

Senate Engrossed

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

20 (b) "YOUR CHILD HAS OPTIONS" PRINTED IN CAPITAL LETTERS
21 IN SIXTEEN-POINT, BOLD TYPEFACE IN TIMES NEW ROMAN FONT AND
22 ALIGNED TO THE CENTER OF THE PAGE.

23 (c) "EDUCATIONAL OPTIONS AVAILABLE TO YOUR CHILD"
24 PRINTED IN CAPITAL LETTERS AND UNDERLINED IN FOURTEEN-POINT
25 TYPE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE CENTER OF THE
26 PAGE.

27 (d) "ARIZONA IS A SCHOOL CHOICE STATE. THANKS TO
28 SCHOOL CHOICE, YOU MAY CHOOSE FROM MANY OPTIONS TO ENSURE THAT
29 YOUR CHILD RECEIVES THE BEST POSSIBLE EDUCATION. YOU MAY
30 CHOOSE TO EDUCATE YOUR CHILD IN ANY OF THE FOLLOWING
31 EDUCATIONAL ENVIRONMENTS:" PRINTED IN FOURTEEN-POINT, REGULAR
32 TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE LEFT
33 MARGIN OF THE PAGE.

34 (e) A BULLETED LIST PRINTED IN FOURTEEN-POINT, REGULAR
35 TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE LEFT
36 MARGIN OF THE PAGE THAT CONTAINS THE FOLLOWING ITEMS:

37 (i) "A SCHOOL THAT IS OPERATED BY A SCHOOL DISTRICT".

38 (ii) "A CHARTER SCHOOL".

39 (iii) "A PRIVATE SCHOOL, A PRIVATE EDUCATIONAL SERVICES
40 PROVIDER, A PRIVATE VENDOR OR ANY COMBINATION OF A PRIVATE
41 SCHOOL, PRIVATE EDUCATIONAL SERVICES PROVIDERS AND PRIVATE
42 VENDORS USING MONIES FROM AN ARIZONA EMPOWERMENT SCHOLARSHIP
43 ACCOUNT".

1 (iv) "A PRIVATE SCHOOL USING AN EDUCATIONAL SCHOLARSHIP
2 OR TUITION GRANT FROM A CERTIFIED SCHOOL TUITION
3 ORGANIZATION".

4 (v) "A HOMESCHOOL".

5 (f) "IMPORTANT:" PRINTED IN CAPITAL LETTERS AND IN
6 TWELVE-POINT BOLD TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED
7 TO THE LEFT MARGIN.

8 (g) "IF YOU CHOOSE TO EDUCATE YOUR CHILD OUTSIDE OF A
9 SCHOOL DISTRICT OR CHARTER SCHOOL, THE DEPARTMENT OF EDUCATION
10 PROVIDES ARIZONA EMPOWERMENT SCHOLARSHIP ACCOUNTS AND
11 NONGOVERNMENTAL ORGANIZATIONS PROVIDE STUDENT TUITION
12 SCHOLARSHIPS OR TUITION GRANTS TO COVER SOME OR ALL OF THE
13 COSTS OF EDUCATING YOUR CHILD." PRINTED IN TWELVE-POINT,
14 REGULAR TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE
15 LEFT MARGIN OF THE PAGE.

16 (h) "I UNDERSTAND THAT I HAVE THE RIGHT TO CHOOSE THE
17 SCHOOL THAT IS THE BEST FIT FOR MY CHILD'S EDUCATIONAL SUCCESS
18 AND THAT THE STATE OF ARIZONA WILL HELP ME PAY FOR SOME OR ALL
19 OF THE COSTS OF MY CHILD'S EDUCATION REGARDLESS OF WHICH
20 SCHOOL I CHOOSE." PRINTED IN IN TWELVE-POINT, REGULAR TYPEFACE
21 IN TIMES NEW ROMAN FONT, ALIGNED TO THE LEFT MARGIN OF THE
22 PAGE AND DIRECTLY ABOVE THE FOLLOWING BLANK FIELDS:

23 (i) A SIGNATURE LINE FOR THE PARENT.

24 (ii) A LINE FOR THE PARENT'S PRINTED NAME.

25 (iii) A LINE FOR THE DATE ON WHICH THE PARENT SIGNED
26 THE NOTICE.

27 (iv) A LINE FOR THE PRINTED NAME OF THE PARENT'S CHILD.

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

32 "YOU HAVE RIGHTS AS A PARENT" PRINTED IN CAPITAL
33 LETTERS AND UNDERLINED IN FOURTEEN-POINT TYPE
34 IN TIMES NEW ROMAN FONT AND ALIGNED TO THE
35 CENTER OF THE PAGE.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 (c) A PURPOSE RELATED TO REGULAR CLASSROOM INSTRUCTION.

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

3 (e) A PHOTO IDENTIFICATION CARD.

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

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

18 PARENTAL RIGHTS DO NOT AUTHORIZE OR ALLOW A PARENT TO
19 ENGAGE IN CONDUCT THAT IS UNLAWFUL OR TO ABUSE OR NEGLECT A
20 CHILD IN VIOLATION OF THE LAWS OF THIS STATE. PARENTAL RIGHTS
21 DO NOT PROHIBIT COURTS, LAW ENFORCEMENT OFFICERS OR EMPLOYEES
22 OF A GOVERNMENT AGENCY RESPONSIBLE FOR CHILD WELFARE FROM
23 ACTING IN THEIR OFFICIAL CAPACITY WITHIN THE SCOPE OF THEIR
24 AUTHORITY. PARENTAL RIGHTS DO NOT PROHIBIT A COURT FROM
25 ISSUING AN ORDER THAT IS OTHERWISE ALLOWED BY LAW.

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

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

40 EXCEPT AS DESCRIBED BELOW, THIS STATE, A POLITICAL
41 SUBDIVISION OF THIS STATE OR ANY OTHER GOVERNMENTAL ENTITY, OR
42 ANY OFFICIAL OF THIS STATE, A POLITICAL SUBDIVISION OF THIS
43 STATE OR ANY OTHER GOVERNMENTAL ENTITY ACTING UNDER COLOR OF
44 LAW, MAY NOT INTERFERE WITH OR USURP THE FUNDAMENTAL RIGHT OF
45 PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND

1 MENTAL HEALTH OF THEIR CHILDREN. A PARENT MAY BRING SUIT
2 AGAINST A GOVERNMENTAL ENTITY OR OFFICIAL BASED ON ANY
3 VIOLATION OF PARENTS' STATUTORY RIGHTS OR ANY OTHER ACTION
4 THAT INTERFERES WITH OR USURPS THE FUNDAMENTAL RIGHT OF
5 PARENTS TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND
6 MENTAL HEALTH OF THEIR CHILDREN IN THE SUPERIOR COURT IN THE
7 COUNTY IN WHICH THE VIOLATION OR OTHER ACTION OCCURS OR IN
8 FEDERAL COURT, IF AUTHORIZED BY FEDERAL LAW, OR BEFORE AN
9 ADMINISTRATIVE TRIBUNAL OF APPROPRIATE JURISDICTION. A PARENT
10 MAY RAISE A VIOLATION OF PARENTAL RIGHTS AS A CLAIM OR A
11 DEFENSE.

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

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

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

25 A GOVERNMENTAL ENTITY OR OFFICIAL MAY INTERFERE WITH OR
26 USURP THE FUNDAMENTAL RIGHT OF PARENTS TO DIRECT THE
27 UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THEIR
28 CHILDREN ONLY IF THE GOVERNMENTAL ENTITY OR OFFICIAL
29 SUCCESSFULLY DEMONSTRATES BOTH OF THE ELEMENTS DESCRIBED
30 ABOVE. IF THE GOVERNMENTAL ENTITY OR OFFICIAL IS
31 UNSUCCESSFUL, THE COURT SHALL GRANT APPROPRIATE RELIEF, SUCH
32 AS DECLARATORY OR INJUNCTIVE RELIEF, COMPENSATORY DAMAGES AND
33 ATTORNEY FEES, BASED ON THE FACTS OF THE CASE AND THE LAW AS
34 APPLIED TO THE FACTS." PRINTED IN TWELVE-POINT, REGULAR
35 TYPEFACE IN TIMES NEW ROMAN FONT AND ALIGNED TO THE LEFT
36 MARGIN OF THE PAGE.

- 37 (j) THE FOLLOWING BLANK FIELDS:
38 (i) A SIGNATURE LINE FOR THE PARENT.
39 (ii) A LINE FOR THE PARENT'S PRINTED NAME.
40 (iii) A LINE FOR THE DATE ON WHICH THE PARENT SIGNED
41 THE NOTICE.
42 (iv) A LINE FOR THE PRINTED NAME OF THE PARENT'S CHILD.

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

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

1 2. A PHONE NUMBER FOR THE DEPARTMENT OF EDUCATION.
2 C. THE SCHOOL SHALL FILE THE INITIALED AND SIGNED DOCUMENT IN THE
3 STUDENT'S PERMANENT FILE EACH YEAR AND PROVIDE A COPY TO THE PARENT OR
4 GUARDIAN.
5 D. THE SCHOOL SHALL ASSIST ANY PARENT OR GUARDIAN WHO CHOOSES TO
6 PURSUE ADMITTANCE TO A CHARTER SCHOOL OR TO PARTICIPATE IN THE ARIZONA
7 EMPOWERMENT SCHOLARSHIP ACCOUNTS PROGRAM AFTER RECEIVING THE DISCLOSURE
8 DOCUMENT REQUIRED BY THIS SECTION.
9 E. THE DEPARTMENT OF EDUCATION SHALL CREATE A FORM FOR THE
10 DISCLOSURE DOCUMENT REQUIRED BY SUBSECTION A OF THIS SECTION AND SHALL
11 MAKE THE FORM AVAILABLE TO PUBLIC SCHOOLS IN THIS STATE. A PUBLIC SCHOOL
12 MAY USE THE FORM CREATED BY THE DEPARTMENT PURSUANT TO THIS SUBSECTION TO
13 SATISFY THE REQUIREMENTS OF THIS SECTION.