

House Engrossed Senate Bill  
school admission; annual parental disclosure

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

# SENATE BILL 1583

AN ACT

AMENDING TITLE 15, CHAPTER 8, ARTICLE 2, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 15-822; RELATING TO SCHOOL ATTENDANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 15, chapter 8, article 2, Arizona Revised  
3 Statutes, is amended by adding section 15-822, to read:

4 15-822. Disclosure document; school choice; parental rights;  
5 content and formatting; student records; assistance

6 A. EACH YEAR, EACH PUBLIC SCHOOL SHALL PROVIDE TO THE PARENT OR  
7 GUARDIAN OF EACH STUDENT ENROLLED IN THE SCHOOL A DOCUMENT THAT DISCLOSES  
8 THE FOLLOWING INFORMATION:

9 1. THE LETTER GRADE ASSIGNED TO THE SCHOOL PURSUANT TO SECTION  
10 15-241.

11 2. A LIST OF CHARTER SCHOOLS LOCATED WITHIN A REASONABLE DISTANCE  
12 FROM THE SCHOOL.

13 3. AN OVERVIEW OF THE ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS  
14 PROGRAM, INCLUDING THE AWARD AMOUNT AVAILABLE AND APPROVED EXPENSES.

15 4. A WRITTEN NOTICE THAT CONTAINS ALL OF THE FOLLOWING:

16 IMPORTANT

17 (PRINTED IN CAPITAL LETTERS IN SIXTEEN-POINT, BOLD  
18 TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE  
19 CENTER OF THE PAGE WITH THE INTERNATIONAL GENERAL  
20 WARNING SYMBOL BEFORE AND AFTER THE TEXT.)

21 YOUR CHILD HAS OPTIONS

22 (PRINTED IN CAPITAL LETTERS IN SIXTEEN-POINT, BOLD  
23 TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE  
24 CENTER OF THE PAGE.)

25 EDUCATIONAL OPTIONS AVAILABLE TO

26 YOUR CHILD

27 (PRINTED IN CAPITAL LETTERS AND UNDERLINED IN  
28 FOURTEEN-POINT TYPE IN TIMES NEW ROMAN FONT AND  
29 ALIGNED TO THE CENTER OF THE PAGE.)

30 ARIZONA IS A SCHOOL CHOICE  
31 STATE. THANKS TO SCHOOL CHOICE, YOU  
32 MAY CHOOSE FROM MANY OPTIONS TO ENSURE  
33 THAT YOUR CHILD RECEIVES THE BEST  
34 POSSIBLE EDUCATION. YOU MAY CHOOSE TO  
35 EDUCATE YOUR CHILD IN ANY OF THE  
36 FOLLOWING EDUCATIONAL ENVIRONMENTS:

- 37 • A SCHOOL THAT IS OPERATED  
38 BY A SCHOOL DISTRICT  
39 • A CHARTER SCHOOL  
40 • A PRIVATE SCHOOL, A PRIVATE  
41 EDUCATIONAL SERVICES  
42 PROVIDER, A PRIVATE VENDOR  
43 OR ANY COMBINATION OF A  
44 PRIVATE SCHOOL, PRIVATE  
45 EDUCATIONAL SERVICES

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PROVIDERS AND PRIVATE VENDORS USING MONIES FROM AN ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNT

- A PRIVATE SCHOOL USING AN EDUCATIONAL SCHOLARSHIP OR TUITION GRANT FROM A CERTIFIED SCHOOL TUITION ORGANIZATION
- A HOMESCHOOL

(PRINTED IN FOURTEEN-POINT, REGULAR TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE LEFT MARGIN OF THE PAGE.)

IMPORTANT:

(PRINTED IN CAPITAL LETTERS AND IN TWELVE-POINT BOLD TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE LEFT MARGIN OF THE PAGE.)

IF YOU CHOOSE TO EDUCATE YOUR CHILD OUTSIDE OF A SCHOOL DISTRICT, CHARTER SCHOOL OR HOMESCHOOL, THE DEPARTMENT OF EDUCATION PROVIDES ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS AND NONGOVERNMENTAL ORGANIZATIONS PROVIDE STUDENT TUITION SCHOLARSHIPS OR TUITION GRANTS TO COVER SOME OR ALL OF THE COSTS OF EDUCATING YOUR CHILD.

(PRINTED IN TWELVE-POINT, REGULAR TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE LEFT MARGIN OF THE PAGE.)

I UNDERSTAND THAT I HAVE THE RIGHT TO CHOOSE THE SCHOOL THAT IS THE BEST FIT FOR MY CHILD'S EDUCATIONAL SUCCESS AND THAT, UNLESS I CHOOSE TO HOMESCHOOL MY CHILD, THE STATE OF ARIZONA WILL HELP ME PAY FOR SOME OR ALL OF THE COSTS OF MY CHILD'S EDUCATION REGARDLESS OF WHICH SCHOOL I CHOOSE.

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(PRINTED NAME OF PARENT)

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(NAME OF CHILD)

(PRINTED IN TWELVE-POINT, REGULAR TYPEFACE IN TIMES NEW ROMAN FONT, ALIGNED TO THE LEFT MARGIN OF THE PAGE.)

IMPORTANT

(PRINTED IN CAPITAL LETTERS IN SIXTEEN-POINT, BOLD TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE CENTER OF THE PAGE WITH THE INTERNATIONAL GENERAL WARNING SYMBOL BEFORE AND AFTER THE TEXT.)

YOU HAVE RIGHTS AS A PARENT

(PRINTED IN CAPITAL LETTERS AND UNDERLINED IN FOURTEEN-POINT TYPE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE CENTER OF THE PAGE.)

IN THIS STATE, THE LIBERTY OF PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THEIR CHILDREN IS A FUNDAMENTAL RIGHT.

THIS STATE, ANY POLITICAL SUBDIVISION OF THIS STATE OR ANY OTHER GOVERNMENTAL ENTITY MAY NOT INFRINGE ON THE RIGHTS OF PARENTS WITHOUT DEMONSTRATING THAT THE COMPELLING GOVERNMENTAL INTEREST AS APPLIED TO THE CHILD INVOLVED IS OF THE HIGHEST ORDER, IS NARROWLY TAILORED AND IS NOT OTHERWISE SERVED BY A LESS RESTRICTIVE MEANS.

ALL PARENTAL RIGHTS ARE EXCLUSIVELY RESERVED TO EACH PARENT OF A MINOR CHILD WITHOUT OBSTRUCTION OR INTERFERENCE FROM THIS STATE, ANY POLITICAL SUBDIVISION OF THIS STATE, ANY OTHER GOVERNMENTAL ENTITY OR ANY OTHER INSTITUTION, INCLUDING:

1. THE RIGHT TO DIRECT THE EDUCATION OF THE MINOR CHILD.

2. ALL RIGHTS OF PARENTS IDENTIFIED IN TITLE 15, ARIZONA REVISED STATUTES, INCLUDING THE RIGHT TO ACCESS AND REVIEW ALL RECORDS RELATING TO THE MINOR CHILD.

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3. THE RIGHT TO DIRECT THE UPBRINGING OF THE MINOR CHILD.

4. THE RIGHT TO DIRECT THE MORAL OR RELIGIOUS TRAINING OF THE MINOR CHILD.

5. THE RIGHT TO MAKE ALL HEALTH CARE DECISIONS FOR THE MINOR CHILD, UNLESS OTHERWISE PROHIBITED BY LAW.

6. THE RIGHT TO REQUEST, ACCESS AND REVIEW ALL WRITTEN AND ELECTRONIC MEDICAL RECORDS OF THE MINOR CHILD, UNLESS OTHERWISE PROHIBITED BY LAW OR UNLESS THE PARENT IS THE SUBJECT OF AN INVESTIGATION OF A CRIME COMMITTED AGAINST THE MINOR CHILD AND A LAW ENFORCEMENT OFFICIAL REQUESTS THAT THE INFORMATION NOT BE RELEASED.

7. THE RIGHT TO CONSENT IN WRITING BEFORE A BIOMETRIC SCAN OF THE MINOR CHILD IS MADE.

8. THE RIGHT TO CONSENT IN WRITING BEFORE ANY RECORD OF THE MINOR CHILD'S BLOOD OR DNA IS CREATED, STORED OR SHARED, EXCEPT AS REQUIRED BY THE NEWBORN SCREENING PROGRAM ESTABLISHED PURSUANT TO SECTION 36-694, ARIZONA REVISED STATUTES, OR BEFORE ANY GENETIC TESTING IS CONDUCTED ON THE MINOR CHILD, UNLESS AUTHORIZED PURSUANT TO A COURT ORDER OR CONDUCTED ON A JUVENILE WHO IS COMMITTED TO THE DEPARTMENT OF JUVENILE CORRECTIONS.

9. THE RIGHT TO CONSENT IN WRITING BEFORE THIS STATE OR ANY OF ITS POLITICAL SUBDIVISIONS MAKES A VIDEO OR VOICE RECORDING OF THE MINOR CHILD, UNLESS THE VIDEO OR VOICE RECORDING IS MADE DURING OR AS A PART OF A COURT PROCEEDING, BY LAW ENFORCEMENT OFFICERS DURING OR AS PART OF A LAW ENFORCEMENT INVESTIGATION, DURING OR AS PART OF AN INTERVIEW IN A CRIMINAL OR CHILD SAFETY SERVICES INVESTIGATION OR TO BE USED SOLELY FOR ANY OF THE FOLLOWING:

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(a) A SAFETY DEMONSTRATION, INCLUDING THE MAINTENANCE OF ORDER AND DISCIPLINE IN THE COMMON AREAS OF A SCHOOL OR ON PUPIL TRANSPORTATION VEHICLES.

(b) A PURPOSE RELATED TO A LEGITIMATE ACADEMIC OR EXTRACURRICULAR ACTIVITY.

(c) A PURPOSE RELATED TO REGULAR CLASSROOM INSTRUCTION.

(d) THE SECURITY OR SURVEILLANCE OF BUILDINGS OR GROUNDS.

(e) A PHOTO IDENTIFICATION CARD.

10. THE RIGHT TO BE NOTIFIED PROMPTLY IF AN EMPLOYEE OF THIS STATE, ANY POLITICAL SUBDIVISION OF THIS STATE, ANY OTHER GOVERNMENTAL ENTITY OR ANY OTHER INSTITUTION SUSPECTS THAT A CRIMINAL OFFENSE HAS BEEN COMMITTED AGAINST THE MINOR CHILD BY SOMEONE OTHER THAN A PARENT, UNLESS THE INCIDENT HAS FIRST BEEN REPORTED TO LAW ENFORCEMENT AND NOTIFYING THE PARENT WOULD IMPEDE A LAW ENFORCEMENT OR CHILD SAFETY SERVICES INVESTIGATION. THIS PARAGRAPH DOES NOT CREATE ANY NEW OBLIGATION FOR SCHOOL DISTRICTS AND CHARTER SCHOOLS TO REPORT MISCONDUCT BETWEEN STUDENTS AT SCHOOL, SUCH AS FIGHTING OR AGGRESSIVE PLAY, THAT IS ROUTINELY ADDRESSED AS A STUDENT DISCIPLINARY MATTER BY THE SCHOOL.

11. THE RIGHT TO OBTAIN INFORMATION ABOUT A CHILD SAFETY SERVICES INVESTIGATION INVOLVING THE PARENT.

PARENTAL RIGHTS DO NOT AUTHORIZE OR ALLOW A PARENT TO ENGAGE IN CONDUCT THAT IS UNLAWFUL OR TO ABUSE OR NEGLECT A CHILD IN VIOLATION OF THE LAWS OF THIS STATE. PARENTAL RIGHTS DO NOT PROHIBIT COURTS, LAW ENFORCEMENT OFFICERS OR EMPLOYEES OF A GOVERNMENT AGENCY RESPONSIBLE FOR CHILD WELFARE FROM ACTING IN THEIR OFFICIAL CAPACITY

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WITHIN THE SCOPE OF THEIR AUTHORITY. PARENTAL RIGHTS DO NOT PROHIBIT A COURT FROM ISSUING AN ORDER THAT IS OTHERWISE ALLOWED BY LAW.

ANY ATTEMPT TO ENCOURAGE OR COERCE A MINOR CHILD TO WITHHOLD INFORMATION FROM THE CHILD'S PARENT IS GROUNDS FOR DISCIPLINE OF AN EMPLOYEE OF THIS STATE, ANY POLITICAL SUBDIVISION OF THIS STATE, ANY OTHER GOVERNMENTAL ENTITY OR ANY OTHER INSTITUTION, EXCEPT FOR LAW ENFORCEMENT PERSONNEL.

UNLESS THOSE RIGHTS HAVE BEEN LEGALLY WAIVED OR LEGALLY TERMINATED, PARENTS HAVE INALIENABLE RIGHTS THAT ARE MORE COMPREHENSIVE THAN THOSE LISTED IN THIS NOTICE. THIS NOTICE DOES NOT PRESCRIBE ALL RIGHTS OF PARENTS OR PREEMPT OR FORECLOSE CLAIMS OR REMEDIES IN SUPPORT OF PARENTAL RIGHTS THAT ARE AVAILABLE UNDER THE CONSTITUTION, STATUTES OR COMMON LAW OF THIS STATE. UNLESS OTHERWISE REQUIRED BY LAW, THE RIGHTS OF PARENTS OF MINOR CHILDREN MAY NOT BE LIMITED OR DENIED.

EXCEPT AS DESCRIBED BELOW, THIS STATE, A POLITICAL SUBDIVISION OF THIS STATE OR ANY OTHER GOVERNMENTAL ENTITY, OR ANY OFFICIAL OF THIS STATE, A POLITICAL SUBDIVISION OF THIS STATE OR ANY OTHER GOVERNMENTAL ENTITY ACTING UNDER COLOR OF LAW, MAY NOT INTERFERE WITH OR USURP THE FUNDAMENTAL RIGHT OF PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THEIR CHILDREN. A PARENT MAY BRING SUIT AGAINST A GOVERNMENTAL ENTITY OR OFFICIAL BASED ON ANY VIOLATION OF PARENTS' STATUTORY RIGHTS OR ANY OTHER ACTION THAT INTERFERES WITH OR USURPS THE FUNDAMENTAL RIGHT OF PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THEIR CHILDREN IN THE

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SUPERIOR COURT IN THE COUNTY IN WHICH THE VIOLATION OR OTHER ACTION OCCURS OR IN FEDERAL COURT, IF AUTHORIZED BY FEDERAL LAW, OR BEFORE AN ADMINISTRATIVE TRIBUNAL OF APPROPRIATE JURISDICTION. A PARENT MAY RAISE A VIOLATION OF PARENTAL RIGHTS AS A CLAIM OR A DEFENSE.

IN ANY ACTION BROUGHT AGAINST A GOVERNMENTAL ENTITY OR OFFICIAL BASED ON A VIOLATION OF PARENTS' STATUTORY RIGHTS OR INTERFERENCE WITH PARENTS' FUNDAMENTAL RIGHTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THEIR CHILDREN, THE GOVERNMENTAL ENTITY OR OFFICIAL HAS THE BURDEN OF PROOF TO DEMONSTRATE BOTH OF THE FOLLOWING:

1. THAT THE INTERFERENCE OR USURPATION IS ESSENTIAL TO ACCOMPLISH A COMPELLING GOVERNMENTAL INTEREST OF THE HIGHEST ORDER, AS LONG RECOGNIZED IN THE HISTORY AND TRADITIONS OF THIS STATE IN THE OPERATION OF ITS REGULATORY POWERS.

2. THAT THE METHOD OF INTERFERENCE OR USURPATION USED BY THE GOVERNMENT IS NARROWLY TAILORED AND IS NOT OTHERWISE SERVED BY A LESS RESTRICTIVE MEANS.

A GOVERNMENTAL ENTITY OR OFFICIAL MAY INTERFERE WITH OR USURP THE FUNDAMENTAL RIGHT OF PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THEIR CHILDREN ONLY IF THE GOVERNMENTAL ENTITY OR OFFICIAL SUCCESSFULLY DEMONSTRATES BOTH OF THE ELEMENTS DESCRIBED ABOVE. IF THE GOVERNMENTAL ENTITY OR OFFICIAL IS UNSUCCESSFUL, THE COURT SHALL GRANT APPROPRIATE RELIEF, SUCH AS DECLARATORY OR INJUNCTIVE RELIEF, COMPENSATORY DAMAGES AND ATTORNEY FEES, BASED ON THE FACTS OF THE CASE AND THE LAW AS APPLIED TO THE FACTS.



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(SIGNATURE OF PARENT)

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(PRINTED NAME OF PARENT)

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(NAME OF CHILD)

(PRINTED IN TWELVE-POINT, REGULAR TYPEFACE IN TIMES  
NEW ROMAN FONT AND ALIGNED TO THE LEFT MARGIN OF  
THE PAGE.)

B. THE DISCLOSURE DOCUMENT SHALL PROVIDE BOTH OF THE FOLLOWING:

1. AN AREA FOR THE PARENT OR GUARDIAN TO INITIAL AFTER EACH  
DISCLOSURE REQUIRED BY SUBSECTION A OF THIS SECTION.

2. A PHONE NUMBER FOR THE DEPARTMENT OF EDUCATION.

C. THE SCHOOL SHALL FILE THE INITIALED AND SIGNED DOCUMENT IN THE  
STUDENT'S PERMANENT FILE EACH YEAR AND PROVIDE A COPY TO THE PARENT OR  
GUARDIAN.

D. THE SCHOOL SHALL ASSIST ANY PARENT OR GUARDIAN WHO CHOOSES TO  
PURSUE ADMITTANCE TO A CHARTER SCHOOL OR TO PARTICIPATE IN THE ARIZONA  
EMPOWERMENT SCHOLARSHIP ACCOUNTS PROGRAM AFTER RECEIVING THE DISCLOSURE  
DOCUMENT REQUIRED BY THIS SECTION.

E. THE DEPARTMENT OF EDUCATION SHALL CREATE A FORM FOR THE  
DISCLOSURE DOCUMENT REQUIRED BY SUBSECTION A OF THIS SECTION AND SHALL  
MAKE THE FORM AVAILABLE TO PUBLIC SCHOOLS IN THIS STATE. A PUBLIC SCHOOL  
MAY USE THE FORM CREATED BY THE DEPARTMENT PURSUANT TO THIS SUBSECTION TO  
SATISFY THE REQUIREMENTS OF THIS SECTION.