

## Put Our Schools Under Threat

**The Arizona Senate passed AZ HB 2161, Parent’s Bill of Rights, allowing for parents to sue schools.** After the House passed the draconian measure, the Senate Education Committee amended the bill to remove the provision to out students. The bill in its final form, “prohibits a school, political subdivision or government from “usurping the fundamental right” of a parent in raising their children, allows a parent to bring a civil suit against any government entity or official that violates the Parent’s Bill of Rights, gives parents the rights to all written or electronic records from a school including a students counseling records, and requires schools to notify parents before a survey is conducted of students, among other changes.” AZ HB 2161 was signed into law by Governor Ducey on April 29, 2022. [[AZ HB 2161](#), signed into law, 4/29/2022; Arizona Daily Sun, [4/1/2022](#); AZ Mirror, [3/16/2022](#)]

**AZ HB 2112 is an anti-critical race theory bill that would ban instruction that may cause students to feel “discomfort” based on their race, ethnicity, or sex.** Offending teachers could lose their teaching license, with school districts facing penalties up to \$5,000. The Arizona Education Association dubbed the bill “the teacher gag bill” which, “attempts to censor teachers who teach the honest, complete facts about historical events like slavery and civil rights. Teachers are trained and experienced in education and have a duty to set their students up to be successful contributors to society.” The Senate Finance Committee reported AZ HB 2112 as do pass amended/strike-everything in March, the bill has not moved since. [[AZ HB 2112](#), Committee Report: Finance, do pass, 3/22/2022; AEA, [1/19/2022](#)]

**AZ SB 1532, “Unbiased Teaching Act,” would prohibit teachers from discussing “divisive issues” like Critical Race Theory without giving equal weight to opposing perspectives by threatening a fine of \$5,000 dollars.** ALEC-tied Rep. Michelle Udall’s amendment on the bill would infringe on Arizona’s teachers’ First Amendment rights by threatening teachers with a fine of about 10% of Arizona’s average teaching salary for teaching a ‘divisive concept’ without discussing both sides. ACLU Arizona says the bill, “Would cause irreparable harm to Arizona’s education system and violate educators First Amendment rights” and “This would open up a Pandora’s box as the bill is so vague and overbroad that teachers would have to present contrary views on topics from the civil rights movement to the 2020 election.” Arizona Education Association says the bill is, “Forcing teachers to be silent on racial injustice furthers racial inequity and stops progress towards education justice in our schools.” The Senate had a motion to reconsider the bill in third reading, but it has not moved since May. [[AZ SB 1532](#), 5/27/2021, Senate motion to reconsider third reading; KOLD, [5/13/2021](#); Forbes, [5/6/2021](#); ACLU Arizona, accessed [6/28/2021](#); Arizona Education Association, accessed [6/28/2021](#)]

**The Arizona Legislature passed AZ SB 1456, an anti-LGBTQ and anti-sex education bill that would force schools to notify parents two weeks before sexuality, sexual orientation, gender identity or gender expression are discussed in the classroom.** ALEC-tied. Sen. Nancy Barto sponsored the anti-First Amendment bill that would have parents opt-in to sex ed for their children with another section that requires specific written permission for students to learn about AIDS and HIV. Bridget Sharpe, the Arizona state director for the Human Rights Campaign said, “This bill limits

families with nonbinary and transgender children, who are very much members of our State of Arizona and our citizens, this essentially tells them that they don't exist and that's very concerning." Geoff Esposito of the ACLU said that, "Singling out issues like gender identification and gender expression for disparate treatment in sex ed classes amounts to a form of discrimination against those of the LGBTQ community." Governor Ducey vetoed the bill in April. [AZ Education News, [2/16/2021](#); AZ Education News, [2/16/2021](#); [AZ SB 1456](#), vetoed, 4/20/2021; Arizona Daily Star; [2/18/2021](#)]

**The Arizona Legislature passed AZ SB 1074, an anti-Critical Race Theory bill that would ban training public employees about race, ethnicity and sex discrimination if it also mentions blame or judgment.** ALEC-tied Sen. David Livingston sponsored the legislation that would ban requiring public employees to have to participate in "critical race theory" training. Governor Ducey vetoed the bill in May. [KAWC, [5/27/2021](#); [AZ SB 1074](#), vetoed, 5/28/2021]

**In 2019 Arizona legislators pushed retaliatory anti-education legislation that would chill free speech.**

HB 2015 would have criminalized teachers for the offense of "espousing a political ideology" in the classroom. Bill sponsor and then-Representative Kelly Townsend [explained](#) her being motivated to introduce the legislation because "things like socialism and other ideologies are impressed upon the children outside of the curriculum." Townsend's rationale echoes [a conspiratorial claim](#) frequently made by rightwing opponents of public education: that teachers are secretly indoctrinating children with leftist, communist, or socialist ideologies. However, critics pointed to HB 2015 as retaliation against teachers for their [2018 participation in "#RedForEd" activism](#), and noted that passage of the bill would instead have a chilling effect on teaching. HB 2015 was held in the House Rules Committee after passing the House Education Committee by an 8-5 vote. [[AZ HB 2015 \(2019\)](#), Held in Committee, 2/5/2019; SPLC, Accessed [7/9/20](#); Phoenix New Times, [2/20/19](#); ABC 15, [4/26/21](#)]

**The Arizona legislature passed and Governor Doug Ducey signed AZ SB 1165, a bill that would prevent transgender athletes from participating in schools sports teams.** AZ SB 1165 would ban transgender student athletes from participating in girls' and womens' athletic teams in grades K-12 and at the collegiate level. Amid the rising legislative attacks on trans athletes, the ACLU notes, "These proposed laws discriminate against trans youth in ways that compromise their health, social and emotional development, and safety, they also raise a host of privacy concerns." AZ SB 1165 was signed into law by Governor Ducey on March 30, 2022. [[AZ SB 1165](#), signed into law, 3/30/2022; ACLU, [2/26/2021](#)]

**The Arizona legislature passed and Governor Doug Ducey signed AZ SB 1138, a bill that would prohibit health care professionals from performing gender-affirming medical procedures for trans youth.** AZ SB 1138 would have also prohibited health professionals from prescribing transition-related medications for trans youth. The doctors who provide such care would face a class 1 misdemeanor, investigation by the Arizona Medical Board, and possibly losing their license. The Human Rights Campaign said, "SB 1138 is a cruel and potentially life-threatening bill that would harm transgender youth who rely on gender-affirming services. Medical decisions

should be made between parents, children, and their medical care teams – not politicians.” The measure was scaled back to allow for puberty blockers and hormone therapy after the earlier proposal failed in a Senate committee. AZ SB 1138 was signed into law by Governor Ducey on March 30, 2022. [[AZ SB 1138](#), signed into law, 3/30/2022; HRC, [2/25/2022](#); 12 News, [2/25/2022](#)]

**AZ HCR 2001 is an anti-critical race theory bill that would amend Arizona’s constitution to, “Stop Critical Race Theory and Racial Discrimination in Schools and Other Public Institutions Act.”** The purpose section of the resolution states that ideologies and practices known as critical race theory contradict the Fourteenth Amendment, the Civil Rights Act of 1964, and the Arizona Constitution by dividing people based on race and ethnicity. On Nov. 8, 2022, Arizona voters could decide on the constitutional amendment designed to prevent what the measure’s proponents call critical race theory. Rebecca Gau, executive director of Stand for Children Arizona, argues that the proposed constitutional amendment makes it extremely challenging to undo or amend it, creates a chilling effect on free speech, and violates local control and parent choice. The Senate Appropriations Committee voted AZ HCR 2001 as Do Pass in March, but the bill has not moved since. [[AZ HCR 2001](#), Senate Appropriations Committee action: Do Pass, 3/29/2022; Ballotpedia News, [2/24/2022](#); AZ Central, [3/21/2022](#)]

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