

Conference Engrossed

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SENATE BILL 1341

AN ACT

AMENDING TITLE 15, CHAPTER 2, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING
SECTION 15-215; RELATING TO THE DEPARTMENT OF EDUCATION.

(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 2, article 1, Arizona Revised Statutes,
3 is amended by adding section 15-215, to read:

4 15-215. Code of conduct: school employees

5 A. NO LATER THAN NINETY DAYS AFTER THE EFFECTIVE DATE OF THIS SECTION,
6 THE STATE BOARD OF EDUCATION SHALL RECOMMEND TO EACH SCHOOL DISTRICT
7 GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY A CODE OF CONDUCT FOR
8 EMPLOYEES OF SCHOOL DISTRICTS AND CHARTER SCHOOLS. THE RECOMMENDATIONS FOR
9 CERTIFICATED AND NONCERTIFICATED EMPLOYEES SHALL INCLUDE, AT A MINIMUM, THE
10 DESCRIPTIONS OF CONDUCT DEEMED UNPROFESSIONAL AND IMMORAL PURSUANT TO ANY
11 APPLICABLE RULES ADOPTED BY THE STATE BOARD OF EDUCATION.

12 B. EACH SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING
13 BODY MAY ADOPT IN A PUBLIC MEETING THE CODE OF CONDUCT RECOMMENDATION
14 PURSUANT TO SUBSECTION A OR ADOPT IN A PUBLIC MEETING AN AMENDMENT TO THE
15 RECOMMENDATION TO FIT THE NEEDS OF THE SCHOOL DISTRICT OR CHARTER SCHOOL.

16 C. EACH SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING
17 BODY THAT ADOPTS A CODE OF CONDUCT PURSUANT TO THIS SECTION SHALL POST THE
18 ADOPTED CODE OF CONDUCT ON ITS WEBSITE, IF AVAILABLE, OR DISSEMINATE THE CODE
19 OF CONDUCT THROUGH PRINTED MATERIALS TO EACH EMPLOYEE OF THE SCHOOL DISTRICT
20 OR CHARTER SCHOOL ON AN ANNUAL BASIS. THE EMPLOYEE SHALL ACKNOWLEDGE IN
21 WRITING DURING THE HIRING PROCESS THAT THE EMPLOYEE HAS RECEIVED THE WEBSITE
22 ADDRESS WHERE THE ADOPTED CODE OF CONDUCT IS POSTED OR A COPY OF THE PRINTED
23 CODE OF CONDUCT PROVIDED TO THE EMPLOYEE BY THE SCHOOL DISTRICT OR CHARTER
24 SCHOOL.

25 D. IF A SCHOOL DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING
26 BODY DOES NOT ADOPT A CODE OF CONDUCT RECOMMENDED BY THE STATE BOARD OF
27 EDUCATION OR ADOPTS A CODE OF CONDUCT THAT IS DIFFERENT FROM THE CODE OF
28 CONDUCT RECOMMENDED BY THE STATE BOARD OF EDUCATION, THE TRIER OF FACT:

29 1. SHALL NOT CONSIDER THE CODE OF CONDUCT RECOMMENDED BY THE STATE
30 BOARD OF EDUCATION IN THE DETERMINATION OF THE EXISTENCE AND EXTENT OF CIVIL
31 LIABILITY OF THE SCHOOL DISTRICT, THE CHARTER SCHOOL OR THE OFFICERS OR
32 EMPLOYEES OF THE SCHOOL DISTRICT OR CHARTER SCHOOL.

33 2. MAY CONSIDER THE POLICIES AND PROCEDURES ADOPTED BY THE SCHOOL
34 DISTRICT GOVERNING BOARD OR CHARTER SCHOOL GOVERNING BODY IN THE
35 DETERMINATION OF THE EXISTENCE AND EXTENT OF CIVIL LIABILITY OF THE SCHOOL
36 DISTRICT, THE CHARTER SCHOOL OR THE OFFICERS OR EMPLOYEES OF THE SCHOOL
37 DISTRICT OR CHARTER SCHOOL.

38 E. FAILURE BY A SCHOOL DISTRICT GOVERNING BOARD OR A CHARTER SCHOOL
39 GOVERNING BODY TO ADOPT A CODE OF CONDUCT SHALL NOT BE GROUNDS FOR A PRIVATE
40 CAUSE OF ACTION.