



Bill Number: S.B. 1659

Bolick Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Specifies that only the highest ranking official of a school or school district may request information from the State Board of Education (SBE) relating to the allegations.**
- 2. Determines that the SBE may provide only information relating to outlined allegations, rather than information, records and reports relating to the allegations.**
- 3. Requires the SBE to provide information relating to the allegations only to the highest ranking official or an administrator designated by the official, after verifying the official's identity.**
- 4. Allows the SBE, if providing the requested information might impede the SBE's investigation of the allegations, to deny an official's request or provide the information after the SBE completes the investigation.**
- 5. Makes technical and conforming changes.**

BOLICK FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1659
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.

[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 15-350, Arizona Revised Statutes, is amended to
3 read:

4 15-350. Investigation of immoral or unprofessional conduct;
5 confidentiality; definition

6 A. On request of the state board of education or the department of
7 education, any school or school district that has employed a certificated
8 or noncertificated person during the time in which the person is alleged
9 to have engaged in conduct constituting grounds for disciplinary action
10 shall make available the attendance and testimony of witnesses, documents
11 and any physical evidence within the school district's control for
12 examination or copying. All information received and records or reports
13 kept by the state board of education or the department of education during
14 an investigation of immoral or unprofessional conduct are confidential and
15 are not a public record.

16 B. Notwithstanding subsection A of this section, the state board of
17 education may provide information, records or reports relating to the
18 investigation of a certificated or noncertificated person to any of the
19 following:

20 1. Any school or school district that currently employs the
21 certificated or noncertificated person.

22 2. Any school or school district to which the certificated or
23 noncertificated person has applied for employment.

24 3. Any third-party entity that contracts with a school or school
25 district to provide educators and to which the person has applied for
26 employment.

27 4. Any agency as defined in section 41-1001 that has received and
28 is investigating an application by the certificated or noncertificated

1 person for a certificate or license or that is investigating the person in
2 order to make a certification or licensure decision.

3 5. A state education agency in another state, or the equivalent,
4 with which a person holds a certificate or is applying for a certificate.

5 ~~C. [NOTWITHSTANDING SUBSECTION A OF THIS SECTION, THE STATE BOARD~~
6 ~~OF EDUCATION, ON REQUEST, SHALL PROVIDE] [THE HIGHEST RANKING OFFICIAL OF~~
7 ~~A SCHOOL OR SCHOOL DISTRICT DESCRIBED IN SUBSECTION B, PARAGRAPH 1 OR 2 OF~~
8 ~~THIS SECTION MAY REQUEST FROM THE STATE BOARD OF EDUCATION] INFORMATION[;~~
9 ~~RECORDS OR REPORTS]~~ RELATING TO ALLEGATIONS THAT A CERTIFICATED OR
10 NONCERTIFICATED PERSON ENGAGED IN CONDUCT THAT, IF TRUE, CONSTITUTES
11 GROUNDS FOR DISCIPLINARY ACTION ~~[TO ANY ENTITY LISTED IN SUBSECTION B OF~~
12 ~~THIS SECTION]~~ IF THE ~~[CERTIFICATED OR NONCERTIFICATED]~~ PERSON RESIGNED OR
13 OTHERWISE SEPARATED FROM EMPLOYMENT WITH A SCHOOL BEFORE THE STATE BOARD
14 OF EDUCATION EITHER INVESTIGATES THE ALLEGATIONS OR DETERMINES WHETHER TO
15 TAKE DISCIPLINARY ACTION AGAINST THE PERSON. ~~[NOTWITHSTANDING SUBSECTION~~
16 ~~A OF THIS SECTION, THE STATE BOARD OF EDUCATION, AFTER VERIFYING THE~~
17 ~~OFFICIAL'S IDENTITY, SHALL PROVIDE THE REQUESTED INFORMATION, IF~~
18 ~~AVAILABLE, TO THE OFFICIAL OR TO AN ADMINISTRATOR WHO IS DESIGNATED BY THE~~
19 ~~OFFICIAL. IF PROVIDING THE REQUESTED INFORMATION PURSUANT TO THIS~~
20 ~~SUBSECTION MIGHT IMPEDE THE STATE BOARD OF EDUCATION'S INVESTIGATION OF~~
21 ~~THE ALLEGATIONS, THE STATE BOARD OF EDUCATION MAY DENY THE OFFICIAL'S~~
22 ~~REQUEST OR PROVIDE THE INFORMATION TO THE OFFICIAL OR ADMINISTRATOR AFTER~~
23 ~~THE STATE BOARD OF EDUCATION COMPLETES THE INVESTIGATION.]~~

24 ~~E.~~ D. All information, records and reports received by any school
25 or school district pursuant to this section shall be used for employment
26 purposes only, are confidential and are not a public record.

27 ~~D.~~ E. An investigator who is regularly employed and paid by the
28 state board of education has the authority to access criminal history
29 records and criminal history record information, as defined in section
30 41-1750, from law enforcement agencies.

31 ~~E.~~ F. The department of education shall provide to the state board
32 of education access to the educator information system maintained by the
33 department and any related systems deemed necessary by the board to
34 investigate and adjudicate allegations of conduct constituting grounds for
35 disciplinary action.

36 ~~F.~~ G. For the purposes of this section, "noncertificated person"
37 has the same meaning prescribed in section 15-505.

38 Enroll and engross to conform

39 Amend title to conform

SHAWNNA BOLICK

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