



ARIZONA HOUSE OF REPRESENTATIVES

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Senate: ED DP 4-3-0-0 | 3rd Read 16-13-1-0
House: ED DPA/SE 6-4-0-0

SB 1410: violations of state law; schools

NOW: school districts; parent complaints; reporting

Sponsor: Senator Wadsack, LD 17

House Engrossed

Overview

Instructs a school district governing board (governing board) to establish a parent complaint mechanism for each school to investigate alleged violations of parent or student rights. Creates parent complaint reporting requirements for district schools and the Arizona Department of Education (ADE).

History

A governing board, in consultation with parents, teachers and administrators, must develop a policy to promote the involvement of parents of children enrolled in the school district's schools. This policy must include procedures for parents to learn about parental rights and responsibilities, including, but not limited to: 1) the right to opt out of assignments and immunizations; 2) promotion, minimum course of study and competency requirements; 3) the right to public review of courses of study, textbooks and library books and materials; and 4) the right to access all written and electronic records of a school district concerning the parent's child ([A.R.S. § 15-102](#)).

Statute declares the liberty of parents to direct the upbringing, education, health care and mental health of their children is a fundamental right. The state or other governmental entities may not infringe on these rights without meeting prescribed criteria. All parental rights are exclusively reserved to the parent of a minor child; these rights are enumerated in the Parents' Bill of Rights ([A.R.S. §§ 1-601, 1-602](#)).

Provisions

Parent Complaint Mechanism

1. Mandates a governing board establish a mechanism for each school to receive and investigate complaints filed by students' parents alleging the school, school district or an employee or contractor of the school or school district has violated any of the parent's or student's rights. (Sec. 3)
2. Requires each school to notify parents, at the beginning of each school year or at the time of the student's enrollment, of their right to file a formal complaint. (Sec. 3)
3. Directs each school to designate an administrator who is responsible for receiving, investigating and resolving all filed complaints. (Sec. 3)
4. Instructs each school, on at least a quarterly basis, to report to the governing board:
 - a) the number of unresolved complaints at the beginning of the relevant time period, disaggregated by the complaint's subject;

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- b) the number of new complaints filed during the relevant time period, disaggregated by the complaint's subject; and
 - c) for each complaint included in the report:
 - i. if the complaint was dismissed, the reason for dismissal;
 - ii. if the complaint is under investigation, the date the complaint was filed and, if applicable, the date on which additional information was requested or received by the designated administrator;
 - iii. if the complaint was withdrawn, the reason for withdrawal if available, the designated administrator's findings, any action taken by the school to address the complaint's subject and, if applicable, the terms of agreement between the school and complainant; and
 - iv. if the designated administrator finds that violation(s) alleged in the complaint were true, what action the school has taken or will take to address the violation and prevent future violations. (Sec. 3)
5. Directs each governing board, by July 1, 2024 and annually thereafter, to compile the parent complaint information reported during the immediately preceding school year and submit the compiled information to ADE. (Sec. 3)

ADE Parent Complaint Report

6. Requires ADE to compile a report of the parent complaint information submitted by school districts and submit this report, by September 1, 2024 and annually thereafter, to specified entities. (Sec. 2)
7. Specifies the report compiled by ADE must include at least:
- a) the number of unresolved complaints at the beginning of the school year, disaggregated by the complaint's subject;
 - b) the number of new complaints filed during the school year, disaggregated by the complaint's subject;
 - c) the number of complaints for each school district during the school year that:
 - i. were dismissed and the reason for dismissal;
 - ii. are under investigation and the average number of days between the date a complaint is filed and the date it is resolved; or
 - iii. were withdrawn, including whether the withdrawal was pursuant to an agreement between the complainant and the school or school district; and
 - d) the number of violations that were found, including any corrective action taken by the school or school district. (Sec. 2)

Miscellaneous

8. Requires a governing board's parental involvement policy to contain procedures that allow a parent, if the parent believes the school, school district or an employee or contractor has violated the parent's or student's rights, to learn about their right to file a complaint with the school district. (Sec. 1)