15-341. General powers and duties; immunity; delegation

30 A. The governing board shall:

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

34 2. Exclude from schools all books, publications, papers or
35 audiovisual materials of a sectarian, partisan or denominational character
36 OR THAT ARE LEWD OR SEXUAL IN NATURE, THAT PROMOTE GENDER FLUIDITY OR
37 GENDER PRONOUNS OR THAT GROOM CHILDREN INTO NORMALIZING PEDOPHILIA. This
38 paragraph does not prohibit the elective course allowed by section
39 15-717.01.

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

- 1 4. Acquire school furniture, apparatus, equipment, library books
2 and supplies for the schools to use.
- 3 5. Prescribe the curricula and criteria for the promotion and
4 graduation of pupils as provided in sections 15-701 and 15-701.01.
- 5 6. Furnish, repair and insure, at full insurable value, the school
6 property of the district.
- 7 7. Construct school buildings on approval by a vote of the district
8 electors.
- 9 8. In the name of the district, convey property belonging to the
10 district and sold by the board.
- 11 9. Purchase school sites when authorized by a vote of the district
12 at an election conducted as nearly as practicable in the same manner as
13 the election provided in section 15-481 and held on a date prescribed in
14 section 15-491, subsection E, but such authorization shall not necessarily
15 specify the site to be purchased and such authorization shall not be
16 necessary to exchange unimproved property as provided in section 15-342,
17 paragraph 23.
- 18 10. Construct, improve and furnish buildings used for school
19 purposes when such buildings or premises are leased from the national park
20 service.
- 21 11. Purchase school sites or construct, improve and furnish school
22 buildings from the proceeds of the sale of school property only on
23 approval by a vote of the district electors.
- 24 12. Hold pupils to strict account for disorderly conduct on school
25 property.
- 26 13. Discipline students for disorderly conduct on the way to and
27 from school.
- 28 14. Except as provided in section 15-1224, deposit all monies
29 received by the district as gifts, grants and devises with the county
30 treasurer who shall credit the deposits as designated in the uniform
31 system of financial records. If not inconsistent with the terms of the
32 gifts, grants and devises given, any balance remaining after expenditures
33 for the intended purpose of the monies have been made shall be used to
34 reduce school district taxes for the budget year, except that in the case
35 of accommodation schools the county treasurer shall carry the balance
36 forward for use by the county school superintendent for accommodation
37 schools for the budget year.
- 38 15. Provide that, if a parent or legal guardian chooses not to
39 accept a decision of the teacher as provided in paragraph 42 of this
40 subsection, the parent or legal guardian may request in writing that the
41 governing board review the teacher's decision. This paragraph does not
42 release school districts from any liability relating to a child's
43 promotion or retention.

1 16. Provide for adequate supervision over pupils in instructional
2 and noninstructional activities by certificated or noncertificated
3 personnel.

4 17. Use school monies received from the state and county school
5 apportionment exclusively to pay salaries of teachers and other employees
6 and contingent expenses of the district.

7 18. Annually report to the county school superintendent on or
8 before October 1 in the manner and form and on the blanks prescribed by
9 the superintendent of public instruction or county school superintendent.
10 The board shall also report directly to the county school superintendent
11 or the superintendent of public instruction whenever required.

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

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

23 21. Prescribe and enforce policies and procedures for disciplinary
24 action against a teacher who engages in conduct that is a violation of the
25 policies of the governing board but that is not cause for dismissal of the
26 teacher or for revocation of the certificate of the teacher. Disciplinary
27 action may include suspension without pay for a period of time not to
28 exceed ten school days. Disciplinary action shall not include suspension
29 with pay or suspension without pay for a period of time longer than ten
30 school days. The procedures shall include notice, hearing and appeal
31 provisions for violations that are cause for disciplinary action. The
32 governing board may designate a person or persons to act on behalf of the
33 board on these matters.

34 22. Prescribe and enforce policies and procedures for disciplinary
35 action against an administrator who engages in conduct that is a violation
36 of the policies of the governing board regarding duties of administrators
37 but that is not cause for dismissal of the administrator or for revocation
38 of the certificate of the administrator. Disciplinary action may include
39 suspension without pay for a period of time not to exceed ten school days.
40 Disciplinary action shall not include suspension with pay or suspension
41 without pay for a period of time longer than ten school days. The
42 procedures shall include notice, hearing and appeal provisions for
43 violations that are cause for disciplinary action. The governing board
44 may designate a person or persons to act on behalf of the board on these
45 matters. For violations that are cause for dismissal, the provisions of

1 notice, hearing and appeal in chapter 5, article 3 of this title apply.
2 The filing of a timely request for a hearing suspends the imposition of a
3 suspension without pay or a dismissal pending completion of the hearing.

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

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

12 (a) The provision of water.

13 (b) Guidelines, information and forms, developed in consultation
14 with a statewide private entity that supervises interscholastic
15 activities, to inform and educate coaches, pupils and parents of the
16 dangers of concussions and head injuries and the risks of continued
17 participation in athletic activity after a concussion. The policies and
18 procedures shall require that, before a pupil participates in an athletic
19 activity, the pupil and the pupil's parent sign an information form at
20 least once each school year that states that the parent is aware of the
21 nature and risk of concussion. The policies and procedures shall require
22 that a pupil who is suspected of sustaining a concussion in a practice
23 session, game or other interscholastic athletic activity be immediately
24 removed from the athletic activity and that the pupil's parent or guardian
25 be notified. A coach from the pupil's team or an official or a licensed
26 health care provider may remove a pupil from play. A team parent may also
27 remove the parent's own child from play. A pupil may return to play on
28 the same day if a health care provider rules out a suspected concussion at
29 the time the pupil is removed from play. On a subsequent day, the pupil
30 may return to play if the pupil has been evaluated by and received written
31 clearance to resume participation in athletic activity from a health care
32 provider who has been trained in evaluating and managing concussions and
33 head injuries. A health care provider who is a volunteer and who provides
34 clearance to participate in athletic activity on the day of the suspected
35 injury or on a subsequent day is immune from civil liability with respect
36 to all decisions made and actions taken that are based on good faith
37 implementation of the requirements of this subdivision, except in cases of
38 gross negligence or wanton or wilful neglect. A school district, school
39 district employee, team coach, official or team volunteer or a parent or
40 guardian of a team member is not subject to civil liability for any act,
41 omission or policy undertaken in good faith to comply with the
42 requirements of this subdivision or for a decision made or an action taken
43 by a health care provider. A group or organization that uses property or
44 facilities owned or operated by a school district for athletic activities
45 shall comply with the requirements of this subdivision. A school district

1 and its employees and volunteers are not subject to civil liability for
2 any other person or organization's failure or alleged failure to comply
3 with the requirements of this subdivision. This subdivision does not
4 apply to teams that are based in another state and that participate in an
5 athletic activity in this state. For the purposes of this subdivision,
6 athletic activity does not include dance, rhythmic gymnastics,
7 competitions or exhibitions of academic skills or knowledge or other
8 similar forms of physical noncontact activities, civic activities or
9 academic activities, whether engaged in for the purposes of competition or
10 recreation. For the purposes of this subdivision, "health care provider"
11 means a physician who is licensed pursuant to title 32, chapter 13, 14 or
12 17, an athletic trainer who is licensed pursuant to title 32, chapter 41,
13 a nurse practitioner who is licensed pursuant to title 32, chapter 15, and
14 a physician assistant who is licensed pursuant to title 32, chapter 25.

15 (c) Guidelines, information and forms that are developed in
16 consultation with a statewide private entity that supervises
17 interscholastic activities to inform and educate coaches, pupils and
18 parents of the dangers of heat-related illnesses, sudden cardiac death and
19 prescription opioid use. Before a pupil participates in any
20 district-sponsored practice session or game or other interscholastic
21 athletic activity, the pupil and the pupil's parent must be provided with
22 information at least once each school year on the risks of heat-related
23 illnesses, sudden cardiac death and prescription opioid addiction.

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

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

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

31 28. Ensure that insurance coverage is secured for all construction
32 projects for purposes of general liability, property damage and workers'
33 compensation and secure performance and payment bonds for all construction
34 projects.

35 29. Keep in the personnel file of all current and former employees
36 who provide instruction to pupils at a school information about the
37 employee's educational and teaching background and experience in a
38 particular academic content subject area. A school district shall inform
39 parents and guardians of the availability of the information and shall
40 make the information available for inspection on request of parents and
41 guardians of pupils enrolled at a school. This paragraph does not require
42 any school to release personally identifiable information in relation to
43 any teacher or employee, including the teacher's or employee's address,
44 salary, social security number or telephone number.

1 30. Report to local law enforcement agencies any suspected crime
2 against a person or property that is a serious offense as defined in
3 section 13-706 or that involves a deadly weapon or dangerous instrument or
4 serious physical injury and any conduct that poses a threat of death or
5 serious physical injury to employees, students or anyone on the property
6 of the school. This paragraph does not limit or preclude the reporting by
7 a school district or an employee of a school district of suspected crimes
8 other than those required to be reported by this paragraph. For the
9 purposes of this paragraph, "dangerous instrument", "deadly weapon" and
10 "serious physical injury" have the same meanings prescribed in section
11 13-105.

12 31. In conjunction with local law enforcement agencies and
13 emergency response agencies, develop an emergency response plan for each
14 school in the school district in accordance with minimum standards
15 developed jointly by the department of education and the division of
16 emergency management within the department of emergency and military
17 affairs.

18 32. Provide written notice to the parents or guardians of all
19 students enrolled in the school district at least ten days before a public
20 meeting to discuss closing a school within the school district. The
21 notice shall include the reasons for the proposed closure and the time and
22 place of the meeting. The governing board shall fix a time for a public
23 meeting on the proposed closure not less than ten days before voting in a
24 public meeting to close the school. The school district governing board
25 shall give notice of the time and place of the meeting. At the time and
26 place designated in the notice, the school district governing board shall
27 hear reasons for or against closing the school. The school district
28 governing board is exempt from this paragraph if the governing board
29 determines that the school shall be closed because it poses a danger to
30 the health or safety of the pupils or employees of the school. A
31 governing board may consult with the division of school facilities within
32 the department of administration for technical assistance and for
33 information on the impact of closing a school. The information provided
34 from the division of school facilities within the department of
35 administration shall not require the governing board to take or not take
36 any action.

37 33. Incorporate instruction on Native American history into
38 appropriate existing curricula.

39 34. Prescribe and enforce policies and procedures:

40 (a) Allowing pupils who have been diagnosed with anaphylaxis by a
41 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or
42 25 or by a registered nurse practitioner licensed and certified pursuant
43 to title 32, chapter 15 to carry and self-administer emergency
44 medications, including epinephrine auto-injectors, while at school and at
45 school-sponsored activities. The pupil's name on the prescription label on

1 the medication container or on the medication device and annual written
2 documentation from the pupil's parent or guardian to the school that
3 authorizes possession and self-administration is sufficient proof that the
4 pupil is entitled to possess and self-administer the medication. The
5 policies shall require a pupil who uses an epinephrine auto-injector while
6 at school and at school-sponsored activities to notify the nurse or the
7 designated school staff person of the use of the medication as soon as
8 practicable. A school district and its employees are immune from civil
9 liability with respect to all decisions made and actions taken that are
10 based on good faith implementation of the requirements of this
11 subdivision, except in cases of wanton or wilful neglect.

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

14 35. Allow the possession and self-administration of prescription
15 medication for breathing disorders in handheld inhaler devices by pupils
16 who have been prescribed that medication by a health care professional
17 licensed pursuant to title 32. The pupil's name on the prescription label
18 on the medication container or on the handheld inhaler device and annual
19 written documentation from the pupil's parent or guardian to the school
20 that authorizes possession and self-administration is sufficient proof
21 that the pupil is entitled to possess and self-administer the medication.
22 A school district and its employees are immune from civil liability with
23 respect to all decisions made and actions taken that are based on a good
24 faith implementation of the requirements of this paragraph.

25 36. Prescribe and enforce policies and procedures to prohibit
26 pupils from harassing, intimidating and bullying other pupils on school
27 grounds, on school property, on school buses, at school bus stops, at
28 school-sponsored events and activities and through the use of electronic
29 technology or electronic communication on school computers, networks,
30 forums and mailing lists that include the following components:

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

36 (b) A requirement that school district employees report in writing
37 suspected incidents of harassment, intimidation or bullying to the
38 appropriate school official and a description of appropriate disciplinary
39 procedures for employees who fail to report suspected incidents that are
40 known to the employee.

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

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

5 (e) A formal process for documenting reported incidents of
6 harassment, intimidation or bullying and providing for the
7 confidentiality, maintenance and disposition of this documentation.
8 School districts shall maintain documentation of all incidents reported
9 pursuant to this paragraph for at least six years. The school shall not
10 use that documentation to impose disciplinary action unless the
11 appropriate school official has investigated and determined that the
12 reported incidents of harassment, intimidation or bullying occurred. If a
13 school provides documentation of reported incidents to persons other than
14 school officials or law enforcement, all individually identifiable
15 information shall be redacted.

16 (f) A formal process for the appropriate school officials to
17 investigate suspected incidents of harassment, intimidation or bullying,
18 including procedures for notifying the alleged victim and the alleged
19 victim's parent or guardian when a school official or employee becomes
20 aware of the suspected incident of harassment, intimidation or bullying.

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

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

25 (i) Procedures designed to protect the health and safety of pupils
26 who are physically harmed as the result of incidents of harassment,
27 intimidation and bullying, including, if appropriate, procedures to
28 contact emergency medical services or law enforcement agencies, or both.

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

30 37. Prescribe and enforce policies and procedures regarding
31 changing or adopting attendance boundaries that include the following
32 components:

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

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

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

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

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

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

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

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

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

23 (a) Twenty-five percent of the performance pay shall be determined
24 based on the percentage of academic gain determined by the department of
25 education of pupils who are enrolled in the school district compared to
26 the academic gain achieved by the highest ranking of the fifty largest
27 school districts in this state. For the purposes of this subdivision, the
28 department of education shall determine academic gain by the academic
29 growth achieved by each pupil who has been enrolled at the same school in
30 a school district for at least five consecutive months measured against
31 that pupil's academic results in the 2008-2009 school year. For the
32 purposes of this subdivision, of the fifty largest school districts in
33 this state, the school district with pupils who demonstrate the highest
34 statewide percentage of overall academic gain measured against academic
35 results for the 2008-2009 school year shall be assigned a score of 100 and
36 the school district with pupils who demonstrate the lowest statewide
37 percentage of overall academic gain measured against academic results for
38 the 2008-2009 school year shall be assigned a score of 0.

39 (b) Twenty-five percent of the performance pay shall be determined
40 by the percentage of parents of pupils who are enrolled at the school
41 district who assign a letter grade of "A" to the school on a survey of
42 parental satisfaction with the school district. The parental satisfaction
43 survey shall be administered and scored by an independent entity that is
44 selected by the governing board and that demonstrates sufficient expertise
45 and experience to accurately measure the results of the survey. The

1 parental satisfaction survey shall use standard random sampling procedures
2 and provide anonymity and confidentiality to each parent who participates
3 in the survey. The letter grade scale used on the parental satisfaction
4 survey shall direct parents to assign one of the following letter grades:

- 5 (i) A letter grade of "A" if the school district is excellent.
- 6 (ii) A letter grade of "B" if the school district is above average.
- 7 (iii) A letter grade of "C" if the school district is average.
- 8 (iv) A letter grade of "D" if the school district is below average.
- 9 (v) A letter grade of "F" if the school district is a failure.

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

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

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

28 40. Maintain and store permanent public records of the school
29 district as required by law. Notwithstanding section 39-101, the
30 standards adopted by the Arizona state library, archives and public
31 records for the maintenance and storage of school district public records
32 shall allow school districts to elect to satisfy the requirements of this
33 paragraph by maintaining and storing these records either on paper or in
34 an electronic format, or a combination of a paper and electronic format.

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

- 39 (a) Are designed to improve principal performance and improve
40 student achievement.
- 41 (b) Include the use of quantitative data on the academic progress
42 for all students, which shall account for between twenty percent and
43 thirty-three percent of the evaluation outcomes.
- 44 (c) Include four performance classifications, designated as highly
45 effective, effective, developing and ineffective.

1 (d) Describe both of the following:

2 (i) The methods used to evaluate the performance of principals,
3 including the data used to measure student performance and job
4 effectiveness.

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

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

13 43. Prescribe and enforce policies and procedures for the emergency
14 administration by an employee of a school district pursuant to section
15 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
16 by the United States food and drug administration.

17 44. In addition to the notification requirements prescribed in
18 paragraph 36 of this subsection, prescribe and enforce reasonable and
19 appropriate policies to notify a pupil's parent or guardian if any person
20 engages in harassing, threatening or intimidating conduct against that
21 pupil. A school district and its officials and employees are immune from
22 civil liability with respect to all decisions made and actions taken that
23 are based on good faith implementation of the requirements of this
24 paragraph, except in cases of gross negligence or wanton or wilful
25 neglect. A person engages in threatening or intimidating if the person
26 threatens or intimidates by word or conduct to cause physical injury to
27 another person or serious damage to the property of another on school
28 grounds. A person engages in harassment if, with intent to harass or with
29 knowledge that the person is harassing another person, the person
30 anonymously or otherwise contacts, communicates or causes a communication
31 with another person by verbal, electronic, mechanical, telephonic or
32 written means in a manner that harasses on school grounds or substantially
33 disrupts the school environment.

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

38 (a) Base salary and any additional pay.

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

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

42 (d) Legally required benefits.

43 (e) Any paid leave.

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

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

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

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

11 C. If any school district acquires real or personal property,
12 whether by purchase, exchange, condemnation, gift or otherwise, the
13 governing board shall pay to the county treasurer any taxes on the
14 property that were unpaid as of the date of acquisition, including
15 penalties and interest. The lien for unpaid delinquent taxes, penalties
16 and interest on property acquired by a school district:

17 1. Is not abated, extinguished, discharged or merged in the title
18 to the property.

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

20 D. The governing board may not locate a school on property that is
21 less than one-fourth mile from agricultural land regulated pursuant to
22 section 3-365, except that the owner of the agricultural land may agree to
23 comply with the buffer zone requirements of section 3-365. If the owner
24 agrees in writing to comply with the buffer zone requirements and records
25 the agreement in the office of the county recorder as a restrictive
26 covenant running with the title to the land, the school district may
27 locate a school within the affected buffer zone. The agreement may
28 include any stipulations regarding the school, including conditions for
29 future expansion of the school and changes in the operational status of
30 the school that will result in a breach of the agreement.

31 E. A school district, its governing board members, its school
32 council members and its employees are immune from civil liability for the
33 consequences of adopting and implementing policies and procedures pursuant
34 to subsection A of this section and section 15-342. This waiver does not
35 apply if the school district, its governing board members, its school
36 council members or its employees are guilty of gross negligence or
37 intentional misconduct.

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

41 G. Notwithstanding any other provision of this title, a school
42 district governing board shall not take any action that would result in a
43 reduction of pupil square footage unless the governing board notifies the
44 school facilities oversight board established by section 41-5701.02 of the
45 proposed action and receives written approval from the school facilities

1 oversight board to take the action. A reduction includes an increase in
2 administrative space that results in a reduction of pupil square footage
3 or sale of school sites or buildings, or both. A reduction includes a
4 reconfiguration of grades that results in a reduction of pupil square
5 footage of any grade level. This subsection does not apply to temporary
6 reconfiguration of grades to accommodate new school construction if the
7 temporary reconfiguration does not exceed one year. The sale of equipment
8 that results in a reduction that falls below the equipment requirements
9 prescribed in section 41-5711, subsection B is subject to commensurate
10 withholding of school district additional assistance monies
11 pursuant to the direction of the school facilities oversight board.
12 Except as provided in section 15-342, paragraph 10, proceeds from the sale
13 of school sites, buildings or other equipment shall be deposited in the
14 school plant fund as provided in section 15-1102.

15 H. Subsections C through G of this section apply to a county board
16 of supervisors and a county school superintendent when operating and
17 administering an accommodation school.

18 I. A school district governing board may delegate authority in
19 writing to the superintendent of the school district to submit plans for
20 new school facilities to the school facilities oversight board for the
21 purpose of certifying that the plans meet the minimum school facility
22 adequacy guidelines prescribed in section 41-5711.

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

26 Sec. 6. Section 15-362, Arizona Revised Statutes, is amended to
27 read:

28 15-362. Libraries; powers and duties; authority to contract

29 A. The governing board of a school district may establish and
30 maintain libraries. Such libraries shall be under control of the
31 governing board. The governing board is accountable for the care of the
32 libraries, but the board may appoint district librarians or put the
33 libraries under the direct charge of a teacher or other qualified person.
34 When requested, the governing board shall report on the libraries to the
35 county school superintendent on forms supplied by the superintendent of
36 public instruction.

37 B. The governing board shall:

38 1. Enforce the rules prescribed for governing school libraries.

39 2. Exclude from school libraries all books, publications and papers
40 of a sectarian, partisan or denominational character, **OR THAT ARE LEWD OR**
41 **SEXUAL IN NATURE, THAT PROMOTE GENDER FLUIDITY OR GENDER PRONOUNS OR THAT**
42 **GROOM CHILDREN INTO NORMALIZING PEDOPHILIA.** This paragraph does not
43 prohibit any materials for the elective course permitted by section
44 15-717.01.

1 C. A district library is free to all pupils of suitable age who
2 attend the school. Residents of the district may become entitled to
3 library privileges by ~~payment of~~ PAYING fees and ~~compliance~~ COMPLYING with
4 regulations prescribed by the governing board. The governing board may
5 enter into a contract or agreement with the proper authorities of a county
6 free library or other public library possessing facilities to render the
7 desired service for the procurement of reference or other library books or
8 the extension services of the library. The amount expended shall not
9 exceed two percent of the total school district budget for the school year
10 during which the services are ~~utilized~~ USED.

11 D. A school district governing board may enter into agreements with
12 counties, county free library districts, municipal libraries, nonprofit
13 and public libraries, tribal libraries, private schools and tribal schools
14 in the county where the school district is located.

15 Sec. 7. Section 15-721, Arizona Revised Statutes, is amended to
16 read:

17 15-721. Common schools; course of study; textbooks; approval;
18 selection; objections; removal; library books and
19 materials; definition

20 A. The governing board shall approve for common schools the course
21 of study, the basic textbook for each course and all units recommended for
22 credit under each general subject title before implementing the course.

23 B. If any course does not include a basic textbook, the governing
24 board shall approve all supplemental books used in the course before
25 approving the course.

26 C. If any course includes a basic textbook and uses supplemental
27 books, the governing board may approve all supplemental books and teaching
28 aids, including instructional computer software, that are used in the
29 course before approving the course.

~~30 D. If the course includes a basic textbook and uses supplemental
31 books that have not been approved by the governing board at the time of
32 approval of the course, a teacher may use the supplemental books at any
33 time during the school year. Use of the supplemental books shall be
34 brought to the attention of the governing board during the school year in
35 which they are added for ratification.~~

36 ~~E.~~ D. Notwithstanding any other law, subsections B and C of this
37 section do not apply to supplemental books used in courses or programs
38 instituted pursuant to article 4 of this chapter.

39 ~~F.~~ E. The governing board shall:

40 1. Enforce the course of study and select all textbooks used in the
41 common schools and purchase the textbooks from the publishers. The
42 governing board may budget and spend district school monies for teaching
43 aids, including instructional computer software. For courses that do not
44 require that each student have a textbook other than for classroom
45 instruction, the school district need only purchase one textbook for each

1 student in the largest group that would be receiving classroom instruction
2 at any one time.

3 2. Require that all meetings of committees authorized for the
4 purposes of textbook review and selection be open to the public as
5 prescribed in title 38, chapter 3, article 3.1.

6 3. Make available at the school district office for review by the
7 public, for a period of ~~sixty~~ ONE HUNDRED TWENTY days ~~prior to format~~
8 ~~selection of~~ BEFORE SELECTING textbooks, a copy of each textbook that is
9 being considered for selection.

10 4. Make available on the school district's website for review by
11 the public a list of all books and materials purchased after January 1,
12 2023 for any of the district's school libraries for a period of at least
13 ~~sixty~~ ONE HUNDRED TWENTY days ~~after the purchase~~ BEFORE MAKING THE BOOKS
14 AND MATERIALS AVAILABLE TO STUDENTS. Each school operated by the school
15 district shall make available on the school's website for review by the
16 public a list of all books and materials purchased after January 1, 2023
17 for the school library for a period of at least ~~sixty~~ ONE HUNDRED TWENTY
18 days ~~after the purchase~~ BEFORE MAKING THE BOOKS AND MATERIALS AVAILABLE TO
19 STUDENTS. This paragraph does not apply to the purchase of a book or
20 material that is intended to replace a lost or damaged book or material.

21 5. Ensure that each common school that is operated by the school
22 district notifies the parents of each ~~pupil~~ STUDENT enrolled in the school
23 of the opening and closing dates of the public review required under
24 paragraph 4 of this subsection within seven school days before the opening
25 date.

26 6. ALLOW PARENTS TO OBJECT TO A BOOK OR MATERIAL DURING THE PUBLIC
27 REVIEW REQUIRED UNDER PARAGRAPH 4 OF THIS SUBSECTION. A PARENT WHO
28 OBJECTS TO A BOOK OR MATERIAL PURSUANT TO THIS PARAGRAPH BECAUSE THE
29 PARENT FINDS THE BOOK TO BE LEWD OR SEXUAL IN NATURE, TO PROMOTE GENDER
30 FLUIDITY OR GENDER PRONOUNS OR TO GROOM CHILDREN INTO NORMALIZING
31 PEDOPHILIA SHALL SUBMIT THE BOOK AND THE BASIS FOR THE FINDING TO THE
32 DEPARTMENT OF EDUCATION PURSUANT TO SECTION 15-249.01.

33 ~~G. The following are exempt from the requirements of subsection F,
34 paragraphs 4 and 5 of this section:~~

35 ~~1. Schools without a full-time library media specialist or an
36 equivalent position.~~

37 ~~2. School district libraries that have agreements with county free
38 library districts, municipal libraries or other entities pursuant to
39 section 15-362, subsection D.~~

40 ~~H:~~ F. For the purposes of this section, "textbook" means printed
41 instructional materials or digital content, or both, and related printed
42 or nonprinted instructional materials, that are written and published
43 primarily for use in school instruction and that are required by a state
44 educational agency or a local education agency for use by pupils in the

1 classroom, including materials that require the availability of electronic
2 equipment in order to be used as a learning resource.

3 Sec. 8. Section 15-722, Arizona Revised Statutes, is amended to
4 read:

5 15-722. High schools; course of study; textbooks; approval;
6 objections; removal; library books and materials;
7 definition

8 A. The governing board shall approve for high schools the course of
9 study and all units that are recommended for credit under each general
10 subject title before implementing the course.

11 B. The governing board shall approve for high schools the basic
12 textbook for each course and may purchase the textbooks from the
13 publishers if approved by the governing board. Before approving any basic
14 textbook for high schools, the governing board shall do all of the
15 following:

16 1. Provide information on the school district's website, if the
17 school district maintains a website, on the basic textbooks that are
18 proposed for approval.

19 2. Require that all meetings of committees authorized for the
20 purposes of textbook review and selection be open to the public pursuant
21 to title 38, chapter 3, article 3.1.

22 3. Provide an opportunity for public comment for at least ~~sixty~~ **ONE**
23 **HUNDRED TWENTY** days. Public comment may include written comments, oral
24 comments and comments submitted through email.

25 4. Make available at the school district office for review by the
26 public, for a period of at least ~~sixty~~ **ONE HUNDRED TWENTY** days before
27 approving the textbooks, a copy of each textbook that is being considered
28 for approval.

29 5. Make available on the school district's website for review by
30 the public a list of all books and materials purchased after January 1,
31 2023 for any of the district's school libraries for a period of at least
32 ~~sixty~~ **ONE HUNDRED TWENTY** days ~~after the purchase~~ **BEFORE MAKING THE BOOKS**
33 **AND MATERIALS AVAILABLE TO STUDENTS**. Each school operated by the school
34 district shall make available on the school's website for review by the
35 public a list of all books and materials purchased after January 1, 2023
36 for the school library for a period of at least ~~sixty~~ **ONE HUNDRED TWENTY**
37 days ~~after the purchase~~ **BEFORE MAKING THE BOOKS AND MATERIALS AVAILABLE TO**
38 **STUDENTS**. This paragraph does not apply to the purchase of a book or
39 material that is intended to replace a lost or damaged book or material.

40 6. Ensure that each high school that is operated by the school
41 district notifies the parents of each ~~pupit~~ **STUDENT** enrolled in the school
42 of the opening and closing dates of the public review required under
43 paragraph 5 of this subsection within seven school days before the opening
44 date.

1 7. ALLOW PARENTS TO OBJECT TO A BOOK OR MATERIAL DURING THE PUBLIC
2 REVIEW REQUIRED UNDER THIS SUBSECTION. A PARENT WHO OBJECTS TO A BOOK OR
3 MATERIAL PURSUANT TO THIS PARAGRAPH BECAUSE THE PARENT FINDS THE BOOK TO
4 BE LEWD OR SEXUAL IN NATURE, TO PROMOTE GENDER FLUIDITY OR GENDER PRONOUNS
5 OR TO GROOM CHILDREN INTO NORMALIZING PEDOPHILIA SHALL SUBMIT THE BOOK AND
6 THE BASIS FOR THE FINDING TO THE DEPARTMENT OF EDUCATION PURSUANT TO
7 SECTION 15-249.01.

8 ~~C. The following are exempt from the requirements of subsection B,
9 paragraphs 5 and 6 of this section:~~

10 ~~1. Schools without a full-time library media specialist or an
11 equivalent position.~~

12 ~~2. School district libraries that have agreements with county free
13 library districts, municipal libraries or other entities pursuant to
14 section 15-362, subsection D.~~

15 D. C. If any course does not include a basic textbook, the
16 governing board shall approve all supplemental books that are used in the
17 course before usage.

18 E. D. If any course includes a basic textbook and uses
19 supplemental books or instructional computer software, the governing board
20 may approve all supplemental books and instructional computer software
21 that are used in the course before usage.

22 ~~F. If the course includes a basic textbook and uses supplemental
23 books that have not been approved by the governing board at the time of
24 approval of the course, a teacher may use the supplemental books at any
25 time during the school year. Use of the supplemental books shall be
26 brought to the attention of the governing board during the school year in
27 which they are added for ratification.~~

28 G. E. The governing board shall prescribe up to five textbooks for
29 each course, and the teacher, with the consent of the governing board, may
30 use any one of the prescribed textbooks for the purposes of the teacher's
31 course.

32 H. F. For the purposes of this section, "textbook" means printed
33 instructional materials or digital content, or both, and related printed
34 or nonprinted instructional materials, that are written and published
35 primarily for use in school instruction and that are required by a state
36 educational agency or a local education agency for use by pupils in the
37 classroom, including materials that require the availability of electronic
38 equipment in order to be used as a learning resource.