



ARIZONA HOUSE OF REPRESENTATIVES

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House: ED DP 11-0-0-1 | 3rd Read 55-0-5-0

Chapter: 115

SB 1659: state board; allegations of misconduct

Sponsor: Senator Bolick, LD 2

Signed by the Governor

Overview

Grants a highest ranking school official the ability to request from the State Board of Education (SBE) information relating to allegations that a person engaged in conduct that constitutes grounds for disciplinary action if the person resigned from a school before SBE investigates or takes disciplinary action.

History

SBE oversees investigations of allegations that a certificated person, noncertificated person or person seeking certification engaged in immoral or unprofessional conduct. If SBE finds that a person committed immoral or unprofessional conduct, it must impose disciplinary action, such as: 1) prohibiting the person's employment at a school district or charter school; 2) issuing a letter of censure; 3) suspending the person with conditions; or 4) revoking the person's certificate. Before employing a certificated or noncertificated person, a school district or charter school must search the applicant in the educator information system (A.R.S. §§ [15-203](#), [15-505](#) and [15-550](#)).

If requested by SBE or the Arizona Department of Education, a school that employed a certificated or noncertificated person who is alleged to have engaged in conduct constituting grounds for disciplinary action must make available the attendance and testimony of witnesses, documents and any physical evidence. SBE may provide information, records or reports relating to the investigation of a certificated or noncertificated person to: 1) a school that currently employs the person or at which the person applied for employment; 2) any third-party entity that contracts with a school to provide educators and to which the person applied for employment; 3) any state agency that received and is investigating an application from the person in order to make a certification or licensure decision; or 4) another state's education agency through which the person holds a certificate or is applying for certification ([A.R.S. § 15-350](#)).

Provisions

1. Allows the highest ranking official of a school or school district to request from SBE information regarding allegations that a certificated or noncertificated person, who resigned from or separated from employment with a school before SBE investigates the allegations or determines whether to take disciplinary action, engaged in conduct that, if true, constitutes grounds for disciplinary action. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

2. Directs SBE, after verifying the school official's identity, to provide the official or an administrator designated by the official with the requested information. (Sec. 1)
3. Authorizes SBE, if providing the requested information to the school official might impede its ability to investigate the allegations, to:
 - a) deny the official's request; or
 - b) provide the information to the official or designated administrator after completing the investigation. (Sec. 1)
4. Makes conforming changes. (Sec. 1)