



ARIZONA HOUSE OF REPRESENTATIVES

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Senate: ED DP 7-0-0-0 | 3rd Read 28-0-2-0

House: ED DP 10-0-0-0 | 3rd Read 52-7-1-0

SB 1560: public schools; noncertificated personnel; discipline

Sponsor: Senator Bennett, LD 1

Transmitted to the Governor

Overview

Expands the authority of the State Board of Education (SBE) to prohibit or restrict a noncertificated person from being employed in a school district or charter school (public school) if the person was disciplined in another jurisdiction.

History

Currently, a *noncertificated person* is a public school employee who does not have a certificate issued by SBE and who is required or allowed to provide services directly to students without being supervised by a certificated employee. However, *noncertificated person* does not include a person who is a: 1) transportation employee; 2) food service employee or contractor; 3) maintenance worker; or 4) public school employee or contractor who is not required to have a valid fingerprint clearance card.

SBE is required to investigate written complaints alleging that a noncertificated person engaged in immoral or unprofessional conduct. SBE may review complaints and determine whether to take disciplinary action against a noncertificated person, including prohibiting that person from being employed at a public school for up to five years. A public school may not employ a noncertificated person who has been prohibited from employment in a public school by SBE in a position that requires a valid fingerprint clearance card ([A.R.S. § 15-505](#)).

An applicant for certification who was disciplined in another jurisdiction for immoral or unprofessional conduct must successfully complete the disciplinary process in that jurisdiction before applying for certification in Arizona. Furthermore, after notice that a person's educator certificate has been revoked in another jurisdiction, SBE may revoke all Arizona certificates issued to that person in a manner consistent with the terms of revocation in the other jurisdiction, unless the person requests a hearing. After such a hearing, SBE must determine whether to uphold or decline the revocation ([A.R.S. § 15-534.04](#)).

Provisions

1. Requires a noncertificated person who was disciplined in another jurisdiction for immoral or unprofessional conduct to successfully complete the disciplinary process in that jurisdiction before being employed by an Arizona public school. (Sec. 2)
2. Allows SBE, after notice that another jurisdiction revoked or suspended a noncertificated person's ability to be employed by a public school, to prohibit the noncertificated person from being employed by an Arizona public school in a manner consistent with the terms of revocation or suspension in the other jurisdiction, unless the person requests a hearing. (Sec. 2)

<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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3. Stipulates that if the noncertificated person requests a hearing, SBE must determine whether to uphold or decline the revocation or suspension after the hearing. (Sec. 2)
4. Authorizes SBE, after notice that a person's educator certificate was suspended in another jurisdiction, to suspend that person's Arizona certificates in a manner consistent with the terms of the suspension in the other jurisdiction. (Sec. 2)
5. Includes, in the definition of *noncertificated person*, a current or prospective public school employee who meets existing statutory criteria. (Sec. 1)
6. Makes technical and conforming changes. (Sec. 1, 2)