



ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session

AMENDED

FACT SHEET FOR S.B. 1417

students with disabilities; diaper changes

Purpose

Requires school district and charter school policies and guidelines to include prescribed provisions for situations in which a child with a disability wears a diaper and requires assistance to change the diaper.

Background

Arizona's Parents' Bill of Rights reserves all parental rights to a parent of a minor child, including: 1) directing the child's education, upbringing and moral or religious training; 2) making health care decisions for the child; and 3) accessing and reviewing all records relating to the minor child, including specified records of a school district, charter school or employee of a school district or charter school (A.R.S. §§ [1-602](#) and [15-143](#)). School districts and charter schools must develop policies and procedures for providing special education programming to all children with disabilities that is commensurate with their abilities and needs. The State Board of Education must adopt guidelines to define a parent's or guardian's role in the development of a pupil's *Section 504 plan*, which is a written statement on the provision of regular or special education and related aids and services designed to meet individual educational needs of a pupil with a disability (A.R.S. §§ [15-731](#) and [15-763](#)).

Schools must annually provide a copy of procedural safeguards to the parent of a child with a disability that includes a full explanation of safeguards relating to parental consent, access to education records, prior written notice and other outlined measures ([IDEA](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires school districts and charter schools to include, in adopted special education policies and guidelines, that for situations in which a child with a disability wears a diaper and requires assistance to change the diaper:
 - a) an individual who changes or assists in changing the diaper must be a person of the same biological sex as the child unless the parent provides written consent as outlined;
 - b) the parent has the right to meet each individual who changes or assists in changing the diaper; and
 - c) the parent may review records or log entries relating to diaper changes, including the name of each individual who changes or assists in changing the diaper.

2. Authorizes a parent, during any meeting in which the child's individualized education program is developed, reviewed or revised, to provide written consent for individuals who are not the same biological sex as the child to change the diaper.
3. Becomes effective on the general effective date.

Amendments Adopted by Committee of the Whole

1. Requires an individual who changes or assists in changing the diaper of a child with a disability to be the same biological sex as the child, rather than allowing the child's parent to request that the individual be the same biological sex as the child.
2. Allows the parent of a child with a disability, to provide written consent for individuals who are not the same biological sex as the child with a disability to change the diaper.
3. Makes conforming changes.

Senate Action

ED 2/8/23 DPA 7-0-0

Prepared by Senate Research

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LB/KT/slp