

REFERENCE TITLE: school safety; proposals; assessments; plans

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

# HB 2074

Introduced by  
Representative Gress

## AN ACT

AMENDING TITLE 15, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-120.05; AMENDING SECTION 15-154, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-154.02; AMENDING SECTIONS 15-155 AND 15-183, 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. Title 15, chapter 1, article 1, Arizona Revised  
3 Statutes, is amended by adding section 15-120.05, to read:

4 15-120.05. School officers; children with disabilities;  
5 required training; definition

6 A. EACH SCHOOL DISTRICT OR CHARTER SCHOOL THAT EMPLOYS ONE OR MORE  
7 OFFICERS ON ONE OR MORE SCHOOL CAMPUSES, INCLUDING INDIRECT EMPLOYMENT  
8 THROUGH THE SCHOOL SAFETY PROGRAM PURSUANT TO SECTION 15-154, SHALL TRAIN  
9 EACH OFFICER HOW TO RECOGNIZE AND EFFECTIVELY INTERACT WITH CHILDREN WITH  
10 DISABILITIES AS DEFINED IN SECTION 15-761.

11 B. FOR THE PURPOSES OF THIS SECTION, "OFFICER" INCLUDES:

12 1. A PEACE OFFICER.

13 2. A FULL-AUTHORITY RESERVE PEACE OFFICER WHO IS CERTIFIED BY THE  
14 ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD.

15 3. AN INDIVIDUAL WHO IS EMPLOYED BY THE SCHOOL DISTRICT OR CHARTER  
16 SCHOOL IN THE INDIVIDUAL'S OFF-DUTY CAPACITY AS AN OFFICER DESCRIBED IN  
17 PARAGRAPH 1 OR 2 OF THIS SUBSECTION.

18 4. AN INDIVIDUAL WHO WAS PREVIOUSLY EMPLOYED AS A PEACE OFFICER IN  
19 THIS STATE AND WHO RETIRED IN GOOD STANDING.

20 5. A JUVENILE PROBATION OFFICER.

21 Sec. 2. Section 15-154, Arizona Revised Statutes, is amended to  
22 read:

23 15-154. School safety program; purpose; program proposals;  
24 requirements; annual report; public records  
25 exemption; definitions

26 A. The school safety program is established within the department  
27 of education to support, promote and enhance safe and effective learning  
28 environments for all students by supporting the costs of placing school  
29 resource officers, juvenile probation officers, SCHOOL SAFETY OFFICERS,  
30 school counselors and school social workers on school campuses. THE  
31 SCHOOL SAFETY PROGRAM MAY ALSO SUPPORT THE COSTS OF PURCHASING SAFETY  
32 TECHNOLOGY, SAFETY TRAINING AND INFRASTRUCTURE IMPROVEMENTS FOR SCHOOL  
33 CAMPUSES AS PROVIDED IN SUBSECTION D OF THIS SECTION. A school district  
34 or charter school may apply to participate in the school safety program as  
35 provided in this section for up to three fiscal years by submitting by  
36 April 15 a program proposal to the department of education. A school  
37 district or charter school that receives approval for a three-year program  
38 under this subsection may annually submit a modified spending plan for its  
39 approved program.

40 B. A program proposal submitted by a school district or charter  
41 school for supporting the costs of placing school resource officers, ~~or~~  
42 juvenile probation officers OR SCHOOL SAFETY OFFICERS, or ~~both~~ ANY  
43 COMBINATION OF THESE OFFICERS, on a school campus shall contain:

44 1. A detailed description of the school safety needs of the charter  
45 school or school district.

1           2. A PLAN TO PROVIDE THE CURRENT SCHOOL BUILDING BLUEPRINTS, FLOOR  
2 PLANS AND SCHOOL SAFETY ASSESSMENTS FOR EACH SCHOOL SITE TO THE LOCAL LAW  
3 ENFORCEMENT AGENCY, EMERGENCY MEDICAL SERVICES PROVIDER AND FIRE  
4 DEPARTMENT THAT PROVIDES SERVICES TO THE SCHOOL SITE.

5           ~~2.~~ 3. A plan for implementing a law-related education program or a  
6 plan that demonstrates the existence of a law-related education program as  
7 a school safety prevention strategy.

8           ~~3.~~ 4. A plan to use trained school resource officers, ~~or~~ juvenile  
9 probation officers OR SCHOOL SAFETY OFFICERS, OR ANY COMBINATION OF THESE  
10 OFFICERS, in the school, ~~or both~~.

11           5. A PLAN TO TRAIN SCHOOL RESOURCE OFFICERS, JUVENILE PROBATION  
12 OFFICERS OR SCHOOL SAFETY OFFICERS, OR ANY COMBINATION OF THESE OFFICERS,  
13 ON THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT, CIVIL RIGHTS AND  
14 ADOLESCENT MENTAL HEALTH ISSUES.

15           ~~4.~~ 6. If the school district or charter school has already  
16 participated in the school safety program, information on the success,  
17 compliance and implementation of the most recent grant.

18           C. A program proposal submitted by a school district or charter  
19 school for supporting the costs of placing school counselors or school  
20 social workers, or both, on a school campus shall contain:

21           1. A detailed description of the school safety needs of the charter  
22 school or school district.

23           2. A PLAN TO PROVIDE THE CURRENT SCHOOL BUILDING BLUEPRINTS, FLOOR  
24 PLANS AND SCHOOL SAFETY ASSESSMENTS FOR EACH SCHOOL SITE TO THE LOCAL LAW  
25 ENFORCEMENT AGENCY, EMERGENCY MEDICAL SERVICES PROVIDER AND FIRE  
26 DEPARTMENT THAT PROVIDES SERVICES TO THE SCHOOL SITE.

27           ~~2.~~ 3. A plan for implementing a school guidance and counseling  
28 program that includes the following:

29           (a) A detailed description of the relationship between the school  
30 counselor or the SCHOOL social worker, or both, and local community  
31 resources.

32           (b) A plan for using school counselor and school social worker  
33 services in the school, or both.

34           (c) A detailed description of the methods for evaluating the  
35 effectiveness of the school guidance and counseling plan.

36           (d) Policies on confidentiality under the school guidance and  
37 counseling plan.

38           (e) Policies on notifying parents and other family members of  
39 issues or concerns as identified in the school guidance and counseling  
40 plan.

41           (f) A detailed description of the school's, school district's or  
42 charter school's referral procedures to the appropriate community entities  
43 and state agencies.

44           ~~3.~~ 4. If the school district or charter school has already  
45 participated in the school safety program, information on the success,

1 compliance and implementation of the most recent approved program  
2 proposal.

3 D. IF A SCHOOL DISTRICT OR CHARTER SCHOOL WHOSE PROGRAM PROPOSAL  
4 PURSUANT TO SUBSECTION B OR C OF THIS SECTION WAS APPROVED BY THE STATE  
5 BOARD OF EDUCATION CANNOT PLACE ONE OR MORE OF THE SCHOOL RESOURCE  
6 OFFICERS, JUVENILE PROBATION OFFICERS, SCHOOL SAFETY OFFICERS, SCHOOL  
7 COUNSELORS OR SCHOOL SOCIAL WORKERS, OR ANY COMBINATION OF THESE  
8 INDIVIDUALS, AS INCLUDED IN THE APPROVED PROGRAM PROPOSAL, THE SCHOOL  
9 DISTRICT OR CHARTER SCHOOL MAY SUBMIT AN ALTERNATIVE PROGRAM PROPOSAL FOR  
10 SUPPORTING THE COSTS OF PURCHASING SAFETY TECHNOLOGY, SAFETY TRAINING AND  
11 INFRASTRUCTURE IMPROVEMENTS FOR ITS SCHOOL CAMPUS OR CAMPUSES. AN  
12 ALTERNATIVE PROGRAM PROPOSAL SUBMITTED PURSUANT TO THIS SUBSECTION SHALL  
13 CONTAIN:

14 1. A DETAILED DESCRIPTION OF THE SAFETY NEEDS OF THE SCHOOL  
15 DISTRICT OR CHARTER SCHOOL.

16 2. A DETAILED DESCRIPTION OF THE PROPOSED EXPENDITURES AND CAPITAL  
17 IMPROVEMENTS, INCLUDING:

18 (a) THE SAFETY NEEDS THAT EACH PROPOSED EXPENDITURE WILL ADDRESS.

19 (b) THE SPECIFIC TECHNOLOGY OR TRAINING PROGRAM THAT THE SCHOOL  
20 DISTRICT OR CHARTER SCHOOL SEEKS TO ACQUIRE.

21 (c) FOR INFRASTRUCTURE IMPROVEMENTS, ALL COSTS ASSOCIATED WITH THE  
22 IMPROVEMENTS, INCLUDING ARCHITECTURAL AND ENGINEERING FEES, SAFETY  
23 EVALUATIONS AND EQUIPMENT FOR SECURING ENTRANCES AND EXITS.

24 3. ANY OTHER INFORMATION REQUESTED BY THE DEPARTMENT OF EDUCATION.

25 ~~D.~~ E. The department of education shall review and administer the  
26 school resource officers, ~~and~~ juvenile probation officers AND SCHOOL  
27 SAFETY OFFICERS program proposals in cooperation with the courts, law  
28 enforcement agencies and law-related education providers awarded a  
29 contract pursuant to section 41-2534, subject to review and approval by  
30 the state board of education. The department of education shall use  
31 relevant crime statistics to assess the needs of each program proposal and  
32 shall visit school districts and charter schools that submit program  
33 proposals in order to verify the information contained in the program  
34 proposals. The department of education shall contract to provide  
35 guidelines, curricula and support resources for school resource officers,  
36 ~~and~~ juvenile probation officers AND SCHOOL SAFETY OFFICERS to use in  
37 implementing a law-related education program.

38 ~~E.~~ F. The department of education shall review and administer the  
39 school counselors and school social workers program proposals in  
40 cooperation with school administrators, principals, teachers, parents and  
41 community mental health professionals. The department of education shall  
42 use relevant school-level academic, social and emotional statistics to  
43 assess the needs of each program proposal and shall visit school districts  
44 and charter schools that submit program proposals in order to verify the  
45 information contained in the program proposals.

1 G. THE DEPARTMENT OF EDUCATION SHALL REVIEW AND ADMINISTER THE  
2 SAFETY TECHNOLOGY, SAFETY TRAINING AND INFRASTRUCTURE IMPROVEMENTS PROGRAM  
3 PROPOSALS. THE DEPARTMENT SHALL USE RELEVANT CRIME STATISTICS TO ASSESS  
4 THE NEEDS OF EACH PROGRAM PROPOSAL AND MAY VISIT SCHOOL DISTRICTS AND  
5 CHARTER SCHOOLS THAT SUBMIT PROGRAM PROPOSALS IN ORDER TO VERIFY THE  
6 INFORMATION CONTAINED IN THE PROGRAM PROPOSALS. THE DEPARTMENT MAY  
7 APPROVE ALL OR PART OF A SAFETY TECHNOLOGY, SAFETY TRAINING OR  
8 INFRASTRUCTURE IMPROVEMENT PROGRAM PROPOSAL.

9 ~~F.~~ H. The department of education, subject to the review and  
10 approval of the state board of education, shall distribute monies to the  
11 school districts and charter schools that are in compliance with program  
12 requirements PRESCRIBED IN THIS SECTION AND IN SECTION 15-154.02 and whose  
13 program proposals have been approved by the state board of education.

14 ~~G.~~ I. The department of education shall review program proposals  
15 submitted by school districts and charter schools for participation in the  
16 school safety program and shall select school sites that are eligible to  
17 receive funding based on school safety needs pursuant to this section.  
18 The department of education may prioritize program proposals for school  
19 resource officer, ~~and~~ juvenile probation officer AND SCHOOL SAFETY OFFICER  
20 grants to school districts and charter schools that have agreements to  
21 share the cost of the school resource officer, ~~or~~ juvenile probation  
22 officer OR SCHOOL SAFETY OFFICER with a law enforcement agency or the  
23 courts.

24 ~~H.~~ J. The department of education shall evaluate the effectiveness  
25 of all the approved program proposals submitted pursuant to subsections B,  
26 ~~and~~ C AND D of this section within the school safety program and report on  
27 the activities of the program and the participants in the school safety  
28 program to the president of the senate, the speaker of the house of  
29 representatives and the governor on or before November 1 of each year and  
30 shall provide a copy of this report to the secretary of state. The  
31 evaluation and report shall include survey results from participating  
32 schools and data from participating schools on the impact of participating  
33 in the school safety program. The department shall establish data  
34 guidelines for school safety program participants to follow in reporting  
35 pursuant to this subsection.

36 ~~I.~~ K. The school safety program established by this section shall  
37 include a school safety program guidance manual adopted by the department  
38 of education that requires a dispute resolution process to be included in  
39 the service agreement between a school district or charter school that  
40 submitted a program proposal and received a school resource officer grant  
41 OR SCHOOL SAFETY OFFICER GRANT from the school safety program and the law  
42 enforcement agency that provides services to the school district or  
43 charter school.

1           ~~L.~~ L. Any appropriations that are made to the department of  
2 education for the approved program proposals within the school safety  
3 program are exempt from the provisions of section 35-190 relating to  
4 lapsing of appropriations. All monies that are not used for an approved  
5 program proposal within the school safety program during the fiscal year  
6 for which the monies were appropriated revert to the department of  
7 education for distribution to the program in the following fiscal year.

8           ~~K.~~ M. Monies received by a school district or charter school under  
9 the SCHOOL SAFETY program shall be spent to implement the approved program  
10 proposals.

11           ~~L.~~ N. The auditor general shall include the school safety program  
12 as part of its ongoing sunset review of agencies and programs.

13           O. NOTWITHSTANDING ANY OTHER LAW, SCHOOL BUILDING BLUEPRINTS AND  
14 FLOOR PLANS ARE NOT PUBLIC RECORDS AND ARE EXEMPT FROM TITLE 39,  
15 CHAPTER 1.

16           ~~M.~~ P. For the purposes of this section:

17           1. "Law-related education" means interactive education to equip  
18 children and youth with knowledge and skills pertaining to the law, school  
19 safety and effective citizenship.

20           2. "Law-related education program" means a program designed to  
21 provide children and youth with knowledge, skills and activities  
22 pertaining to the law and legal process and to promote law-abiding  
23 behavior with the purpose of preventing children and youth from engaging  
24 in delinquency or violence and enabling them to become productive  
25 citizens.

26           3. "School counselor" means a professional educator who holds a  
27 valid school counselor certificate issued by the department of education.

28           4. "School guidance and counseling program" means a counseling  
29 program that supports, promotes and enhances the academic, personal,  
30 social, emotional and career development of all students.

31           5. "School resource officer" means ANY OF THE FOLLOWING:

32           (a) A peace officer. ~~OR~~

33           (b) A full-authority reserve peace officer who is certified by the  
34 Arizona peace officer standards and training board.

35           (c) AN INDIVIDUAL WHO WAS PREVIOUSLY EMPLOYED AS A PEACE OFFICER IN  
36 THIS STATE, WHO RETIRED IN GOOD STANDING AND WHO IS ASSIGNED TO  
37 PARTICIPATE IN THE SCHOOL SAFETY PROGRAM BY A LAW ENFORCEMENT AGENCY  
38 PURSUANT TO SECTION 15-155.

39           6. "SCHOOL SAFETY OFFICER" MEANS A SCHOOL RESOURCE OFFICER WHO IS  
40 WORKING IN AN OFF-DUTY CAPACITY.

41           ~~F.~~ 7. "School social worker" means a professional educator who  
42 holds a valid school social worker certificate issued by the department of  
43 education.

1           Sec. 3. Title 15, chapter 1, article 5, Arizona Revised Statutes,  
2 is amended by adding section 15-154.02, to read:

3           15-154.02. Emergency response plans; annual school safety  
4                                   assessments; approved providers; triennial  
5                                   safety assessments

6           A. EACH SCHOOL DISTRICT AND CHARTER SCHOOL THAT RECEIVES MONIES  
7 PURSUANT TO SECTION 15-154 FOR AN APPROVED SCHOOL SAFETY PROGRAM SHALL DO  
8 BOTH OF THE FOLLOWING:

9           1. IN CONJUNCTION WITH LOCAL LAW ENFORCEMENT AGENCIES AND EMERGENCY  
10 RESPONSE AGENCIES, DEVELOP AN EMERGENCY RESPONSE PLAN FOR EACH SCHOOL SITE  
11 IN ACCORDANCE WITH MINIMUM STANDARDS DEVELOPED JOINTLY BY THE DEPARTMENT  
12 OF EDUCATION AND THE DIVISION OF EMERGENCY MANAGEMENT WITHIN THE  
13 DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS. A SCHOOL DISTRICT MAY USE  
14 AN EMERGENCY RESPONSE PLAN DEVELOPED PURSUANT TO SECTION 15-341,  
15 SUBSECTION A, PARAGRAPH 31 TO SATISFY THE REQUIREMENTS PRESCRIBED IN THIS  
16 PARAGRAPH.

17           2. ANNUALLY CONTRACT WITH A SCHOOL SAFETY ASSESSMENT PROVIDER FROM  
18 THE LIST COMPILED PURSUANT TO SUBSECTION B OF THIS SECTION TO CONDUCT A  
19 SCHOOL SAFETY ASSESSMENT, INCLUDING AN ASSESSMENT OF THE PHYSICAL SECURITY  
20 OF EACH SCHOOL SITE AND A REVIEW OF THE EMERGENCY RESPONSE PLAN FOR EACH  
21 SCHOOL SITE.

22           B. THE DEPARTMENT OF EDUCATION SHALL COMPILE A LIST OF APPROVED  
23 SCHOOL SAFETY ASSESSMENT PROVIDERS AND SHALL MAKE THE LIST AVAILABLE TO  
24 SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT PARTICIPATE IN THE SCHOOL SAFETY  
25 PROGRAM ESTABLISHED BY SECTION 15-154.

26           C. EVERY THREE YEARS, THE DEPARTMENT OF EDUCATION SHALL SELECT A  
27 RANDOM SAMPLE OF SCHOOL DISTRICTS AND CHARTER SCHOOLS THAT ARE  
28 PARTICIPATING IN THE SCHOOL SAFETY PROGRAM ESTABLISHED BY SECTION 15-154  
29 AND SHALL CONDUCT A SAFETY ASSESSMENT OF THE SELECTED SCHOOL DISTRICTS AND  
30 CHARTER SCHOOLS. THE DEPARTMENT SHALL PROVIDE A COPY OF THE SAFETY  
31 ASSESSMENT RESULTS TO THE RESPECTIVE SCHOOL DISTRICT'S GOVERNING BOARD OR  
32 CHARTER SCHOOL'S GOVERNING BODY AND THE ADMINISTRATORS OF EACH SCHOOL SITE  
33 THAT WAS ASSESSED.

34           Sec. 4. Section 15-155, Arizona Revised Statutes, is amended to  
35 read:

36           15-155. School safety program; funding

37           A. The department of education shall cooperate with the county  
38 school superintendent, the county sheriff and the local chief of police to  
39 allow a law enforcement agency, with the consent of the school, to assign  
40 a peace officer, ~~or a full-authority~~ FULL-AUTHORITY RESERVE PEACE OFFICER  
41 WHO IS CERTIFIED BY THE Arizona peace officer standards and training board  
42 ~~certified reserve peace officer~~ OR AN INDIVIDUAL WHO WAS PREVIOUSLY  
43 EMPLOYED AS A PEACE OFFICER IN THIS STATE AND WHO RETIRED IN GOOD STANDING  
44 to participate in the school safety program in each school in the  
45 county. The cost of the peace officer is a state charge that is funded by

1 the department of education, except for agreements to share the cost of  
2 the school resource officer pursuant to section 15-154, subsection ~~6~~ I.

3 B. In cooperation with the department of education and the county  
4 school superintendent and with the consent of the school, the presiding  
5 judge of the juvenile court may assign juvenile probation officers to  
6 participate in the school safety program in each school in the county.  
7 The cost of juvenile probation officers is a state charge that is funded  
8 by the department of education, except for agreements to share the cost of  
9 the juvenile probation officer pursuant to section 15-154, subsection  
10 ~~6~~ I.

11 Section 5. Section 15-183, Arizona Revised Statutes, is amended to  
12 read:

13 15-183. Charter schools; application; requirements; immunity;  
14 exemptions; renewal of application; reprisal; fee;  
15 funds; annual reports

16 A. An applicant seeking to establish a charter school shall apply  
17 in writing to a proposed sponsor as prescribed in subsection C of this  
18 section. The application, application process and application time frames  
19 shall be posted on the sponsor's website and shall include the following,  
20 as specified in the application adopted by the sponsor:

- 21 1. A detailed educational plan.
- 22 2. A detailed business plan.
- 23 3. A detailed operational plan.
- 24 4. Any other materials required by the sponsor.

25 B. The sponsor of a charter school may contract with a public body,  
26 private person or private organization for the purpose of establishing a  
27 charter school pursuant to this article.

28 C. The sponsor of a charter school may be either the state board of  
29 education, the state board for charter schools, a university under the  
30 jurisdiction of the Arizona board of regents, a community college district  
31 or a group of community college districts, subject to the following  
32 requirements:

- 33 1. An applicant may not apply for sponsorship to any person or  
34 entity other than those prescribed in this subsection.
- 35 2. The applicant may apply to the state board of education or the  
36 state board for charter schools. Notwithstanding any other law, neither  
37 the state board for charter schools nor the state board of education shall  
38 grant a charter to a school district governing board for a new charter  
39 school or for the conversion of an existing district public school to a  
40 charter school. The state board of education or the state board for  
41 charter schools may approve the application if the application meets the  
42 requirements of this article and may approve the charter if the proposed  
43 sponsor determines, within its sole discretion, that the applicant is  
44 sufficiently qualified to operate a charter school and that the applicant



1 is applying to operate as a separate charter holder by considering factors  
2 such as whether:

3 (a) The schools have separate governing bodies, governing body  
4 membership, staff, facilities and student population.

5 (b) Daily operations are carried out by different administrators.

6 (c) The applicant intends to have an affiliation agreement for the  
7 purpose of providing enrollment preferences.

8 (d) The applicant's charter management organization has multiple  
9 charter holders serving varied grade configurations on one physical site  
10 or nearby sites serving one community.

11 (e) The applicant is reconstituting an existing school site  
12 population at the same or new site.

13 (f) The applicant is reconstituting an existing grade configuration  
14 from a prior charter holder with at least one grade remaining on the  
15 original site with the other grade or grades moving to a new site. The  
16 state board of education or the state board for charter schools may  
17 approve any charter schools transferring charters. If the state board of  
18 education or the state board for charter schools rejects the preliminary  
19 application, the state board of education or the state board for charter  
20 schools shall notify the applicant in writing of the reasons for the  
21 rejection and of suggestions for improving the application. An applicant  
22 may submit a revised application for reconsideration by the state board of  
23 education or the state board for charter schools. The applicant may  
24 request, and the state board of education or the state board for charter  
25 schools may provide, technical assistance to improve the application.

26 3. The applicant may submit the application to a university under  
27 the jurisdiction of the Arizona board of regents, a community college  
28 district or a group of community college districts. A university, a  
29 community college district or a group of community college districts shall  
30 not grant a charter to a school district governing board for a new charter  
31 school or for the conversion of an existing district public school to a  
32 charter school. A university, a community college district or a group of  
33 community college districts may approve the application if it meets the  
34 requirements of this article and if the proposed sponsor determines, in  
35 its sole discretion, that the applicant is sufficiently qualified to  
36 operate a charter school.

37 4. Each applicant seeking to establish a charter school shall  
38 submit a full set of fingerprints to the approving agency for the purpose  
39 of obtaining a state and federal criminal records check pursuant to  
40 section 41-1750 and Public Law 92-544. If an applicant will have direct  
41 contact with students, the applicant shall possess a valid fingerprint  
42 clearance card that is issued pursuant to title 41, chapter 12,  
43 article 3.1. The department of public safety may exchange this  
44 fingerprint data with the federal bureau of investigation. The criminal  
45 records check shall be completed before the issuance of a charter.

1           5. All persons engaged in instructional work directly as a  
2 classroom, laboratory or other teacher or indirectly as a supervisory  
3 teacher, speech therapist or principal and all charter representatives,  
4 charter school governing body members and officers, directors, members and  
5 partners of the charter holder shall have a valid fingerprint clearance  
6 card that is issued pursuant to title 41, chapter 12, article 3.1, unless  
7 the person is a volunteer or guest speaker who is accompanied in the  
8 classroom by a person with a valid fingerprint clearance card. A charter  
9 school shall not employ in any position that requires a valid fingerprint  
10 clearance card a person against whom the state board of education has  
11 taken disciplinary action as prescribed in section 15-505 or whose  
12 certificate has been suspended, surrendered or revoked, unless the  
13 person's certificate has been subsequently reinstated by the state board  
14 of education. All other personnel shall be fingerprint checked pursuant  
15 to section 15-512, or the charter school may require those personnel to  
16 obtain a fingerprint clearance card issued pursuant to title 41,  
17 chapter 12, article 3.1. Before employment, the charter school shall make  
18 documented, good faith efforts to contact previous employers of a person  
19 to obtain information and recommendations that may be relevant to the  
20 person's fitness for employment as prescribed in section 15-512,  
21 subsection F, including checking the educator information system that is  
22 maintained by the department of education pursuant to section 15-505. The  
23 charter school shall notify the department of public safety if the charter  
24 school or sponsor receives credible evidence that a person who possesses a  
25 valid fingerprint clearance card is arrested for or is charged with an  
26 offense listed in section 41-1758.03, subsection B. A person who is  
27 employed at a charter school that has met the requirements of this  
28 paragraph is not required to meet any additional requirements that are  
29 established by the department of education or that may be established by  
30 rule by the state board of education. The state board of education may  
31 not adopt rules that exceed the requirements for persons who are qualified  
32 to teach in charter schools prescribed in title I of the every student  
33 succeeds act (P.L. 114-95) or the individuals with disabilities education  
34 improvement act of 2004 (P.L. 108-446). Charter schools may hire  
35 personnel who have not yet received a fingerprint clearance card if proof  
36 is provided of the submission of an application to the department of  
37 public safety for a fingerprint clearance card and if the charter school  
38 that is seeking to hire the applicant does all of the following:

39           (a) Documents in the applicant's file the necessity for hiring and  
40 placing the applicant before the applicant receives a fingerprint  
41 clearance card.

42           (b) Ensures that the department of public safety completes a  
43 statewide criminal records check on the applicant. A statewide criminal  
44 records check shall be completed by the department of public safety every

1 one hundred twenty days until the date that the fingerprint check is  
2 completed or the fingerprint clearance card is issued or denied.

3 (c) Obtains references from the applicant's current employer and  
4 the two most recent previous employers except for applicants who have been  
5 employed for at least five years by the applicant's most recent employer.

6 (d) Provides general supervision of the applicant until the date  
7 that the fingerprint card is obtained.

8 (e) Completes a search of criminal records in all local  
9 jurisdictions outside of this state in which the applicant has lived in  
10 the previous five years.

11 (f) Verifies the fingerprint status of the applicant with the  
12 department of public safety.

13 6. A charter school that complies with the fingerprinting  
14 requirements of this section shall be deemed to have complied with section  
15 15-512 and is entitled to the same rights and protections provided to  
16 school districts by section 15-512.

17 7. If a charter school operator is not already subject to a public  
18 meeting or hearing by the municipality in which the charter school is  
19 located, the operator of a charter school shall conduct a public meeting  
20 at least thirty days before the charter school operator opens a site or  
21 sites for the charter school. The charter school operator shall post  
22 notices of the public meeting in at least three different locations that  
23 are within three hundred feet of the proposed charter school site.

24 8. A person who is employed by a charter school or who is an  
25 applicant for employment with a charter school, who is arrested for or  
26 charged with a nonappealable offense listed in section 41-1758.03,  
27 subsection B and who does not immediately report the arrest or charge to  
28 the person's supervisor or potential employer is guilty of unprofessional  
29 conduct and the person shall be immediately dismissed from employment with  
30 the charter school or immediately excluded from potential employment with  
31 the charter school.

32 9. A person who is employed by a charter school and who is  
33 convicted of any nonappealable offense listed in section 41-1758.03,  
34 subsection B or is convicted of any nonappealable offense that amounts to  
35 unprofessional conduct under section 15-550 shall immediately do all of  
36 the following:

37 (a) Surrender any certificates issued by the department of  
38 education.

39 (b) Notify the person's employer or potential employer of the  
40 conviction.

41 (c) Notify the department of public safety of the conviction.

42 (d) Surrender the person's fingerprint clearance card.

43 D. An entity that is authorized to sponsor charter schools pursuant  
44 to this article has no legal authority over or responsibility for a  
45 charter school sponsored by a different entity. This subsection does not

1 apply to the state board of education's duty to exercise general  
2 supervision over the public school system pursuant to section 15-203,  
3 subsection A, paragraph 1.

4 E. The charter of a charter school shall do all of the following:

5 1. Ensure compliance with federal, state and local rules,  
6 regulations and statutes relating to health, safety, civil rights and  
7 insurance. The department of education shall publish a list of relevant  
8 rules, regulations and statutes to notify charter schools of their  
9 responsibilities under this paragraph.

10 2. Ensure that it is nonsectarian in its programs, admission  
11 policies and employment practices and all other operations.

12 3. Ensure that it provides a comprehensive program of instruction  
13 for at least a kindergarten program or any grade between grades one and  
14 twelve, except that a school may offer this curriculum with an emphasis on  
15 a specific learning philosophy or style or certain subject areas such as  
16 mathematics, science, fine arts, performance arts or foreign language.

17 4. Ensure that it designs a method to measure pupil progress toward  
18 the pupil outcomes adopted by the state board of education pursuant to  
19 section 15-741.01, including participation in the statewide assessment and  
20 the nationally standardized norm-referenced achievement test as designated  
21 by the state board and the completion and distribution of an annual report  
22 card as prescribed in chapter 7, article 3 of this title.

23 5. Ensure that, except as provided in this article and in its  
24 charter, it is exempt from all statutes and rules relating to schools,  
25 governing boards and school districts.

26 6. Ensure that, except as provided in this article, it is subject  
27 to the same financial and electronic data submission requirements as a  
28 school district, including the uniform system of financial records as  
29 prescribed in chapter 2, article 4 of this title, procurement rules as  
30 prescribed in section 15-213 and audit requirements. The auditor general  
31 shall conduct a comprehensive review and revision of the uniform system of  
32 financial records to ensure that the provisions of the uniform system of  
33 financial records that relate to charter schools are in accordance with  
34 commonly accepted accounting principles used by private business. A  
35 school's charter may include exceptions to the requirements of this  
36 paragraph that are necessary as determined by the university, the  
37 community college district, the group of community college districts, the  
38 state board of education or the state board for charter schools. The  
39 department of education or the office of the auditor general may conduct  
40 financial, program or compliance audits.

41 7. Ensure compliance with all federal and state laws relating to  
42 the education of children with disabilities in the same manner as a school  
43 district.

44 8. Ensure that it provides for a governing body for the charter  
45 school that is responsible for the policy decisions of the charter school.

1 Notwithstanding section 1-216, if there is a vacancy or vacancies on the  
2 governing body, a majority of the remaining members of the governing body  
3 constitute a quorum for the transaction of business, unless that quorum is  
4 prohibited by the charter school's operating agreement.

5 9. Ensure that it provides a minimum of one hundred eighty  
6 instructional days before June 30 of each fiscal year unless it is  
7 operating on an alternative calendar approved by its sponsor. The  
8 superintendent of public instruction shall adjust the apportionment  
9 schedule accordingly to accommodate a charter school utilizing an  
10 alternative calendar.

11 10. ENSURE THAT THE CHARTER SCHOOL, IN CONJUNCTION WITH LOCAL LAW  
12 ENFORCEMENT AGENCIES AND EMERGENCY RESPONSE AGENCIES, DEVELOP AN EMERGENCY  
13 RESPONSE PLAN FOR EACH SCHOOL IN ACCORDANCE WITH MINIMUM STANDARDS  
14 DEVELOPED JOINTLY BY THE DEPARTMENT OF EDUCATION AND THE DIVISION OF  
15 EMERGENCY MANAGEMENT WITHIN THE DEPARTMENT OF EMERGENCY AND MILITARY  
16 AFFAIRS. ANY EMERGENCY RESPONSE PLAN DEVELOPED PURSUANT TO THIS PARAGRAPH  
17 MUST ADDRESS HOW THE SCHOOL AND EMERGENCY RESPONDERS WILL COMMUNICATE WITH  
18 AND PROVIDE ASSISTANCE TO STUDENTS WITH DISABILITIES.

19 F. A charter school shall collect and maintain information about  
20 each teacher's educational and teaching background and experience in a  
21 particular academic content subject area. A charter school shall either  
22 post the information on the charter school's website or make the  
23 information available for inspection on request of parents and guardians  
24 of pupils enrolled at the charter school. This subsection does not  
25 require any charter school to release personally identifiable information  
26 in relation to any teacher, including the teacher's address, salary,  
27 social security number or telephone number.

28 G. The charter of a charter school may be amended at the request of  
29 the governing body of the charter school and on the approval of the  
30 sponsor.

31 H. Charter schools may contract, sue and be sued.

32 I. The charter is effective for fifteen years from the first day of  
33 the fiscal year as specified in the charter, subject to the following:

34 1. At least eighteen months before the charter expires, the sponsor  
35 shall notify the charter school that the charter school may apply for  
36 renewal and shall make the renewal application available to the charter  
37 school. A charter school that elects to apply for renewal shall file a  
38 complete renewal application at least fifteen months before the charter  
39 expires. A sponsor shall give written notice of its intent not to renew  
40 the charter school's request for renewal to the charter school at least  
41 twelve months before the expiration of the charter. The sponsor shall  
42 make data used in making renewal decisions available to the school and the  
43 public and shall provide a public report summarizing the evidence basis  
44 for each decision. The sponsor may deny the request for renewal if, in  
45 its judgment, the charter holder has failed to do any of the following:

- 1 (a) Meet or make sufficient progress toward the academic  
2 performance expectations set forth in the performance framework.
- 3 (b) Meet the operational performance expectations set forth in the  
4 performance framework or any improvement plans.
- 5 (c) Meet the financial performance expectations set forth in the  
6 performance framework or any improvement plans.
- 7 (d) Complete the obligations of the contract.
- 8 (e) Comply with this article or any provision of law from which the  
9 charter school is not exempt.
- 10 2. A charter operator may apply for early renewal. At least nine  
11 months before the charter school's intended renewal consideration, the  
12 operator of the charter school shall submit a letter of intent to the  
13 sponsor to apply for early renewal. The sponsor shall review fiscal  
14 audits and academic performance data for the charter school that are  
15 annually collected by the sponsor, review the current contract between the  
16 sponsor and the charter school and provide the qualifying charter school  
17 with a renewal application. On submission of a complete application, the  
18 sponsor shall give written notice of its consideration of the renewal  
19 application. The sponsor may deny the request for early renewal if, in  
20 the sponsor's judgment, the charter holder has failed to do any of the  
21 following:
- 22 (a) Meet or make sufficient progress toward the academic  
23 performance expectations set forth in the performance framework.
- 24 (b) Meet the operational performance expectations set forth in the  
25 performance framework or any improvement plans.
- 26 (c) Meet the financial performance expectations set forth in the  
27 performance framework or any improvement plans.
- 28 (d) Complete the obligations of the contract.
- 29 (e) Comply with this article or any provision of law from which the  
30 charter school is not exempt.
- 31 3. A sponsor shall review a charter at five-year intervals using a  
32 performance framework adopted by the sponsor and may revoke a charter at  
33 any time if the charter school breaches one or more provisions of its  
34 charter or if the sponsor determines that the charter holder has failed to  
35 do any of the following:
- 36 (a) Meet or make sufficient progress toward the academic  
37 performance expectations set forth in the performance framework.
- 38 (b) Meet the operational performance expectations set forth in the  
39 performance framework or any improvement plans.
- 40 (c) Meet the financial performance expectations set forth in the  
41 performance framework or any improvement plans.
- 42 (d) Comply with this article or any provision of law from which the  
43 charter school is not exempt.
- 44 4. In determining whether to renew or revoke a charter holder, the  
45 sponsor must consider making sufficient progress toward the academic

1 performance expectations set forth in the sponsor's performance framework  
2 as one of the most important factors.

3 5. Before the sponsor adopts a determination of intent to revoke a  
4 charter, the charter holder shall have at least thirty days to address the  
5 problems, as necessary or applicable, associated with the reason or  
6 reasons for the determination of intent to revoke. The sponsor is not  
7 required to provide the charter holder with thirty days to correct the  
8 problems associated with the reason or reasons for adopting a  
9 determination of intent to revoke if the reason or reasons cannot be  
10 remedied, including a failure to submit required financial audits pursuant  
11 to subsection E, paragraph 6 of this section and section 15-914, or for a  
12 matter of health or safety, or both. Before the sponsor adopts a  
13 determination of intent to revoke a charter, the sponsor shall give  
14 written notice to the charter holder that includes the reason or reasons  
15 for the sponsor's consideration to revoke the charter. Notice may be  
16 provided by electronic means or by United States mail and is effective on  
17 the date of email or, if sent by United States mail, the earlier of the  
18 date of receipt by the charter holder or within five days after the notice  
19 is mailed. The determination of whether to proceed to revocation shall be  
20 made at a public meeting called for that purpose.

21 J. The charter may be renewed for successive periods of twenty  
22 years.

23 K. A charter school that is sponsored by the state board of  
24 education, the state board for charter schools, a university, a community  
25 college district or a group of community college districts may not be  
26 located on the property of a school district unless the district governing  
27 board grants this authority.

28 L. A governing board or a school district employee who has control  
29 over personnel actions shall not take unlawful reprisal against another  
30 employee of the school district because the employee is directly or  
31 indirectly involved in an application to establish a charter school. A  
32 governing board or a school district employee shall not take unlawful  
33 reprisal against an educational program of the school or the school  
34 district because an application to establish a charter school proposes to  
35 convert all or a portion of the educational program to a charter school.  
36 For the purposes of this subsection, "unlawful reprisal" means an action  
37 that is taken by a governing board or a school district employee as a  
38 direct result of a lawful application to establish a charter school and  
39 that is adverse to another employee or an education program and:

40 1. With respect to a school district employee, results in one or  
41 more of the following:

- 42 (a) Disciplinary or corrective action.
- 43 (b) Detail, transfer or reassignment.
- 44 (c) Suspension, demotion or dismissal.
- 45 (d) An unfavorable performance evaluation.

1 (e) A reduction in pay, benefits or awards.

2 (f) Elimination of the employee's position without a reduction in  
3 force by reason of lack of monies or work.

4 (g) Other significant changes in duties or responsibilities that  
5 are inconsistent with the employee's salary or employment classification.

6 2. With respect to an educational program, results in one or more  
7 of the following:

8 (a) Suspension or termination of the program.

9 (b) Transfer or reassignment of the program to a less favorable  
10 department.

11 (c) Relocation of the program to a less favorable site within the  
12 school or school district.

13 (d) Significant reduction or termination of funding for the  
14 program.

15 M. Charter schools shall secure insurance for liability and  
16 property loss. The governing body of a charter school that is sponsored  
17 by the state board of education or the state board for charter schools may  
18 enter into an intergovernmental agreement or otherwise contract to  
19 participate in an insurance program offered by a risk retention pool  
20 established pursuant to section 11-952.01 or 41-621.01 or the charter  
21 school may secure its own insurance coverage. The pool may charge the  
22 requesting charter school reasonable fees for any services it performs in  
23 connection with the insurance program.

24 N. Charter schools do not have the authority to acquire property by  
25 eminent domain.

26 O. A sponsor, including members, officers and employees of the  
27 sponsor, is immune from personal liability for all acts done and actions  
28 taken in good faith within the scope of its authority.

29 P. Charter school sponsors and this state are not liable for the  
30 debts or financial obligations of a charter school or persons who operate  
31 charter schools.

32 Q. The sponsor of a charter school shall establish procedures to  
33 conduct administrative hearings on determination by the sponsor that  
34 grounds exist to revoke a charter. Procedures for administrative hearings  
35 shall be similar to procedures prescribed for adjudicative proceedings in  
36 title 41, chapter 6, article 10. Except as provided in section  
37 41-1092.08, subsection H, final decisions of the state board of education  
38 and the state board for charter schools from hearings conducted pursuant  
39 to this subsection are subject to judicial review pursuant to title 12,  
40 chapter 7, article 6.

41 R. The sponsoring entity of a charter school shall have oversight  
42 and administrative responsibility for the charter schools that it  
43 sponsors. In implementing its oversight and administrative  
44 responsibilities, the sponsor shall ground its actions in evidence of the  
45 charter holder's performance in accordance with the performance framework



1 adopted by the sponsor. The performance framework shall be publicly  
2 available, shall be placed on the sponsoring entity's website and shall  
3 include:

4 1. The academic performance expectations of the charter school and  
5 the measurement of sufficient progress toward the academic performance  
6 expectations.

7 2. The operational expectations of the charter school, including  
8 adherence to all applicable laws and obligations of the charter contract.

9 3. The financial expectations of the charter school.

10 4. Intervention and improvement policies.

11 S. Charter schools may pledge, assign or encumber their assets to  
12 be used as collateral for loans or extensions of credit.

13 T. All property accumulated by a charter school shall remain the  
14 property of the charter school.

15 U. Charter schools may not locate a school on property that is less  
16 than one-fourth mile from agricultural land regulated pursuant to section  
17 3-365, except that the owner of the agricultural land may agree to comply  
18 with the buffer zone requirements of section 3-365. If the owner agrees  
19 in writing to comply with the buffer zone requirements and records the  
20 agreement in the office of the county recorder as a restrictive covenant  
21 running with the title to the land, the charter school may locate a school  
22 within the affected buffer zone. The agreement may include any  
23 stipulations regarding the charter school, including conditions for future  
24 expansion of the school and changes in the operational status of the  
25 school that will result in a breach of the agreement.

26 V. A transfer of a charter to another sponsor, a transfer of a  
27 charter school site to another sponsor or a transfer of a charter school  
28 site to a different charter shall be completed before the beginning of the  
29 fiscal year that the transfer is scheduled to become effective. An entity  
30 that sponsors charter schools may accept a transferring school after the  
31 beginning of the fiscal year if the transfer is approved by the  
32 superintendent of public instruction. The superintendent of public  
33 instruction shall have the discretion to consider each transfer during the  
34 fiscal year on a case-by-case basis. A charter holder seeking to transfer  
35 sponsors shall comply with the current charter terms regarding assignment  
36 of the charter. A charter holder transferring sponsors shall notify the  
37 current sponsor that the transfer has been approved by the new sponsor.

38 W. Notwithstanding subsection V of this section, a charter holder  
39 on an improvement plan must notify parents or guardians of registered  
40 students of the intent to transfer the charter and the timing of the  
41 proposed transfer. On the approved transfer, the new sponsor shall  
42 enforce the improvement plan but may modify the plan based on performance.

43 X. Notwithstanding subsection Y of this section, the state board  
44 for charter schools shall charge a processing fee to any charter school  
45 that amends its contract to participate in Arizona online instruction

1 pursuant to section 15-808. The charter Arizona online instruction  
2 processing fund is established consisting of fees collected and  
3 administered by the state board for charter schools. The state board for  
4 charter schools shall use monies in the fund only for processing contract  
5 amendments for charter schools participating in Arizona online  
6 instruction. Monies in the fund are continuously appropriated.

7 Y. The sponsoring entity may not charge any fees to a charter  
8 school that it sponsors unless the sponsor has provided services to the  
9 charter school and the fees represent the full value of those services  
10 provided by the sponsor. On request, the value of the services provided  
11 by the sponsor to the charter school shall be demonstrated to the  
12 department of education.

13 Z. Charter schools may enter into an intergovernmental agreement  
14 with a presiding judge of the juvenile court to implement a law-related  
15 education program as defined in section 15-154. The presiding judge of  
16 the juvenile court may assign juvenile probation officers to participate  
17 in a law-related education program in any charter school in the county.  
18 The cost of juvenile probation officers who participate in the program  
19 implemented pursuant to this subsection shall be funded by the charter  
20 school.

21 AA. The sponsor of a charter school shall modify previously  
22 approved curriculum requirements for a charter school that wishes to  
23 participate in the board examination system prescribed in chapter 7,  
24 article 6 of this title.

25 BB. If a charter school decides not to participate in the board  
26 examination system prescribed in chapter 7, article 6 of this title,  
27 pupils enrolled at that charter school may earn a Grand Canyon diploma by  
28 obtaining a passing score on the same board examinations.

29 CC. Notwithstanding subsection Y of this section, a sponsor of  
30 charter schools may charge a new charter application processing fee to any  
31 applicant. The application fee shall fully cover the cost of application  
32 review and any needed technical assistance. Authorizers may approve  
33 policies that allow a portion of the fee to be returned to the applicant  
34 whose charter is approved.

35 DD. A charter school may choose to provide a preschool program for  
36 children with disabilities pursuant to section 15-771.

37 EE. Pursuant to the prescribed graduation requirements adopted by  
38 the state board of education, the governing body of a charter school  
39 operating a high school may approve a rigorous computer science course  
40 that would fulfill a mathematics course required for graduation from high  
41 school. The governing body may approve a rigorous computer science course  
42 only if the rigorous computer science course includes significant  
43 mathematics content and the governing body determines the high school  
44 where the rigorous computer science course is offered has sufficient

1 capacity, infrastructure and qualified staff, including competent teachers  
2 of computer science.

3 FF. A charter school may allow the use of school property,  
4 including school buildings, grounds, buses and equipment, by any person,  
5 group or organization for any lawful purpose, including a recreational,  
6 educational, political, economic, artistic, moral, scientific, social,  
7 religious or other civic or governmental purpose. The charter school may  
8 charge a reasonable fee for the use of the school property.

9 GG. A charter school and its employees, including the governing  
10 body, or chief administrative officer, are immune from civil liability  
11 with respect to all decisions made and actions taken to allow the use of  
12 school property, unless the charter school or its employees are guilty of  
13 gross negligence or intentional misconduct. This subsection does not  
14 limit any other immunity provisions that are prescribed by law.

15 HH. Sponsors authorized pursuant to this section shall submit an  
16 annual report to the auditor general on or before October 1. The report  
17 shall include:

18 1. The current number of charters authorized and the number of  
19 schools operated by authorized charter holders.

20 2. The academic, operational and financial performance of the  
21 sponsor's charter portfolio as measured by the sponsor's adopted  
22 performance framework.

23 3. For the prior year, the number of new charters approved, the  
24 number of charter schools closed and the reason for the closure.

25 4. The sponsor's application, amendment, renewal and revocation  
26 processes, charter contract template and current performance framework as  
27 required by this section.

28 II. The auditor general shall prescribe the format for the annual  
29 report required by subsection HH of this section and may require that the  
30 annual report be submitted electronically. The auditor general shall  
31 review the submitted annual reports to ensure that the reports include the  
32 required items in subsection HH of this section and shall make the annual  
33 reports available on request. If the auditor general finds significant  
34 noncompliance or if a sponsor fails to submit the annual report required  
35 by subsection HH of this section, on or before December 31 of each year  
36 the auditor general shall report to the governor, the president of the  
37 senate, the speaker of the house of representatives and the chairs of the  
38 senate and house education committees or their successor committees, and  
39 the legislature shall consider revoking the sponsor's authority to sponsor  
40 charter schools.