



Arizona Administrative REGISTER

Published by the Department of State ~ Office of the Secretary of State

Vol. 26, Issue 28

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July 10, 2020

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From the Publisher

ABOUT THIS PUBLICATION

The authenticated pdf of the *Administrative Register* (A.A.R.) posted on the Arizona Secretary of State's website is the official published version for rulemaking activity in the state of Arizona.

Rulemaking is defined in Arizona Revised Statutes known as the Arizona Administrative Procedure Act (APA), A.R.S. Title 41, Chapter 6, Articles 1 through 10.

The *Register* is cited by volume and page number. Volumes are published by calendar year with issues published weekly. Page numbering continues in each weekly issue.

In addition, the *Register* contains notices of rules terminated by the agency and rules that have expired.

ABOUT RULES

Rules can be: made (all new text); amended (rules on file, changing text); repealed (removing text); or renumbered (moving rules to a different Section number). Rulemaking activity published in the *Register* includes: proposed, final, emergency, expedited, and exempt rules as defined in the APA, and other state statutes.

New rules in this publication (whether proposed or made) are denoted with underlining; repealed text is stricken.

WHERE IS A "CLEAN" COPY OF THE FINAL OR EXEMPT RULE PUBLISHED IN THE REGISTER?

The *Arizona Administrative Code* (A.A.C.) contains the codified text of rules. The A.A.C. contains rules promulgated and filed by state agencies that have been approved by the Attorney General or the Governor's Regulatory Review Council. The *Code* also contains rules exempt from the rulemaking process.

The authenticated pdf of *Code* chapters posted on the Arizona Secretary of State's website are the official published version of rules in the A.A.C. The *Code* is posted online for free.

LEGAL CITATIONS AND FILING NUMBERS

On the cover: Each agency is assigned a Chapter in the *Arizona Administrative Code* under a specific Title. Titles represent broad subject areas. The Title number is listed first; with the acronym A.A.C., which stands for the *Arizona Administrative Code*; following the Chapter number and Agency name, then program name. For example, the Secretary of State has rules on rulemaking in Title 1, Chapter 1 of the *Arizona Administrative Code*. The citation for this chapter is 1 A.A.C. 1, Secretary of State, Rules and Rulemaking

Every document filed in the office is assigned a file number. This number, enclosed in brackets, is located at the top right of the published documents in the *Register*. The original filed document is available for 10 cents a page.

Arizona Administrative REGISTER

Vol. 26

Issue 28

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ADMINISTRATIVE REGISTER
This publication is available online for free at www.azsos.gov.

ADMINISTRATIVE CODE
A price list for the *Arizona Administrative Code* is available online. You may also request a paper price list by mail. To purchase a paper Chapter, contact us at (602) 364-3223.

PUBLICATION DEADLINES
Publication dates are published in the back of the *Register*. These dates include file submittal dates with a three-week turnaround from filing to published document.

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Participate in the Process

Look for the Agency Notice

Review (inspect) notices published in the *Arizona Administrative Register*. Many agencies maintain stakeholder lists and would be glad to inform you when they proposed changes to rules. Check an agency's website and its newsletters for news about notices and meetings.

Feel like a change should be made to a rule and an agency has not proposed changes? You can petition an agency to make, amend, or repeal a rule. The agency must respond to the petition. (See A.R.S. § 41-1033)

Attend a public hearing/meeting

Attend a public meeting that is being conducted by the agency on a Notice of Proposed Rulemaking. Public meetings may be listed in the Preamble of a Notice of Proposed Rulemaking or they may be published separately in the *Register*. Be prepared to speak, attend the meeting, and make an oral comment.

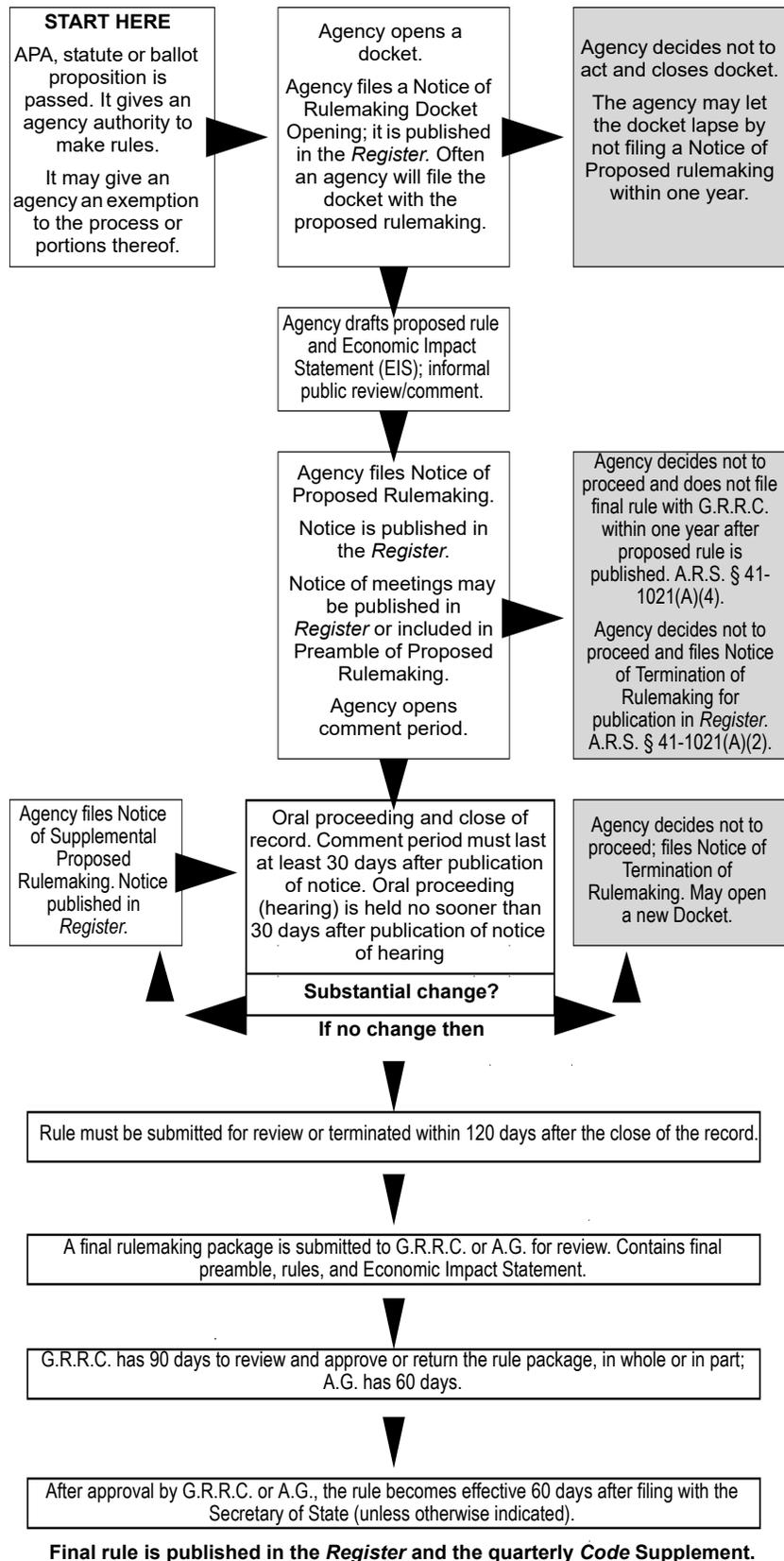
An agency may not have a public meeting scheduled on the Notice of Proposed Rulemaking. If not, you may request that the agency schedule a proceeding. This request must be put in writing within 30 days after the published Notice of Proposed Rulemaking.

Write the agency

Put your comments in writing to the agency. In order for the agency to consider your comments, the agency must receive them by the close of record. The comment must be received within the 30-day comment timeframe following the *Register* publication of the Notice of Proposed Rulemaking.

You can also submit to the Governor's Regulatory Review Council written comments that are relevant to the Council's power to review a given rule (A.R.S. § 41-1052). The Council reviews the rule at the end of the rulemaking process and before the rules are filed with the Secretary of State.

Arizona Regular Rulemaking Process



Definitions

Arizona Administrative Code (A.A.C.): Official rules codified and published by the Secretary of State's Office. Available online at www.azsos.gov.

Arizona Administrative Register (A.A.R.): The official publication that includes filed documents pertaining to Arizona rulemaking. Available online at www.azsos.gov.

Administrative Procedure Act (APA): A.R.S. Title 41, Chapter 6, Articles 1 through 10. Available online at www.azleg.gov.

Arizona Revised Statutes (A.R.S.): The statutes are made by the Arizona State Legislature during a legislative session. They are compiled by Legislative Council, with the official publication codified by Thomson West. Citations to statutes include Titles which represent broad subject areas. The Title number is followed by the Section number. For example, A.R.S. § 41-1001 is the definitions Section of Title 41 of the Arizona Administrative Procedures Act. The "§" symbol simply means "section." Available online at www.azleg.gov.

Chapter: A division in the codification of the *Code* designating a state agency or, for a large agency, a major program.

Close of Record: The close of the public record for a proposed rulemaking is the date an agency chooses as the last date it will accept public comments, either written or oral.

Code of Federal Regulations (CFR): The *Code of Federal Regulations* is a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the federal government.

Docket: A public file for each rulemaking containing materials related to the proceedings of that rulemaking. The docket file is established and maintained by an agency from the time it begins to consider making a rule until the rulemaking is finished. The agency provides public notice of the docket by filing a Notice of Rulemaking Docket Opening with the Office for publication in the *Register*.

Economic, Small Business, and Consumer Impact Statement (EIS): The EIS identifies the impact of the rule on private and public employment, on small businesses, and on consumers. It includes an analysis of the probable costs and benefits of the rule. An agency includes a brief summary of the EIS in its preamble. The EIS is not published in the *Register* but is available from the agency promulgating the rule. The EIS is also filed with the rulemaking package.

Governor's Regulatory Review (G.R.R.C.): Reviews and approves rules to ensure that they are necessary and to avoid unnecessary duplication and adverse impact on the public. G.R.R.C. also assesses whether the rules are clear, concise, understandable, legal, consistent with legislative intent, and whether the benefits of a rule outweigh the cost.

Incorporated by Reference: An agency may incorporate by reference standards or other publications. These standards are available from the state agency with references on where to order the standard or review it online.

Federal Register (FR): The *Federal Register* is a legal newspaper published every business day by the National Archives and Records Administration (NARA). It contains federal agency regulations; proposed rules and notices; and executive orders, proclamations, and other presidential documents.

Session Laws or "Laws": When an agency references a law that has not yet been codified into the Arizona Revised Statutes, use the word "Laws" is followed by the year the law was passed by the Legislature, followed by the Chapter number using the abbreviation "Ch.," and the specific Section number using the Section symbol (§). For example, Laws 1995, Ch. 6, § 2. Session laws are available at www.azleg.gov.

United States Code (U.S.C.): The Code is a consolidation and codification by subject matter of the general and permanent laws of the United States. The Code does not include regulations issued by executive branch agencies, decisions of the federal courts, treaties, or laws enacted by state or local governments.

Acronyms

A.A.C. – *Arizona Administrative Code*

A.A.R. – *Arizona Administrative Register*

APA – *Administrative Procedure Act*

A.R.S. – *Arizona Revised Statutes*

CFR – *Code of Federal Regulations*

EIS – *Economic, Small Business, and Consumer Impact Statement*

FR – *Federal Register*

G.R.R.C. – *Governor's Regulatory Review Council*

U.S.C. – *United States Code*

About Preambles

The Preamble is the part of a rulemaking package that contains information about the rulemaking and provides agency justification and regulatory intent.

It includes reference to the specific statutes authorizing the agency to make the rule, an explanation of the rule, reasons for proposing the rule, and the preliminary Economic Impact Statement.

The information in the Preamble differs between rulemaking notices used and the stage of the rulemaking.



NOTICES OF PROPOSED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Proposed Rulemakings.

A proposed rulemaking is filed by an agency upon completion and submittal of a Notice of Rulemaking Docket Opening. Often these two documents are filed at the same time and published in the same *Register* issue.

When an agency files a Notice of Proposed Rulemaking under the Administrative Procedure Act (APA), the notice is published in the *Register* within three weeks of filing. See the publication schedule in the back of each issue of the *Register* for more information.

Under the APA, an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule (A.R.S. §§ 41-1013 and 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #10 for the close of record and information related to public hearings and oral comments.

NOTICE OF PROPOSED RULEMAKING

TITLE 13. PUBLIC SAFETY

CHAPTER 4. ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

[R20-107]

PREAMBLE

- | <u>1. Article, Part or Section Affected (as applicable)</u> | <u>Rulemaking Action</u> |
|--|---------------------------------|
| R13-4-101 | Amend |
| R13-4-104 | Amend |
| R13-4-105 | Amend |
| R13-4-106 | Amend |
| R13-4-108 | Amend |
| R13-4-109 | Amend |
| R13-4-110 | Amend |
| R13-4-111 | Amend |
| R13-4-114 | Amend |
| R13-4-116 | Amend |
- 2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):**
 Authorizing statute: A.R.S. § 41-1822(A)
 Implementing statute: A.R.S. § 41-1822(A)
- 3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:**
 Notice of Rulemaking Docket Opening: 26 A.A.R. 978, May 15, 2020
- 4. The agency's contact person who can answer questions about the rulemaking:**
 Name: Michael Orose, Compliance Specialist
 Address: Arizona Peace Officer Standards and Training Board
 2643 E. University Dr.
 Phoenix, AZ 85034
 Telephone: (602) 774-9354
 E-mail: michaelo@azpost.gov
 Web site: azpost.gov
- 5. An agency's justification and reason why a rule should be made, amended, repealed, or renumbered, to include an explanation about the rulemaking:**
 The Board is amending the rules to:
 Update minimum qualifications regarding pre-application use of marijuana, other dangerous drugs, prescription medications, steroids, and narcotics;
 Eliminate the total times an individual could have used marijuana in the past and focus only on use in the two years before appointment as a peace officer;
 Remove "experimentation" as an explanation for pre-application use of marijuana or other dangerous drugs;
 Update requirements regarding pre-application use of Adderall and CBD oil. This will eliminate the need for substantive policies 2016-001 and 2019-001 and amendments;



- Update procedures to allow online administration of the comprehensive final examination (CFE), waiver examination, and completion of the personal history and other forms;
- Add home schooling as an acceptable form of high school equivalency;
- Clarify that results of a fingerprint check are required before graduation from the academy and reimbursement of training expenses;
- Require information regarding agencies to which an applicant previously applied;
- Add requirement for an agency to address “resolve-in-the future” designations before appointing an individual as a peace officer;
- Update certification retention requirements;
- Update minimum course requirements;
- Update academy training requirements; and
- Modernize the rules to be consistent with Board practice and industry standards.

The Board will also make changes to ensure the rules are consistent with statute, Board practice, and current rule-writing standards.

An exemption from Executive Order 2019-01 was provided by Jennifer Thomsen by email dated October 8, 2019.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board reviewed and relied on “Chief Executive and Student Views about Peace Officer Pre-Employment Drug Use Standards,” by Jon Bottema, Arizona State University, January 2020. A copy of the report is available from the Board.

7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The Board believes the rulemaking will have minimal economic impact on peace officers, applicants, and law enforcement agencies. The amendments with the most significant potential economic impact are:

Update minimum qualifications regarding pre-application use of marijuana, other dangerous drugs, prescription medications, steroids, and narcotics;

Remove “experimentation” as an explanation for pre-application use of marijuana or other dangerous drugs;

Eliminate the total times an individual could have used marijuana in the past and focus only on use in the two years before appointment as a peace officer;

Update requirements regarding pre-application use of Adderall and CBD oil;

Require information regarding agencies to which an applicant previously applied; and

Add requirement for an agency to address “resolve-in-the future” designations before placing a peace officer in a sworn position.

The changes regarding pre-application drug use are designed to clarify and enforce a standard applicable to all applicants. The Board believes eliminating the total times an individual could have used marijuana and removing experimentation as an explanation of pre-application use will have the beneficial effect of expanding the pool of applicants. The Board believes the changes are in the best interest of the law enforcement profession and public safety and welfare.

Agencies seeking to appoint a peace officer will have the additional requirement of obtaining information from agencies to which the individual previously applied and if applicable, resolving any resolve-in-the future designations in the individual’s record.

9. The agency’s contact person who can answer questions about the economic, small business, and consumer impact statement:

Name: Michael Orose, Compliance Specialist
 Address: Arizona Peace Officer Standards and Training Board
 2643 E. University Dr.
 Phoenix, AZ 85034
 Telephone: (602) 774-9354
 E-mail: michaelo@azpost.gov
 Web site: azpost.gov

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

An oral proceeding regarding the proposed rules will be held as follows:

Date: Tuesday, August 11, 2020
 Time: 10:00 a.m.
 Location: Arizona Peace Officer Standards and Training Board
 2643 E. University Dr.
 Phoenix, AZ 85034



11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

Under A.R.S. § 41-1823(A), rules regarding minimum qualifications for law enforcement officers are not in effect until six months after they are filed with the Office of the Secretary of State. In this rulemaking, this provision applies to: R13-4-105, R13-4-110, and R13-4-111.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

The Board does not issue general permits. As required by law (See A.R.S. § 41-1822(A)(3)), certification as a law enforcement officer is based on an assessment of individual qualifications. A general permit is not applicable.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

No rule in the rulemaking is more stringent than federal law. The Agriculture Improvement Act of 2018 (commonly known as the 2018 U.S. Farm Bill) legalized the cultivation of hemp (cannabis with less than .3 percent THC (tetrahydrocannabinol)). This law is applicable to R13-4-105(B)(9).

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:

No analysis was submitted.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:

None

13. The full text of the rules follows:

TITLE 13. PUBLIC SAFETY

CHAPTER 4. ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

ARTICLE 1. GENERAL PROVISIONS

Section

- R13-4-101. Definitions
- R13-4-104. Peace Officer Category Restrictions
- R13-4-105. Minimum Qualifications
- R13-4-106. Background Investigation Requirements
- R13-4-108. Agency Records and Reports
- R13-4-109. Denial, Revocation, Suspension, or Cancellation of Peace Officer Certified Status
- R13-4-110. Basic Training Requirements
- R13-4-111. Certification Retention Requirements
- R13-4-114. Minimum Course Requirements
- R13-4-116. Academy Requirements

ARTICLE 1. GENERAL PROVISIONS

R13-4-101. Definitions

In this Article, unless the context otherwise requires:

“Academy” means an entity that conducts the Board-prescribed basic training courses for full-authority, specialty, or limited-authority peace officers.

“Adderall,” as used in R13-5-105, means a combination drug containing salts of amphetamine that acts as a central nervous system stimulant. The combination may include amphetamine, methamphetamine, methylphenidate, dextroamphetamine, levoamphetamine, or other stimulants.

“Agency” means a law enforcement entity empowered by the state of Arizona.

“Appointment” means the selection by an agency of an individual to be a peace officer or peace officer trainee.

“Approved training program” means a course of instruction that meets Board-prescribed course requirements.

“Board” means the Arizona Peace Officer Standards and Training Board.

“Board-trained physician” means an occupational medicine specialist or a physician who has attended a Board course on peace officer job functions.

“Cancellation” means the annulment of certified status without prejudice to reapply for certification.

“Certified” means approved by the Board as being in compliance with A.R.S. Title 41, Chapter 12, Article 8 and this Chapter.

“CFE” means the Board-approved Comprehensive Final Examination that measures mastery of the knowledge and skills taught in the 585-hour full-authority peace officer basic training course.

“Denial” means the permanent refusal of the Board to grant certified status.

“Dangerous drug or narcotic” means a substance identified in A.R.S. § 13-3401 as being a dangerous drug or narcotic drug.



“Experimentation” means the illegal possession or use of marijuana or a dangerous drug or narcotic as described in R13-4-105(B) and (C).

“Full-authority peace officer” means a peace officer whose authority to enforce the laws of this state is not limited by this Chapter.

“Illegal” means in violation of federal or state statute, rule, or regulation.

“Lapse” means the expiration of certified status.

“Limited-authority peace officer” means a peace officer who is certified to perform the duties of a peace officer only in the presence and under the supervision of a full-authority peace officer.

“Open enrollee” means an individual who is admitted to an academy but is not appointed by an agency.

“Outside provider” means an entity other than the Board or an agency that makes continuing training available to peace officers.

“Peace officer” has the meaning in A.R.S. § 1-215.

“Peace officer trainee” means an individual recruited and appointed by an agency to attend an academy.

“Physician” means an individual licensed to practice allopathic or osteopathic medicine in this or another state.

“Resolve-in-the-future or RF” means a designation assigned by the Board regarding alleged misconduct of an inactive peace officer and requires an agency to resolve the alleged misconduct before the agency may appoint the peace officer.

“Restriction” means the Board’s limitation on duties allowed to be performed by a certified peace officer.

“Revocation” means the permanent withdrawal of certified status.

“Service ammunition” means munitions that perform equivalently in all respects when fired during training or qualification to those carried on duty by a peace officer.

“Service handgun” means the specific handgun or equivalent that a peace officer carries for use on duty.

“Specialty peace officer” means a peace officer whose authority is limited to enforcing specific sections of the Arizona Revised Statutes or Arizona Administrative Code, as specified by the appointing agency’s statutory powers and duties.

“Success criteria” means a numerical statement that establishes the performance needed for an individual to demonstrate competency in a knowledge, task, or ability required by this Chapter.

“Suspension” means the temporary withdrawal of certified status.

“Termination” means the end of employment or service with an agency as a peace officer through removal, discharge, resignation, retirement, or otherwise.

R13-4-104. Peace Officer Category Restrictions

- A. Limited-authority peace officer.
 - 1. A limited-authority peace officer shall be in the presence and under the supervision of a full-authority peace officer when engaged in patrol or investigative activities performed to detect, prevent, or suppress crime, or to enforce criminal or traffic laws of the state, county, or municipality.
 - 2. A limited-authority peace officer may perform the following duties without supervision of a full-authority peace officer:
 - a. Directing traffic;
 - b. Assisting with crowd control; or
 - c. Maintaining public order in the event of riot, insurrection, or disaster.
- B. Specialty peace officer. A specialty peace officer has only the authority specified in R13-4-101.
- C. Peace officer category change. A certified peace officer may be appointed to another peace officer category within the same agency without the background investigation and medical examination required in R13-4-105, R13-4-106, and R13-4-107 when these requirements were previously satisfied for appointment if:
 - 1. No more than 30 days have elapsed since the peace officer’s termination, and
 - 2. The change is to a category for which the officer is qualified under R13-4-110(A).
- D. Inactive status. Certified status of a peace officer becomes inactive upon termination.
- E. Lapse of certified status. ~~After three consecutive years on inactive status, the~~ The certified status of a peace officer lapses after three consecutive years on inactive status.
- F. Reinstatement from inactive status. A peace officer whose certified status is inactive and has not lapsed may have certification reinstated if the requirements of R13-4-105 are met for the new appointment, and if appointed:
 - 1. In the same peace officer category, or;
 - 2. As a specialty peace officer from inactive status as a full-authority peace officer.
- G. Active status as a specialty or limited-authority peace officer does not prevent lapse of certified status as a full-authority peace officer.

R13-4-105. Minimum Qualifications

- A. Except as provided in subsection (C) or (D), an individual shall meet the following minimum qualifications before being appointed to or attending an academy:
 - 1. Be a United States citizen;
 - 2. Be at least 21 years of age. An individual may attend an academy if the individual will be 21 years of age before graduating;
 - 3. Meet one of the following education standards:



- a. Have a diploma from a high school recognized by the department of education of the jurisdiction ~~in~~ from which the diploma is issued,
 - b. ~~have~~ Have successfully completed a General Education Development (G.E.D.) examination,
 - c. Have a homeschool diploma or certificate of completion that is recognized as the equivalent of a high school diploma by the jurisdiction from which the homeschool diploma or certificate is issued, or
 - d. ~~have~~ Have a degree from an institution of higher education accredited by an agency recognized by the U.S. Department of Education;
4. Undergo a complete background investigation that meets the standards of R13-4-106. An individual ~~may shall not~~ begin an academy ~~before the results of the background investigation are returned until the agency has completed the background investigation requirements at R13-4-106(C)(1), (C)(2), and (C)(4) through (C)(9). However, the an individual may begin an academy before the results of the fingerprint query referenced in R13-4-106(C)(3) are returned. The~~ academy shall not graduate the individual and the Board shall not reimburse the academy for the individual's training expenses until a qualifying background investigation report, as specified in R13-4-106(C)(9), is obtained completed;
 5. Undergo a medical examination that meets the standards of R13-4-107 within one year before appointment. An agency may make a conditional offer of appointment before the medical examination. If the medical examination is conducted more than 180 days before appointment, the individual shall submit a written statement indicating that the individual's medical condition has not changed since the examination;
 6. Not have been convicted of a felony or any offense that would be a felony if committed in Arizona;
 7. Not have been dishonorably discharged from the United States Armed Forces;
 8. Not have been previously denied certified status, have certified status revoked, or have current certified status suspended, or have voluntarily surrendered certified status in lieu of possible disciplinary action in this or any other state if the reason for denial, revocation, suspension, or possible disciplinary action was or would be a violation of R13-4-109(A) if committed in Arizona;
 9. Not have illegally possessed, produced, cultivated, or transported marijuana for sale or sold marijuana;
 10. Not have illegally possessed or used marijuana for any purpose within the past ~~three~~ two years;
 - ~~11. Not have ever illegally possessed or used marijuana other than for experimentation;~~
 - ~~12. Not have ever illegally possessed or used marijuana while employed or appointed as a peace officer;~~
 - ~~13.11.~~ Not have illegally sold, produced, cultivated, or transported for sale a dangerous drug or narcotic;
 - ~~14.12.~~ Not have illegally used a dangerous drug or narcotic, other than marijuana, for any purpose within the past seven years;
 - ~~15. Not have ever illegally used a dangerous drug or narcotic other than for experimentation;~~
 - ~~16. Not have ever illegally used a dangerous drug or narcotic while employed or appointed as a peace officer;~~
 - ~~17.13.~~ Not have a pattern of abuse of prescription medication;
 - ~~18.14.~~ Undergo a polygraph examination that meets the requirements of R13-4-106, unless prohibited by law;
 - ~~19.15.~~ Not have been convicted of or adjudged to have violated traffic regulations governing the movement of vehicles with a frequency within the past three years that indicates a disrespect for traffic laws or a disregard for the safety of others on the highway;
 - ~~20.16.~~ Read the code of ethics in subsection (E) and affirm by signature the individual understands and agrees to abide by the code.
- B.** ~~The illegal To determine whether an individual's possession or use of marijuana, or a dangerous drug or narcotic is presumed to be not for experimentation if disqualifies the individual from being appointed or attending an academy, the Board shall use the following standards:~~
1. ~~The possession or use of marijuana exceeds a total of 20 times or exceeds five times since the age of 21 years; or Marijuana.~~
 - a. All forms of marijuana, including THC extracts, cannabis, hashish, marijuana extracts, and marijuana edibles, and all forms of use will be treated the same;
 - b. The individual has not illegally possessed or used marijuana within the two years before appointment as a peace officer; and
 - c. The individual has never illegally possessed or used marijuana as a peace officer;
 2. ~~The use of any dangerous drug or narcotic, other than marijuana, in any combination exceeds a total of five times, or exceeds one time since the age of 21 years. Dangerous drugs, hallucinogens, narcotics, and prescription drugs containing an active ingredient that is a narcotic or dangerous drug.~~
 - a. The individual has not illegally possessed or used any of these substances:
 - i. Within the seven years before appointment as a peace officer;
 - ii. More than a total of five times for all substances combined;
 - iii. More than one time for all substances combined since turning 21 years of age; and
 - iv. As a peace officer;
 - b. Dangerous drugs. All dangerous drugs, including methamphetamine, amphetamine, speed, spice, and bath salts will be treated the same;
 - c. Hallucinogens. All hallucinogens, including peyote, mushrooms, ecstasy, lysergic acid diethylamide (LSD), ketamine, mescaline, salvia, and phencyclidine (PCP) will be treated the same;
 - d. Narcotics. All narcotics, including cocaine, heroin, and opioids will be treated the same; and
 - e. Prescription medications. All prescription medications containing an active ingredient that is a narcotic or dangerous drug will be treated the same. Possession or use for recreational purposes of a prescription medication containing an active ingredient that is a narcotic or dangerous drug is disqualifying under subsection (B)(2);
 3. Steroids.
 - a. All steroids, including anabolic-androgenic steroids and corticosteroids will be treated the same;
 - b. The individual has not illegally possessed or used a steroid within the three years before appointment as a peace officer; and
 - c. The individual has never illegally possessed or used a steroid as a peace officer;



- 4. Adderall.
 - a. All uses of Adderall, except as prescribed by a physician, will be treated the same;
 - b. The individual has not possessed or used Adderall, except as prescribed by a physician, within the three years before appointment as a peace officer; and
 - c. The individual has never possessed or used Adderall, except as prescribed by a physician, as a peace officer; and
- 5. Over-the counter products containing cannabidiol (CBD). The Board does not consider possession or use of over-the-counter products containing CBD, as allowed under federal and state law, as disqualifying an individual from appointment as a peace officer.
- C. An agency head who wishes to appoint an individual whose illegal possession or use of marijuana or a dangerous drug or narcotic is ~~presumed determined to be not for experimentation~~ disqualifying under this Section may petition the Board for a determination that, given the unique circumstances of the individual’s possession or use, the use ~~was for experimentation~~ should not be disqualifying. The petition shall:
 - 1. Specify the type of drugs illegally possessed or used, the number of uses, the age at the time of each possession or use, the method by which the information regarding illegal possession or use of drugs came to the agency’s attention, and any attempt by the agency head to verify the accuracy of the information; and
 - 2. State the factors the agency head wishes the Board to consider in making its determination. These factors may include:
 - a. The duration of possession or use,
 - b. The motivation for possession or use,
 - c. The time elapsed since the last possession or use,
 - d. How the drug was obtained,
 - e. How the drug was ingested,
 - f. Why the individual stopped possessing or using the drug, and
 - g. Any other factor the agency head believes is relevant to the Board’s determination.
- D. An agency head who wishes to appoint an individual whose conduct is grounds to deny certification under R13-4-109 may petition the Board for a determination that the otherwise disqualifying conduct constitutes juvenile indiscretion. The petition shall:
 - 1. Specify the nature of the conduct, the number of times the conduct occurred, the method by which information regarding the conduct came to the agency’s attention, and any attempt by the agency head to verify the accuracy of the information; and
 - 2. Include sufficient information for the Board to determine that all of the following are true:
 - a. The conduct occurred when the individual was ~~less younger~~ than age 18;
 - b. The conduct occurred more than 10 years before application for appointment;
 - c. The individual has consistently exhibited responsible, law-abiding behavior between the time of the conduct and application for appointment;
 - d. There is reason to believe that the individual’s immaturity at the time of the conduct contributed substantially to the conduct;
 - e. There is evidence that the individual’s maturity at the time of application makes reoccurrence of the conduct unlikely; and
 - f. The conduct was not so egregious that public trust in the law enforcement profession would be jeopardized if the individual is certified.
 - 3. If the Board finds that the information submitted is sufficient for the Board to determine that the factors listed in subsection (D)(2) are true, the Board shall determine that the conduct constituted juvenile indiscretion and grant appointment.
- E. Code of Ethics. Because the people of the state of Arizona confer upon all peace officers the authority and responsibility to safeguard lives and property within constitutional parameters, a peace officer shall commit to the following Code of Ethics and shall affirm the peace officer’s commitment by signing the Code.

“I will exercise self-restraint and be constantly mindful of the welfare of others. I will be exemplary in obeying the laws of the land and loyal to the state of Arizona and my agency and its objectives and regulations. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept secure unless revelation is necessary in the performance of my duty.

I will never take selfish advantage of my position and will not allow my personal feelings, animosities, or friendships to influence my actions or decisions. I will exercise the authority of my office to the best of my ability, with courtesy and vigilance, and without favor, malice, ill will, or compromise. I am a servant of the people and I recognize my position as a symbol of public faith. I accept it as a public trust to be held so long as I am true to the law and serve the people of Arizona.”
- F. This Section is effective six months after filing with the Secretary of State as required by A.R.S. § 41-1823(A).

R13-4-106. Background Investigation Requirements

- A. Personal history statement. An individual who seeks to be appointed shall complete and submit to the appointing agency a personal history statement on a form prescribed by the Board before the start of a background investigation. The Board shall use the answers to questions contained in the personal history statement to determine whether the individual is eligible for certified status as a peace officer. The Board shall ensure that the questions concern whether the individual meets the minimum requirements for appointment, has engaged in conduct or a pattern of conduct that would jeopardize the public trust in the law enforcement profession, and is of good moral character.
- B. Investigative requirements for the applicant. To assist with the background investigation, an individual who seeks to be appointed shall provide the following:
 - 1. Proof of United States citizenship. A copy of a birth certificate, United States passport, or United States naturalization papers is acceptable proof.
 - 2. Proof of education. A copy of a diploma, certificate, or transcript is acceptable proof.
 - 3. Record of any military discharge. A copy of the Military Service Record (DD Form 214 ~~or NGB Form 22, Member 4~~), which documents the character of service, separation code, and reentry code, is acceptable proof.



4. Personal references. The names and addresses of at least three people who can provide information as personal references.
 5. Previous employers or schools attended. The names and addresses of all employers and schools attended within the previous five years.
 6. Residence history. The complete address for every location at which the individual has lived in the last five years.
- C. Investigative requirements for the agency. A complete background investigation includes the following inquiries and a review of the returns to determine that the individual seeking appointment meets the requirements of R13-4-105, and that the individual's personal history statement is accurate and truthful. For each individual seeking to be appointed, the appointing agency shall:
1. Query all the law enforcement agency records in jurisdictions listed in subsections (B)(5) and (B)(6);
 2. Query the motor vehicle division driving record from any state listed in subsections (B)(5) and (B)(6);
 3. Complete and submit a Fingerprint Card Inventory Sheet to the Federal Bureau of Investigation and Arizona Department of Public Safety for query;
 4. Query the National Crime Information Center/Interstate Identification Index (NCIC/III), and the Arizona Criminal Information Center/Arizona Computerized Criminal History (ACIC/ACCH), or the equivalent for each state listed in subsections (B)(5) and (B)(6);
 5. Contact all personal references and employers listed in subsections (B)(4) and (B)(5) and document the answers to inquiries concerning whether the individual meets the standards of this Section;
 6. Query the Board regarding the individual's certification status, reports of alleged misconduct by the individual, and whether the individual has a Board case with an RF designation;
 7. Query all Arizona law enforcement agencies where the individual was appointed or applied for appointment as a peace officer regarding records maintained under R13-4-108(C);
 - 6.8. Administer a polygraph examination, unless prohibited by law. The results shall include a detailed report of the pre-test interview and any post-test interview and shall cover responses to all questions that concern:
 - a. ~~minimum~~ Minimum standards for appointment as required by R13-4-105,
 - b. ~~truthfulness~~ Truthfulness on the personal history statement, ~~and~~
 - c. ~~the commission~~ Commission of any crimes; and
 - d. Any Board case with an RF designation; and
 - 7.9. If the results of the background investigation show that the individual meets minimum qualifications for appointment, has not engaged in conduct or a pattern of conduct that would jeopardize public trust in the law enforcement profession, and is of good moral character, complete a report that attests to those findings. If the agency is unable to obtain all information required under subsections (C)(1) through (C)(8), include in the report a description of the missing information and efforts made to obtain it.

R13-4-108. Agency Records and Reports

- A. Agency reports. On forms prescribed by the Board, an agency shall submit:
1. A report by the agency head attesting that the requirements of R13-4-105 are met for each individual appointed. The report shall be submitted to the Board before an individual attends an academy or performs the duties of a peace officer.
 2. A report of the termination of a peace officer. The report shall be submitted to the Board within 15 days of the termination and include:
 - a. The nature of the termination and effective date;
 - b. A detailed description of any termination for cause; and
 - c. A detailed description of, and supporting documentation for, any cause existing for suspension or revocation of certified status.
- B. Agency records. An agency shall make its records available on request by the Board or staff. The agency shall maintain the following for each individual for whom certification is sought:
1. An application file that contains all of the information required in R13-4-103(E) and R13-4-106(C) for each individual appointed for certification as a peace officer;
 2. A copy of reports submitted under subsection (A);
 3. A signed copy of the affirmation to the Code of Ethics required under R13-4-105;
 4. A written report of the results of a completed or partially completed background investigation and all written documentation obtained or recorded under R13-4-106, including information obtained regarding a Board case with an RF designation;
 5. A completed medical report required under R13-4-107; and
 6. A record of all continuing training, proficiency training, and firearms qualifications conducted under R13-4-111.
- C. Record retention. An agency shall maintain the records required by this Section as follows:
1. For applicants investigated under R13-4-106 who are not appointed: three years;
 2. For applicants who are appointed: five years from the date of termination, except records retained under subsection (B)(6) shall be retained for three years following completion of training; and
 3. Reports of a polygraph examination given under R13-4-106(C)(6) shall be maintained in accordance with state law.
- D. An agency shall make the records maintained under subsection (C) available, on request, to another agency completing a background investigation under R13-4-106(C).

R13-4-109. Denial, Revocation, Suspension, or Cancellation of Peace Officer Certified Status

- A. Causes for denial, suspension, or revocation. The Board may deny certified status or suspend or revoke the certified status of a peace officer for:
1. Failing to satisfy a minimum qualification for appointment listed in R13-4-105;
 2. Willfully providing false information in connection with obtaining or reactivating certified status;
 3. Having a medical, physical, or mental disability that substantially limits the individual's ability to perform the duties of a peace officer effectively, or that may create a reasonable probability of substantial harm to the individual or others, for which a reasonable accommodation cannot be made;



- 4. Violating a restriction or requirement for certified status imposed under R13-4-109.01, R13-4-103 (G), or R13-4-104;
 - 5. ~~Illegally possessing or using marijuana, a dangerous drug, or a narcotic~~ Engaging in behavior that would be disqualifying under R13-4-105(B);
 - 6. Using or being under the influence of spirituous liquor on duty without authorization;
 - 7. Committing a felony, an offense that would be a felony if committed in this state, or an offense involving dishonesty, unlawful sexual conduct, or physical violence;
 - 8. Committing malfeasance, misfeasance, or nonfeasance in office;
 - 9. Performing the duties or exercising the authority of a peace officer without having active certified status;
 - 10. Making a false or misleading statement, written or oral, to the Board or its representative;
 - 11. Failing to furnish information in a timely manner to the Board or its representative on request; or
 - 12. Engaging in any conduct or pattern of conduct that tends to disrupt, diminish, or otherwise jeopardize public trust in the law enforcement profession.
- B. Cause for cancellation. The Board shall cancel the certified status of a peace officer if the Board determines that the individual was not qualified when certified status was granted, and revocation is not warranted under subsection (A).
 - C. Cause for mandatory revocation. Upon the receipt of a certified copy of a judgment of a felony conviction of a peace officer, the Board shall revoke certified status of the peace officer.
 - D. Action by the Board. Upon receipt of information that cause exists to deny certification, or to cancel, suspend, or revoke the certified status of a peace officer, the Board shall determine whether to initiate action regarding the retention of certified status. The Board may conduct additional inquiries or investigations to obtain sufficient information to make a fair determination.
 - E. Notice of action. The Board shall notify the affected individual of Board action to initiate proceedings regarding certified status for a cause listed under subsection (A) or (B). The notice shall be served as required by A.R.S. § 41-1092.04 and specify the cause for the action. Within 30 days after receiving the notice, the individual named in the notice shall advise the Board or its staff in writing whether a hearing is requested. Failure to file a written request for hearing at the Board offices within 30 days after receiving the notice constitutes a waiver of the right to a hearing.
 - F. Effect of agency action. Action by an agency or a decision resulting from an appeal of that action does not preclude action by the Board to deny, cancel, suspend, or revoke the certified status of a peace officer.

R13-4-110. Basic Training Requirements

- A. Required training for certified status. The Board shall not certify and an individual shall not perform the duties of a peace officer until the individual successfully completes basic training as follows:
 - 1. To be certified as a full-authority peace officer, an individual shall complete the 585-hour full-authority peace officer basic training course, specified in R13-4-116, at an academy and pass the CFE.
 - a. ~~The Board staff shall administer~~ ensure the CFE is administered in a secure manner.
 - b. The Board shall ensure that the CFE is administered during the final two weeks of the full-authority peace officer basic training course.
 - c. An individual passes the CFE by achieving a score of at least 70 percent on each of the three blocks of the CFE when each block is scored separately.
 - d. An individual who fails one or more blocks of the CFE may retake the failed block one time before the individual is scheduled to graduate from the academy.
 - e. An individual who fails a retake of a block of the CFE, as described in subsection (A)(1)(d), may retake the failed block once more within 60 days from the original testing date if the individual remains appointed by the original appointing agency or enrolled in the academy.
 - f. An individual who fails a second retake of a block of the CFE, as described in subsection (A)(1)(e), may pursue certification only by repeating the 585-hour full-authority peace officer basic training course.
 - g. An agency head is not required to continue to appoint an individual during the 60 days permitted for a second retake of a failed block of the CFE, as described in subsection (A)(1)(e).
 - 2. To be certified as a specialty peace officer, an individual shall complete a Board-prescribed specialty peace officer basic training course or the 585-hour full-authority peace officer basic training course, specified in R13-4-116, at an academy and pass blocks of the CFE prescribed under subsection (A)(1) that are relevant to the duties of a specialty peace officer.
 - 3. To be certified as a limited-authority peace officer, an individual shall complete a Board-prescribed limited-authority peace officer basic training course or the 585-hour full-authority peace officer basic training course, specified in R13-4-116, at an academy and pass blocks of the CFE prescribed under subsection (A)(1) that are relevant to the duties of a limited-authority peace officer.
- B. Exceptions. The training requirement in subsection (A) is waived when an agency uses an individual during a:
 - 1. Riot, insurrection, disaster, or other event that exhausts the peace officer resources of the agency and the individual is attending an academy; or
 - 2. Field training program that is a component of a basic training program at an academy, and the individual is under the direct supervision and control of a certified peace officer.
- C. Firearms training required. Unless otherwise specified in this Section, a peace officer shall complete the firearms qualification courses required in R13-4-116(E) before the peace officer carries a firearm in the course of duty.
- D. Waiver of required training. An agency, on behalf of an individual, may apply to the Board for a waiver of required training if the individual's certified status is lapsed or the individual has functioned in the capacity of a peace officer in another state or for a federal law enforcement agency. The Board shall grant a ~~complete or partial~~ waiver of required training if the Board determines that the best interests of the law enforcement profession are served, the public welfare and safety are not jeopardized, and:
 - 1. The appointing agency submits to the Board written verification of the individual's previous experience and training on a form prescribed by the Board;
 - 2. The individual meets the minimum qualifications listed in R13-4-105;
 - 3. The individual complies with the requirements of R13-4-103(E)(1);



4. The appointing agency complies with the requirements of R13-4-106(C);
 5. The individual successfully completes an examination measuring the individual's comprehension of the 585-hour full-authority peace officer basic training course as follows:
 - a. If the individual has ~~at least two years of active status~~ experience as a certified peace officer in another state or for a federal law enforcement agency ~~during the last three years, has been on inactive status for no more than one year,~~ and submits to the Board basic training and in-service training records that the Board determines demonstrate substantial comparability to Arizona's 585-hour full-authority peace officer basic training course, the individual shall pass all blocks ~~H and IV~~ of the CFE; and
 - b. If the individual's certification is lapsed, the individual shall pass all blocks of the CFE; and
 - e. ~~If the individual's out of state or federal law enforcement experience does not meet the criterion in subsection (D)(5)(a), but the Board determines that the individual's basic training and in-service training records demonstrate substantial comparability to Arizona's full-authority peace officer basic training course, the individual shall pass all blocks of the CFE; and~~
 - ~~d.c.~~ The provisions in subsections (A)(1)(c) through (f) apply to this subsection; and
 6. In addition to the examination required under subsection (D)(5), the individual ~~satisfactorily performs the practical demonstrations of~~ demonstrates proficiency in the areas of physical conditioning, vehicle operations, pursuit operations, and firearms, including firearms qualifications, as required under R13-4-116(E)(1).
- E. This Section is effective six months after filing with the Secretary of State as required by A.R.S. § 41-1823(A).

R13-4-111. Certification Retention Requirements

- A. Continuing training required.
1. ~~The following continuing training standards apply for a peace officer to retain certification:~~
 - a. ~~A full-authority, specialty, or limited-authority~~ peace officer shall complete eight hours of continuing training each year beginning January 1 following the date the officer is certified.
 - b. ~~A specialty or limited-authority peace officer shall complete eight hours of continuing training every three years beginning January 1 following the date the officer is certified.~~
 2. Continuing training course standards for peace officers. The provider of a continuing training course for peace officers shall ensure that:
 - a. The course curriculum consists of ~~advanced or remedial~~ instruction on ~~one or more of the topic areas specified in R13-4-116(E)(1)~~ topics related to law enforcement operations and peace officer functions and skills;
 - b. The instructor meets the requirements of R13-4-114(A)(2)(a) or (b);
 - c. An attendance verification certificate, which includes a statement that the provider believes the course meets the requirements of this Section, is given to each attendee for audit purposes;
 - d. If the training provider is an agency, an attendance roster and lesson plan or other information sufficient to determine compliance with this Section is made available upon request by the Board for Board audit;
 - e. If the training provider is an outside provider that does not seek confirmation that the course meets the requirements under subsection (A)(3)(c), a copy of the lesson plan or other information sufficient to determine compliance with this Section is given to each attendee; and
 - f. If the training provider is an outside provider that seeks and receives confirmation under subsection (A)(3)(c), a copy of the Board's written confirmation is distributed to each attendee.
 3. Training providers. Courses of continuing training may be conducted by the Board, an agency, or an outside provider.
 - a. All Board-provided continuing training courses meet the requirements of this Section.
 - b. Agency-provided continuing training courses meet the requirements of this Section if all the requirements of subsection (A)(2) are met.
 - c. Outside-provider continuing training courses meet the requirements of this Section if all the requirements of subsection (A)(2) are met. The Board ~~shall~~ may inform an outside provider in writing whether a continuing training course meets these requirements if a course package is submitted to the Board, in a timely manner before the training is conducted, that includes:
 - i. A description of the training course that allows the Board to determine whether the course contains advanced or remedial instruction on one or more of the topic areas specified in R13-4-116(E)(1);
 - ii. The name of the individual, or if applicable, the institution or organization, providing the training with sufficient information to allow the Board to determine whether the requirements of R13-4-114(A)(2)(a) or (b) are met;
 - iii. A course schedule listing the number of instructional hours; and
 - iv. An attestation that the outside provider shall, upon request by the Board, make the lesson plan or other information sufficient to determine compliance with this Section available for Board audit, and shall ensure that the requirement of subsection (A)(2)(b) is met.
 - d. The Board's confirmation that a continuing training course conducted by an outside provider meets the requirements of this Section is not an evaluation of the content of the course. Rather, confirmation indicates only that the topic of the course is consistent with R13-4-116(E)(1). Confirmation is effective as long as the information submitted to the Board under subsection (A)(3)(c) is unchanged.
 - e. The Board shall withdraw confirmation that a continuing training course conducted by an outside provider meets the requirements of this Section if the Board receives information that the course content conflicts with the basic peace officer course content and the Board finds that the conflict creates an issue of public safety, liability, or ethics.
 - f. If an agency wishes to host an outside-provider continuing training course:
 - i. Both the agency and outside provider shall comply with the provisions of subsections (A)(3)(c)(i) through (iii);
 - ii. The agency shall provide the confirmation described under subsection (A)(3)(c);
 - iii. The outside provider shall distribute to each attendee an attendance verification certificate described under subsection (A)(2)(c) and a copy of the confirmation received under subsection (A)(3)(f)(ii); and



- iv. Upon request, the agency shall make available to the Board the lesson plan and other information used to determine the outside-provider continuing training course met the requirements of this Section.
- 4. Required records. A peace officer shall provide to the appointing agency a copy of all documents provided to the peace officer under subsection (A)(2)(c), (A)(2)(e), ~~or (A)(2)(f), or (A)(3)(f)(iii).~~ The appointing agency shall maintain the documents and make them available, upon request by the Board, for Board audit.
- B. Proficiency training required.**
 - 1. To retain certification, a peace officer who is not in a ~~supervisory position~~ Sergeant or higher rank within the peace officer's appointing agency shall complete eight hours of proficiency training every three years beginning January 1, following the date the peace officer is certified.
 - 2. Proficiency training course standards. The provider of a proficiency training course for peace officers shall ensure that:
 - a. The training requires physical demonstration of one or more performance objectives included in the 585-hour full-authority peace officer basic training course under R13-4-116 and demonstration of the use of judgment in the application of the physical act;
 - b. The curriculum consists of advanced or remedial instruction on one or more of the following topic areas:
 - i. Arrest and control tactics,
 - ii. Tactical firearms (not the annual firearms qualification required under this Section),
 - iii. Emergency vehicle operations,
 - iv. Pursuit operations,
 - v. First aid and emergency care,
 - vi. Physical conditioning, and
 - vii. High-risk stops;
 - c. The instructor meets the requirements of R13-4-114(A)(2)(c);
 - d. An attendance verification certificate, which includes a statement that the provider believes the course meets the requirements of this Section, is given to each attendee for audit purposes; and
 - e. If the training provider is an agency, an attendance roster and lesson plan or other information sufficient to determine compliance with this Section is made available upon request by the Board for Board audit.
 - 3. Training providers. Courses that qualify for proficiency training credit may be conducted by the Board or an agency.
 - a. All Board-provided proficiency training courses meet the requirements of this Section.
 - b. Agency-provided proficiency training courses meet the requirements of this Section if all the requirements of subsection (B)(2) are met.
 - 4. Required records. A peace officer shall provide to the appointing agency a copy of the document provided to the peace officer under subsection (B)(2)(d). The appointing agency shall maintain and make the document available, upon request by the Board, for Board audit.
- C. Firearms qualification required.** A peace officer authorized to carry a firearm shall qualify to continue to be authorized to carry a firearm each year beginning January 1 following certification by completing a Board-prescribed firearms qualification course, using a service handgun and service ammunition, and a Board-prescribed target identification and judgment course.
 - 1. Firearms qualification course standards.
 - a. A firearms qualification course is a course:
 - i. Prescribed under R13-4-116(E)(1), or
 - ii. Determined by the Board to measure firearms competency at least as accurately as courses prescribed under R13-4-116(E)(1).
 - b. The provider of a firearms qualification course shall ensure that the course includes:
 - i. A timed accuracy component;
 - ii. A type and style of target that is equal to, or more difficult than, targets used in a course prescribed under R13-4-116(E)(1); and
 - iii. A success criterion that is equal to, or more difficult than, criteria used in a course prescribed under R13-4-116(E)(1).
 - 2. Firearms target identification and judgment course standards.
 - a. A firearms target identification and judgment course is a course:
 - i. Prescribed under R13-4-116(E)(1), or
 - ii. Determined by the Board to measure target identification and judgment competency at least as accurately as courses prescribed under R13-4-116(E)(1).
 - b. The provider of a firearms target identification and judgment course shall ensure that the course includes:
 - i. A timed accuracy component;
 - ii. A type and style of target discrimination test that is equal to, or more difficult than, those used in a course prescribed under R13-4-116(E)(1); and
 - iii. A success criterion that is equal to, or more difficult than, criteria used in a course prescribed under R13-4-116(E)(1).
 - 3. The provider of a firearms qualification or firearms target identification and judgment course shall ensure that the course is taught by a firearms instructor who meets the requirements of R13-4-114(A)(2)(c).
- D.** This Section is effective six months after filing with the Secretary of State as required by A.R.S. § 41-1823(A).

R13-4-114. Minimum Course Requirements

- A. Instructors.** An academy administrator or agency head shall ensure that only an instructor who meets the requirements of this Section facilitates a Board-prescribed course.
 - 1. Instructor classifications.
 - a. General instructor. An individual qualified to teach topics not requiring a proficiency instructor under subsection (A)(1)(c).
 - b. Specialist instructor. An individual, other than an Arizona peace officer, qualified to teach a topic in which the instructor has special expertise but who does not qualify for general instructor status.



- c. Proficiency instructor. An individual qualified to teach a topic area listed in R13-4-111(B)(2)(b).
 2. Instructor qualification standards.
 - a. A general instructor shall meet the following requirements of subsections (A)(2)(a)(i) and (A)(2)(a)(ii) and either the requirement of subsection (A)(2)(a)(iii) or (A)(2)(a)(iv):
 - i. Have two years' experience as a certified peace officer;
 - ii. Maintain instructional competency;
 - iii. Successfully complete a Board-sponsored instructor training course or an instructor training course that contains all of the performance objectives and demonstrations of the Board-sponsored instructor course;
 - iv. ~~Possess a community college or university teaching certificate.~~
 - b. A specialist instructor shall meet the requirements of subsections (A)(2)(b)(i) and (A)(2)(b)(ii) and either subsection (A)(2)(b)(iii) or subsections (A)(2)(b)(iv) and (A)(2)(b)(v):
 - i. Be nominated by an agency head or the administrator of an academy authorized to provide a peace officer basic training course;
 - ii. Maintain instructional competency;
 - iii. Possess a professional license or certification other than a peace officer certification that relates to the topics to be taught;
 - iv. Provide documentation to the agency head or academy administrator for forwarding to the Board that demonstrates the expertise and ability to enhance peace officer training in a special field;
 - v. ~~Possess a community college or university teaching certificate.~~
 - c. A proficiency instructor shall meet the requirements of subsections (A)(2)(c)(i) and (A)(2)(c)(ii) and either subsection (A)(2)(c)(iii) or (A)(2)(c)(iv):
 - i. Meet the requirements for general instructor;
 - ii. Maintain instructional competency;
 - iii. Successfully complete a proficiency instructor course in a topic area listed in R13-4-111(B)(2)(b) that includes a competency assessment to instruct in that area within the 585-hour full-authority peace officer basic training course listed in R13-4-116(E);
 - iv. Complete a form prescribed by the Board that documents advanced training and experience in the topic area including a competency assessment to instruct in that area within the 585-hour full-authority peace officer basic training course listed in R13-4-116(E);
 - d. A proficiency instructor shall meet the requirements of subsection (A)(2)(c) separately for each topic area listed in R13-4-111(B)(2)(b) for which the proficiency instructor seeks qualification.
 3. Instructional competency. An academy administrator or an agency head shall immediately notify the Board in writing of any instructor:
 - a. Who jeopardizes the safety of students or the public,
 - b. Whose instruction violates acceptable training standards,
 - c. Who is grossly deficient in performance as an instructor, or
 - d. Who is a proficiency instructor and fails to complete satisfactorily the competency assessment to instruct in the instructor's topic area within the 585-hour full-authority peace officer basic training course.
 4. If the Board determines that an instructor fails to comply with the provisions of this Section, has an instructional deficiency, or fails to maintain proficiency, any course facilitated by the instructor does not meet the requirements of this Section.
- B. Curriculum standards.** An academy administrator or agency head shall ensure that the curriculum for a Board-prescribed course meets the following standards:
1. Curriculum.
 - a. Curriculum development employs valid, job-based performance objectives and learning activities, and promotes student, officer, and public safety, as determined by a scientifically conducted validation study of the knowledge, skills, abilities, and aptitudes needed by the affected category of Arizona peace officer.
 - b. The curriculum meets or exceeds the requirements of subsection (B)(2), unless otherwise provided in this Section.
 2. Curriculum format standard. The curriculum consists of the following:
 - a. A general statement of instructional intent that summarizes the desired learning outcome, is broad in scope, and includes long-term or far-reaching learning goals;
 - b. Lesson plans containing:
 - i. Course title,
 - ii. Hours of instruction,
 - iii. Materials and aids to be used,
 - iv. Instructional strategy,
 - v. Topic areas in outline form,
 - vi. Performance objectives or learning activities,
 - vii. Success criteria, and
 - viii. Reference material;
 - c. Performance objectives consisting of at least the following components:
 - i. The student, which is an individual or group that performs a behavior as the result of instruction;
 - ii. The behavior, which is an observable demonstration by the student at the end of instruction that shows that the objective is achieved and allows evaluation of the student's capabilities to perform the behavior; and
 - iii. The conditions, which is a description of the important conditions of instruction or evaluation under which the student performs the behavior. Unless specified otherwise within the lesson plan, instruction and evaluation will be in written or oral form;



- d. Learning activities. A student is not required to demonstrate mastery of learning activities as a condition for successfully completing the training. Learning activities are subject areas for which performance objectives are not appropriate because either:
 - i. Reliable and meaningful assessment of mastery of the material would be extremely difficult or impossible, or
 - ii. Mastery of the material is not likely to bear a direct relationship to the ability to perform entry-level peace officer job duties; and
- e. The following decimal numbering system to provide a logical means of organization:
 - i. Functional area (1.0, 2.0, 3.0),
 - ii. Topic area (1.1.0, 1.2.0, 1.3.0), and
 - iii. Performance objective or learning activity (1.1.1, 1.1.2, 1.1.3).

C. The Board shall maintain and provide upon request a copy of curricula that meet the standards of this Section.

R13-4-116. Academy Requirements

- A. Unless otherwise provided in this Article, only the basic training provided by an academy that the Board determines meets the standards prescribed in this Section may be used to qualify for certified peace officer status.
- B. The academy administrator shall ensure that the academy has the following:
 - 1. A classroom with adequate heating, cooling, ventilation, lighting, and space;
 - 2. Chairs with tables or arms for writing;
 - 3. Visual aid devices for classroom presentation;
 - 4. Equipment in good condition for specialized instruction;
 - 5. A safe driving range for conducting the defensive and pursuit driving course;
 - 6. A firing range with adequate backstop to ensure the safety of all individuals on or near the range; and
 - 7. A safe location for practical exercises.
- C. Administrative requirements. The academy administrator shall ensure that the academy:
 - 1. Establishes and maintains written policies, procedures, and rules concerning:
 - a. Operation of the academy,
 - b. Entrance requirements,
 - c. Student and instructor conduct, and
 - d. Administering examinations;
 - 2. Admits only individuals who meet the requirements of R13-4-105, as attested to by the appointing agency or, in the case of an open enrollee, by the academy administrator, on a form A1 or A4, as applicable, which is submitted to ~~prescribed by~~ the Board on or before the first day of training;
 - 3. Administers to each student at the beginning of each academy session a written examination prescribed by the Board measuring competency in reading and writing English;
 - 4. Schedules sufficient time for ~~Board staff to administer~~ the CFE to be administered as required by R13-4-110(A); and
 - 5. Uses only instructors who are qualified under R13-4-114(A).
- D. Academic requirements. The academy administrator shall ensure that the academy:
 - 1. Establishes a curriculum with performance objectives and learning activities that meet the requirements of subsection (E) and R13-4-114(B);
 - 2. Requires instructors to use lesson plans that cover the course content and list the performance objectives to be achieved and learning activities to be used;
 - 3. Administers written, oral, or practical demonstration examinations that measure the attainment of the performance objectives;
 - 4. Reviews examination results with each student and ensures that the student is shown any necessary corrections and signs and dates an acknowledgment that the student participated in the review;
 - 5. Requires a student to complete successfully oral or written examinations that cover all topics in all functional areas before graduating.
 - a. Successful completion of an examination is a score of 70 percent or greater;
 - b. For a student who scores less than 70 percent, the academy shall:
 - i. Provide remedial training, and
 - ii. Re-examine the student in the area of deficiency; and
 - c. The academy shall allow a student to retake each examination only once;
 - 6. Requires a student to qualify with firearms as described in R13-4-116(E);
 - 7. Ensures that a student meets the success criteria for police proficiency skills under subsection (E)(1);
 - 8. Provides remedial training for a student who misses a class before allowing the student to graduate; and
 - 9. Refuses to graduate a student who is absent more than 32 hours from the 585-hour full-authority peace officer basic training course or 16 hours from the specialty or limited-authority peace officer basic training course.
- E. Basic course requirements. The academy administrator shall ensure that the academy uses curricula that meet the requirements of R13-4-114 for the following basic courses of instruction.
 - 1. The 585-hour full-authority peace officer basic training course shall include all of the topics listed in each of the following functional areas:
 - a. Functional Area I - Introduction to Law Enforcement.
 - i. Criminal justice systems,
 - ii. History of law enforcement,
 - iii. Law enforcement services,
 - iv. Supervision and management,
 - v. Ethics and professionalism, and
 - vi. Stress management.



- b. Functional Area II - Law and Legal Matters.
 - i. Introduction to criminal law;
 - ii. Laws of arrest;
 - iii. Search and seizure;
 - iv. Rules of evidence;
 - v. Summonses, subpoenas, and warrants;
 - vi. Civil process;
 - vii. Administration of criminal justice;
 - viii. Juvenile law and procedures;
 - ix. Courtroom demeanor;
 - x. Constitutional law;
 - xi. Substantive criminal law, A.R.S. Titles 4, 13, and 36; and
 - xii. Liability issues.
 - c. Functional Area III - Patrol Procedures.
 - i. Patrol and observation (part 1),
 - ii. Patrol and observation (part 2),
 - iii. Domestic violence,
 - iv. Mental illness,
 - v. Crimes in progress,
 - vi. Crowd control formations and tactics,
 - vii. Bomb threats and disaster training,
 - viii. Intoxication cases,
 - ix. Communication and police information systems,
 - x. Hazardous materials,
 - xi. Bias-motivated crimes,
 - xii. Fires, and
 - xiii. Civil Disputes.
 - d. Functional Area IV - Traffic Control.
 - i. Impaired driver cases;
 - ii. Traffic citations;
 - iii. Traffic collision investigation;
 - iv. Traffic collision (practical);
 - v. Traffic direction; and
 - vi. Substantive Traffic Law, A.R.S. Title 28.
 - e. Functional Area V - Crime Scene Management.
 - i. Preliminary investigation and crime scene management,
 - ii. Crime scene investigation (practical),
 - iii. Physical evidence procedures,
 - iv. Interviewing and questioning,
 - v. Fingerprinting,
 - vi. Sex crimes investigations,
 - vii. Death investigations including sudden infant death syndrome,
 - viii. Organized crime activity,
 - ix. Investigation of specific crimes, and
 - x. Narcotics and dangerous drugs.
 - f. Functional Area VI - Community and Police Relations.
 - i. Cultural awareness,
 - ii. Victimology,
 - iii. Interpersonal communications,
 - iv. Crime prevention, and
 - v. Police and the community.
 - g. Functional Area VII - Records and Reports. Report writing.
 - h. Functional Area VIII - Police Proficiency Skills.
 - i. First aid,
 - ii. Firearms training (including firearms qualification),
 - iii. Physical conditioning,
 - iv. High-risk stops,
 - v. Arrest and control tactics,
 - vi. Vehicle operations, and
 - vii. Pursuit operations.
 - i. Functional Area IX - Orientation and Introduction.
 - i. Examinations and reviews,
 - ii. Counseling, and
 - iii. Non-Board specified courses.
2. The specialty peace officer basic training course shall include all of the topics necessary from the 585-hour full-authority peace officer basic training course for the curriculum to meet the requirements of R13-4-114(B).



3. The limited-authority peace officer basic training course shall include all of the topics necessary from the 585-hour full-authority peace officer basic training course for the curriculum to meet the requirements of R13-4-114(B).
 4. Administrative functions such as orientation, introductions, examinations and reviews, and counseling are exempt from the requirements of R13-4-114(B).
- F.** Records required. The academy administrator shall ensure that the following records are maintained and made available for inspection by the Board or staff. The academy administrator shall provide to the Board copies of records upon request.
1. A record of all students attending the academy;
 2. A manual containing the policies, procedures, and rules of the academy;
 3. A document signed by each student indicating that the student received and read a copy of the academy policies, procedures, and rules;
 4. An application for each student, on a form prescribed by the Board, from the appointing agency or, in the case of an open enrollee, from the academy administrator, attesting that the requirements of R13-4-105 are met;
 5. A copy of all lesson plans used by instructors;
 6. An annually signed and dated acknowledgment that the academy administrator reviewed and approved each lesson plan used at the academy;
 7. A copy of all examinations, answer sheets or records of performance, and examination review acknowledgments;
 8. An attendance roster for all classes or other record that identifies absent students;
 9. A record of classes missed by each student and the remedial training received;
 10. A record of disciplinary actions for all students; and
 11. A file for each student containing the student's performance history.
- G.** Reports required. The academy administrator shall submit to the Board:
1. At least 10 working days before the start of each academy session, a complete schedule of classes containing the name of the instructor for each class and the training location;
 2. No more than five working days after the start of each academy session, on a form prescribed by the Board, a roster indicating whether a student is an open enrollee or appointed and if appointed, identifying the appointing agency, and the full name and Social Security number of each student;
 3. No more than five working days after dismissing a student from the academy, notification of the dismissal and the reason;
 4. No later than the tenth day of each month, a report containing:
 - a. A summary of training activities and progress of the academy class to date;
 - b. Unusual occurrences, accidents, or liability issues; and
 - c. Other problems or matters of interest noted in the course of the academy, if not included under subsection (G)(4)(b);
 5. No more than 10 working days after the end of each academy session, a complete schedule of classes containing the name of the instructor for each class and the training location;
 6. No more than 10 working days after the end of each academy session, on a form prescribed by the Board, a roster indicating whether a student is an open enrollee or appointed and if appointed, identifying the appointing agency, and the full name and Social Security number of each student successfully completing the training.
- H.** Required inspections. Before an academy provides training to individuals seeking certification for any category of peace officer, the Board staff shall conduct an onsite inspection of the academy to determine compliance with this Section and R13-4-114. Board staff shall conduct additional inspections as often as the Board deems necessary.
1. Within 30 days after the inspection, the Board staff shall provide to the academy administrator an inspection report that lists any deficiencies identified and remedial actions the academy is required to take to comply with the standards of this Section and R13-4-114.
 2. Within 30 days after receipt of the inspection report, the academy administrator shall submit to the Board a response that indicates the progress made to complete the remedial actions necessary to correct the deficiencies described in the inspection report. The academy administrator shall submit to the Board additional responses every 30 days until all remedial action is complete.
 3. Within 30 days after receipt of notice that all remedial action is complete, Board staff shall conduct another inspection.
 4. Following each inspection, Board staff shall present an inspection report to the Board describing the academy's compliance in meeting the standards of this Section and R13-4-114.
- I.** If an academy does not conduct a peace officer basic training course for 12 consecutive months, the academy shall not provide training until Board staff conducts another inspection as required by subsection (H). Otherwise, an academy may continue to provide training unless the Board determines that the academy is not in compliance with the standards of this Section or R13-4-114.
- J.** If the Board finds that an academy fails to comply with the provisions of this Section or R13-4-114, the academy shall not provide training to individuals seeking to be certified as peace officers.
- K.** An academy administrator shall ensure that an open enrollee is admitted only after the academy administrator complies with every requirement of an agency or agency head imposed by R13-4-105, R13-4-106, R13-4-107, and R13-4-108 except for R13-4-106(C)(4).



NOTICES OF SUPPLEMENTAL PROPOSED RULEMAKINGS

This section of the *Arizona Administrative Register* contains Notices of Supplemental Proposed Rulemakings.

After an agency has filed a Notice of Proposed Rulemaking and it is published in the *Register*, an agency may decide to make substantial changes to the rule after it is proposed. The agency prepares a Notice of Supplemental Proposed Rulemaking with these proposed changes. When filed, the notice is published under the deadline schedule in the back of the *Register*.

The Notice of Supplemental Proposed Rulemaking shall be published in the *Register* before holding any oral proceedings (A.R.S. § 41-1022).

The Office of the Secretary of State is the filing office and publisher of these rules. Questions about the interpretation of the proposed rules should be addressed to the agency that promulgated the rules. Refer to item #4 below to contact the person charged with the rulemaking and item #11 for the close of record and information related to public hearings and oral comments.

**NOTICE OF SUPPLEMENTAL PROPOSED RULEMAKING
TITLE 9. HEALTH SERVICES
CHAPTER 10. DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSING**

[R20-108]

PREAMBLE

1. Citations to the agency's Notice of Rulemaking Docket Opening, the Notice of Proposed Rulemaking, and any other Notices of Supplemental Proposed Rulemaking (if applicable) as published in the Register as specified in R1-1-409(A). A list of any other related notices published in the Register to include the information as specified in R1-1-409(A):

Notice of Rulemaking Docket Opening: 25 A.A.R. 2266, September 6, 2019
 Notice of Proposed Rulemaking: 26 A.A.R. 879, May 8, 2020

<u>2. Article, Part or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
R9-10-201	Amend
R9-10-208	Amend
R9-10-209	Amend

3. Citations to the agency's statutory rulemaking authority to include authorizing statutes (general) and the implementing statutes (specific):

Authorizing statute: A.R.S. §§ 36-132(A)(1) and 36-136(G)
 Implementing statute: A.R.S. §§ 36-405 and 36-406

4. The agency's contact person who can answer questions about the rulemaking:

Name: Kathryn McCanna, Branch Chief
 Address: Department of Health Services
 Health Care Institution Licensing
 150 N. 18th Ave., Suite 450
 Phoenix, AZ 85007
 Telephone: (602) 364-2841
 Fax: (602) 364-4808
 E-mail: Kathryn.McCanna@azdhs.gov
 or
 Name: Robert Lane, Chief
 Address: Department of Health Services
 Office of Administrative Counsel and Rules
 150 N. 18th Ave., Suite 200
 Phoenix, AZ 85007
 Telephone: (602) 542-1020
 Fax: (602) 364-1150
 E-mail: Robert.Lane@azdhs.gov

5. An agency's justification and reason why a rule should be made, amended, repealed or renumbered, to include an explanation about the rulemaking:

In order to ensure public health, safety, and welfare, Arizona Revised Statutes (A.R.S.) §§ 36-405 and 36-406 require the Arizona Department of Health Services (Department) to adopt rules establishing minimum standards and requirements for construction, modification, and licensure of health care institutions. The Department has adopted rules for licensing health care institutions in Arizona Administrative Code (A.A.C.) Title 9, Chapter 10. Article 2 of 9 A.C.C. Title 10 contains the rules specifically for hospitals as a class of health care institutions. The Department has become aware that the rules for hospitals do not appear to adequately



address assistance provided to a patient by another individual in the patient’s residence, which is not part of a health care institution, following care provided at a hospital and discharge of the patient. The Department has defined this as “aftercare.” A patient going to another health care institution after an inpatient discharge would be a transfer, covered under R9-10-211. A patient going back to another health care institution after an outpatient discharge would be a transport, covered under R9-10-210. After receiving an exception from the rulemaking moratorium pursuant to Executive Order 2019-01, the Department is revising the rules in Article 2 for the purpose of enhancing the existing discharge procedures at hospitals to address issues related to hospital discharge to home. The proposed rules will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Department did not review or rely on any study for this rulemaking.

7. An explanation of the substantial change which resulted in the supplemental notice:

The Department began this rulemaking in 2019 to address issues brought to the Department’s attention by representatives of AARP and individuals representing hospitals. AARP had worked with hospitals to develop recommendations for changes that would address issues with the discharge of a patient to home, but not unduly burden a hospital. The Department posted two drafts for comment to address these issues before meeting with stakeholders in September 2019. Another draft was posted in November 2019 that contained changes discussed during the meeting.

While meeting with stakeholders, representatives of assisted living facilities brought up additional issues with discharges from hospitals to other health care institutions, either as a result of a transport or transfer. These issues were again brought to the Department’s attention as the only comments about the November draft rules, and were specific to assisted living facilities. Since the Department believed that addressing these issues in a manner that would apply to all health care institutions would fit under the rulemaking exception, provide clarity to existing requirements, benefit patients, and not adversely affect hospitals, the Department made additional changes to the rulemaking in R9-10-409, Discharge Planning; Discharge, and added R9-10-410, Transport, and R9-10-411, Transfer.

Since these changes clarified existing requirements, they included things that the Department believed most, if not all, hospitals should already be doing. A draft containing these changes was posted for stakeholder comments from January 27, 2020, to March 2, 2020. The Department received only one set of comments about this draft, from a representative of assisted living facilities, asking again for even more changes specific to assisted living facilities. The Department reviewed these comments and determined that it was inappropriate to make them because rules are meant to have general applicability, the requested changes were specific to assisted living facilities, the Department has received no complaints that would indicate that the requested changes were necessary, and the requested changes would unduly burden hospitals.

The Department submitted a Notice of Proposed Rulemaking with the changes that were in the last draft that had been posted. During the formal public comment period, six sets of written comments were received about the rulemaking. An additional set of comments was received from a representative of the Health System Alliance of Arizona after the close of record, but these comments were also reviewed and considered when determining what course of action to follow for the rulemaking. The first and sixth sets of comments came from a lobbyist representing an entity on behalf of assisted living facilities who also attended the oral proceeding for the proposed rules that the Department held on June 9, 2020. The first was received before the oral proceeding, and the sixth after the oral proceeding. The second set of comments was from a representative of the Arizona Hospital and Healthcare Association. The third and fifth sets of comments came from different members of the Arizona Hospital and Healthcare Association. The fourth set of comments came from a representative of AARP who participated in the oral proceeding by teleconference.

The written and oral comments from the lobbyist reiterated the comments the Department had received about the last draft rules, requesting changes specific to assisted living facilities and other requirements that would be unduly burdensome to hospitals. The written comments from the Arizona Hospital and Healthcare Association expressed support for many of the changes made but suggested that more work “needs to be done on both sides of the isle—acute, post-acute, SNF, and assisted living. Moreover, not all of this work can nor should be legislated.” A comment suggested that an effective date of January 1, 2021, would be appropriate due to COVID-19. The written and oral comments from the representative of AARP expressed support for the changes being made related to aftercare. However, the comment was also made that, with respect to “transfers and discharges between health care institutions, AARP is supportive of a brief pause for the parties involved to resolve their concerns. In the event that the issues cannot be resolved in a timely fashion, we respectfully request that the rules move forward without the contentious issues in order to allow the consensus issues relating to after care and the aftercare provider to advance forward.”

Because there appears to be no consensus on the proposed changes related to transport or transfer, while there is consensus with respect to aftercare, the Department is making the substantive change to remove most of the clarifying changes to R9-10-209 and all of the proposed changes to R9-10-210 and R9-10-211 from this rulemaking. The Department will continue to work with the different stakeholders to try to achieve consensus about hospital discharges that are related to transports or transfers. However, because the health and safety of the vast majority of patients who are discharged home will be improved by the changes the Department is retaining in this rulemaking, the Department does not want to delay their implementation any further and is submitting this Notice to continue the rulemaking.

8. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

9. The preliminary summary of the economic, small business, and consumer impact:

The Department anticipates that the rulemaking may affect the Department, hospitals, patients being discharged from a hospi-



tal and their families, individuals providing assistance to a patient in the patient's home after discharge, and the general public. The proposed changes include clarifying requirements for discharge planning and discharge and adding requirements related to an individual providing assistance to a patient in the patient's home after discharge, termed "aftercare."

Although these changes may impose a minimal cost on the Department due to the additional time it may take during an inspection to make sure these requirements are being met, the Department anticipates that the changes being made in the proposed rules may provide a significant benefit to the Department. They may also provide a significant benefit to patients being discharged from a hospital and their families, aftercare providers, and the general public.

The Department believes that the new requirements related to aftercare may cause a hospital to incur minimal-to-moderate additional costs from updating policies and procedures, monitoring compliance, and possibly retraining staff to ensure compliance. A hospital may receive a significant benefit from knowing that a patient can be safely discharged to home, and possibly up to a substantial benefit if the tasks performed by an aftercare provider who is competent in carrying out the discharge instructions results in the patient not being readmitted under conditions that may affect Medicare reimbursement.

10. The agency's contact person who can answer questions about the economic, small business and consumer impact statement:

Name: Kathryn McCanna, Branch Chief
Address: Department of Health Services
Health Care Institution Licensing
150 N. 18th Ave., Suite 450
Phoenix, AZ 85007

Telephone: (602) 364-2841
Fax: (602) 364-4808
E-mail: Kathryn.McCanna@azdhs.gov

or

Name: Robert Lane, Chief
Address: Department of Health Services
Office of Administrative Counsel and Rules
150 N. 18th Ave., Suite 200
Phoenix, AZ 85007

Telephone: (602) 542-1020
Fax: (602) 364-1150
E-mail: Robert.Lane@azdhs.gov

11. The time, place, and nature of the proceedings to make, amend, renumber or repeal the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the supplemental proposed rule:

The Department has scheduled the following oral proceeding:

Date and time: Monday, August 10, 2020 at 1:00 p.m.

Location: ALS Training Room
150 N. 18th Ave.
Phoenix, AZ 85007

Close of record: 4:00 p.m., August 10, 2020

Teleconference: 1-318-995-1133 PIN: 516 803 982#

A person may submit written comments on the proposed rules no later than the close of record to either of the individuals listed in items #4 and #10. A person with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting Robert Lane at Robert.Lane@azdhs.gov or (602) 542-1020. Requests should be made as early as possible to allow time to arrange the accommodation.

12. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

There are no other matters prescribed by statutes applicable specifically to the Department or this specific rulemaking.

a. Whether the rule requires a permit, whether a general permit is used and if not, the reasons why a general permit is not used:

Although licensing of health care institutions is not addressed in this rulemaking, A.R.S. § 36-407 prohibits a person from establishing, conducting, or maintaining "a health care institution or any class or subclass of health care institution unless that person holds a current and valid license issued by the [D]epartment specifying the class or subclass of health care institution the person is establishing, conducting or maintaining." A health care institution license is specific to the licensee, class or subclass of health care institution, facility location, and scope of services provided. As such, a general permit is not applicable and is not used.

b. Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:

Not applicable

c. Whether a person submitted an analysis to the agency that compares the rule's impact of the competitiveness of business in this state to the impact on business in other states:



No business competitiveness analysis was received by the Department.

13. **A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:**
Not applicable

14. **The full text of the rules follows:**

**TITLE 9. HEALTH SERVICES
CHAPTER 10. DEPARTMENT OF HEALTH SERVICES
HEALTH CARE INSTITUTIONS: LICENSING**

ARTICLE 2. HOSPITALS

Section	
R9-10-201.	Definitions
R9-10-208.	Admission
R9-10-209.	Discharge Planning; Discharge

ARTICLE 2. HOSPITALS

R9-10-201. Definitions

In addition to the definitions in A.R.S. § 36-401 and R9-10-101, the following definitions apply in this Article unless otherwise specified:

1. "Adult" means an individual the hospital designates as an adult based on the hospital's criteria.
2. "Aftercare" means assistance provided to a patient by another individual in the patient's residence, which is not part of a health care institution, following care provided at a hospital, and may include:
 - a. Assisting the patient with activities of daily living, and
 - b. Following the discharge instructions provided by the hospital.
3. "Aftercare provider" means an individual who:
 - a. May be a friend or relative of a patient or be the patient's representative,
 - b. Is designated by the patient or the patient's representative to perform aftercare tasks, and
 - c. Is not compensated for performing aftercare tasks for the patient.
- ~~2-4.~~ "Care plan" means a documented guide for providing nursing services and rehabilitation services to a patient that includes measurable objectives and the methods for meeting the objectives.
- ~~3-5.~~ "Continuing care nursery" means a nursery where medical services and nursing services are provided to a neonate who does not require intensive care services.
- ~~4-6.~~ "Critically ill inpatient" means an inpatient whose severity of medical condition requires the nursing services of specially trained registered nurses for:
 - a. Continuous monitoring and multi-system assessment,
 - b. Complex and specialized rapid intervention, and
 - c. Education of the inpatient or inpatient's representative.
- ~~5-7.~~ "Device" has the same meaning as in A.R.S. § 32-1901.
- ~~6-8.~~ "Diet" means food and drink provided to a patient.
- ~~7-9.~~ "Diet manual" means a written compilation of diets.
- ~~8-10.~~ "Dietary services" means providing food and drink to a patient according to an order.
- ~~9-11.~~ "Diversion" means notification to an emergency medical services provider, as defined in A.R.S. § 36-2201, that a hospital is unable to receive a patient from an emergency medical services provider.
- ~~10-12.~~ "Drug formulary" means a written list of medications available and authorized for use developed according to R9-10-218.
- ~~11-13.~~ "Gynecological services" means medical services for the diagnosis, treatment, and management of conditions or diseases of the female reproductive organs or breasts.
- ~~12-14.~~ "Hospital services" means medical services, nursing services, and health-related services provided in a hospital.
- ~~13-15.~~ "Infection control risk assessment" means determining the probability for transmission of communicable diseases.
- ~~14-16.~~ "Inpatient" means an individual who:
 - a. Is admitted to a hospital as an inpatient according to policies and procedures,
 - b. Is admitted to a hospital with the expectation that the individual will remain and receive hospital services for 24 consecutive hours or more, or
 - c. Receives hospital services for 24 consecutive hours or more.
- ~~15-17.~~ "Intensive care services" means hospital services provided to a critically ill inpatient who requires the services of specially trained nursing and other personnel members as specified in policies and procedures.
- ~~16-18.~~ "Medical staff regulations" means standards, approved by the medical staff, that govern the day-to-day conduct of the medical staff members.
- ~~17-19.~~ "Multi-organized service unit" means an inpatient unit in a hospital where more than one organized service may be provided to a patient in the inpatient unit.
- ~~18-20.~~ "Neonate" means an individual:
 - a. From birth until discharge following birth, or
 - b. Who is designated as a neonate by hospital criteria.
- ~~19-21.~~ "Nurse anesthetist" means a registered nurse who meets the requirements of A.R.S. § 32-1601 and who has clinical privileges to administer anesthesia.



- ~~20-22.~~“Nurse executive” means a registered nurse accountable for the direction of nursing services provided in a hospital.
- ~~21-23.~~“Nursery” means an area in a hospital designated only for neonates.
- ~~22-24.~~“Nurse supervisor” means a registered nurse accountable for managing nursing services provided in an organized service in a hospital.
- ~~23-25.~~“Nutrition assessment” means a process for determining a patient’s dietary needs using information contained in the patient’s medical record.
- ~~24-26.~~“On duty” means that an individual is at work and performing assigned responsibilities.
- ~~25-27.~~“Organized service” means specific medical services, such as surgical services or emergency services, provided in an area of a hospital designated for the provision of those medical services.
- ~~26-28.~~“Outpatient” means an individual who:
- a. Is admitted to a hospital with the expectation that the individual will receive hospital services for less than 24 consecutive hours; or
 - b. Except as provided in subsection (17) receives, hospital services for less than 24 consecutive hours.
- ~~27-29.~~“Pathology” means an examination of human tissue for the purpose of diagnosis or treatment of an illness or disease.
- ~~28-30.~~“Patient care” means hospital services provided to a patient by a personnel member or a medical staff member.
- ~~29-31.~~“Pediatric” means pertaining to an individual designated by a hospital as a child based on the hospital’s criteria.
- ~~30-32.~~“Perinatal services” means medical services for the treatment and management of obstetrical patients and neonates.
- ~~31-33.~~“Post-anesthesia care unit” means a designated area for monitoring a patient following a medical procedure for which anesthesia was administered to the patient.
- ~~32-34.~~“Private duty staff” means an individual, excluding a personnel member, compensated by a patient or the patient’s representative.
- ~~33-35.~~“Psychiatric services” means the diagnosis, treatment, and management of a mental disorder.
- ~~34-36.~~“Social services” means assistance, other than medical services or nursing services, provided by a personnel member to a patient to assist the patient to cope with concerns about the patient’s illness or injury while in the hospital or the anticipated needs of the patient after discharge.
- ~~35-37.~~“Specialty” means a specific branch of medicine practiced by a licensed individual who has obtained education or qualifications in the specific branch in addition to the education or qualifications required for the individual’s license.
- ~~36-38.~~“Surgical services” means medical services involving a surgical procedure.
- ~~37-39.~~“Transfusion” means the introduction of blood or blood products from one individual into the body of another individual.
- ~~38-40.~~“Unit” means a designated area of an organized service.
- ~~39-41.~~“Vital record” has the same meaning as in A.R.S. § 36-301.
- ~~40-42.~~“Well-baby bassinet” means a receptacle used for holding a neonate who does not require treatment and whose anticipated discharge is within 96 hours after birth.

R9-10-208. Admission

An administrator shall ensure that:

1. A patient is admitted as an inpatient on the order of a medical staff member;
2. An individual, authorized by policies and procedures, is available to accept a patient for admission;
3. Except in an emergency, informed consent is obtained from a patient or the patient’s representative before or at the time of admission;
4. The informed consent obtained in subsection (3) or the lack of consent in an emergency is documented in the patient’s medical record;
5. A physician or other medical staff member performs a medical history and physical examination on a patient within 30 calendar days before admission or within 48 hours after admission and documents the medical history and physical examination in the patient’s medical record within 48 hours after admission; ~~and~~
6. If a physician or other medical staff member performs a medical history and physical examination on a patient before admission, the physician or the medical staff member enters an interval note into the patient’s medical record at the time of admission; ~~and~~
7. A patient or the patient’s representative is given an opportunity to:
 - a. Designate an individual who is willing to participate in discharge planning and act as the patient’s aftercare provider;
 - b. Provide contact information for the patient’s aftercare provider; and
 - c. Change the patient’s designated aftercare provider before discharge.

R9-10-209. Discharge Planning; Discharge

A. For an inpatient, an administrator shall ensure that discharge planning:

1. Is completed before discharge occurs;
- ~~1-2.~~ Identifies the specific needs of the patient after discharge, if applicable;
- ~~2-3.~~ Includes the participation of the patient or ~~the~~ patient’s representative and, if applicable, the patient’s aftercare provider;
- ~~3.~~ Is completed before discharge occurs;
4. If the patient is being discharged to the patient’s residence, which is not part of a health care institution:
 - a. Includes at least one attempt, which is documented in the patient’s medical record, to notify the patient’s aftercare provider, if designated, before the patient’s discharge; and
 - b. Prepares the patient, the patient’s representative, or the patient’s aftercare provider, as applicable, to carry out the discharge instructions required in subsection (B)(3)(a), including:
 - i. Answering questions about the discharge instructions and aftercare; and
 - ii. Providing a demonstration of the aftercare tasks to the patient, the patient’s representative, or the patient’s aftercare provider, as applicable;



- ~~4.5.~~ Provides the patient or the patient’s representative with written information identifying classes or subclasses of health care institutions and the level of care that the health care institutions provide that may meet the patient’s assessed and anticipated needs after discharge, if applicable; and
- ~~5.6.~~ Is documented in the patient’s medical record.
- B.** For an inpatient discharge or a transfer of an inpatient, an administrator shall ensure that:
 - 1. There is a discharge summary that includes:
 - a. A description of the patient’s medical condition and the medical services provided to the patient; and
 - b. The signature of the medical practitioner coordinating the patient’s medical services;
 - 2. There is a documented discharge order for the patient by a medical practitioner coordinating the patient’s medical services before discharge unless the patient leaves the hospital against a medical staff member’s advice; ~~and~~
 - 3. If the patient is not being transferred:
 - a. There are documented discharge instructions; and
 - b. The patient or ~~the~~ patient’s representative and the patient’s aftercare provider, if designated, is provided with a copy of the discharge instructions; ~~and~~
 - 4. If the patient is being transferred, the transfer complies with R9-10-211.
- C.** Except as provided in subsection (D), an administrator shall ensure that an outpatient is discharged according to policies and procedures.
- D.** For a discharge of an outpatient receiving emergency services, an administrator shall ensure that:
 - 1. A discharge order is documented by a medical practitioner who provided medical services to the patient before the patient is discharged, unless the patient leaves against a medical staff member’s advice; and
 - 2. Discharge instructions are documented and provided to the patient or ~~the~~ patient’s representative and the patient’s aftercare provider, if designated before the patient is discharged, unless the patient leaves the hospital against a medical staff member’s advice.



NOTICES OF PROPOSED EXPEDITED RULEMAKING

This section of the *Arizona Administrative Register* contains Notices of Proposed Expedited Rulemaking. The Office of the Secretary of State is the filing office and publisher of these rules.

Questions about the interpretation of the proposed expedited rule should be addressed to the agency proposing the rule. Refer to Item #5 to contact the person charged with the rulemaking.

NOTICE OF PROPOSED EXPEDITED RULEMAKING

TITLE 7. EDUCATION

CHAPTER 6. SCHOOL FACILITIES BOARD

[R20-109]

PREAMBLE

<u>1. Article, Part or Section Affected (as applicable)</u>	<u>Rulemaking Action</u>
R7-6-101	Amend
R7-6-201	Amend
R7-6-202	New Section
R7-6-205	Amend
R7-6-210	Amend
R7-6-211	Amend
R7-6-212	Amend
R7-6-213	Amend
R7-6-214	Amend
R7-6-215	Amend
R7-6-216	Repeal
R7-6-216	New Section
R7-6-220	Amend
R7-6-221	Amend
R7-6-225	Amend
R7-6-226	Amend
R7-6-227	Amend
R7-6-230	Amend
R7-6-235	Amend
R7-6-240	Repeal
R7-6-245	Amend
R7-6-246	Amend
R7-6-247	Amend
R7-6-248	Repeal
R7-6-249	Amend
R7-6-250	Amend
R7-6-251	Amend
R7-6-255	Amend
R7-6-256	Amend
R7-6-258	Amend
R7-6-260	Repeal
R7-6-261	Amend
R7-6-265	Amend
R7-6-270	Amend
R7-6-271	Amend
R7-6-285	Amend
R7-6-701	Amend
R7-6-705	Repeal
R7-6-710	Amend
R7-6-711	Amend
R7-6-712	Repeal
R7-6-713	Repeal
R7-6-714	Amend
R7-6-715	Repeal



R7-6-716	Repeal
R7-6-719	Amend
R7-6-720	Repeal
R7-6-721	Amend
R7-6-725	Repeal
R7-6-726	Repeal
R7-6-727	Repeal
R7-6-730	Repeal
R7-6-735	Repeal
R7-6-740	Repeal
R7-6-745	Repeal
R7-6-746	Repeal
R7-6-747	Repeal
R7-6-748	Repeal
R7-6-749	Repeal
R7-6-750	Amend
R7-6-751	Repeal
R7-6-755	Repeal
R7-6-756	Amend
R7-6-757	Repeal
R7-6-758	Amend
R7-6-760	Repeal
R7-6-761	Repeal
R7-6-765	Repeal
R7-6-770	Repeal
R7-6-771	Repeal
R7-6-780	Amend
R7-6-781	Amend
R7-6-782	Amend
R7-6-783	Repeal
R7-6-790	Repeal

2. Citations to the agency's statutory rulemaking authority to include the authorizing statute (general) and the implementing statute (specific):

Authorizing statute: A.R.S. §§ 15-2002(A)(11) and 15-2011(F)
Implementing statute: A.R.S. § A.R.S. § 15-2002(A)(11) and 15-2011(F)

3. Citations to all related notices published in the Register as specified in R1-1-409(A) that pertain to the record of the proposed rule:

Notice of Rulemaking Docket Opening: 25 A.A.R. 1740, July 5, 2019

4. The agency's contact person who can answer questions about the rulemaking:

Name: Nick Loper, Executive Consultant
Address: 100 N 15th Ave., Suite 103
Phoenix, AZ 85007
Telephone: (602) 620-4868
E-mail: nick.loper@azdoa.gov
Web site: <https://sfb.az.gov>

5. An agency's explanation why the proposed expedited rule should be made, amended, repealed, or renumbered under A.R.S. § 41-1027(A) and why expedited proceedings are justified under A.R.S. § 41-1001(16)(c):

The rules of the School Facilities Board were made in 2001. During the intervening years, the rules have become inconsistent with current industry standards and Board practice, technological changes, and best practices regarding education. The rules are being updated to address these issues and others identified in a five-year-review report approved by the Council on February 2, 2016.

Under A.R.S. § 41-1027(A)(3) and (6), the Board is authorized to conduct an expedited rulemaking because the rulemaking does not increase the cost of regulatory compliance, increase a fee, or reduce procedural rights of persons regulated by the rules. The rulemaking also corrects typographical errors, clarifies language without changing its effect, and repeals redundant rules unnecessary for the operation of state government.

An exemption from Executive Order 2017-02 was provided for this rulemaking by Dawn Wallace, Director of the Governor's Office of Education, on August 24, 2017.

6. A reference to any study relevant to the rule that the agency reviewed and proposes either to rely on or not to rely on in its evaluation of or justification for the rule, where the public may obtain or review each study, all data underlying each study, and any analysis of each study and other supporting material:

The Board does not intend to review or rely on a study in its evaluation of or justification for any rule in this rulemaking.



7. A showing of good cause why the rulemaking is necessary to promote a statewide interest if the rulemaking will diminish a previous grant of authority of a political subdivision of this state:
 Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:
 Under A.R.S. § 41-1055(D)(2), the Board is not required to prepare an economic, small business, and consumer impact statement.

9. The agency's contact person who can answer questions about the economic, small business, and consumer impact of the proposed expedited rule:
 Name: Nick Loper, Executive Consultant
 Address: 100 N 15th Ave., Suite 103
 Phoenix, AZ 85007
 Telephone: (602) 620-4868
 E-mail: nick.loper@azdoa.gov
 Web site: <https://sfb.az.gov>

10. The time, place, and nature of the proceedings to make, amend, repeal, or renumber the rule, and how persons may provide written comment to the agency on the proposed expedited rule under A.R.S. § 41-1027(E):
 Written comments on the proposed expedited rulemaking should be directed to the person listed in item 4. Written comments must be received at or before the oral proceeding, which will be held as follows:

Date: Tuesday, July 21, 2020
 Time: 10:00 a.m.
 Location: In accordance with Department policy, the oral proceeding will be held telephonically. To participate in the oral proceeding, call 1-617-675-4444 and when requested, enter the following PIN: 585 562 989 9084#

11. All agencies shall list other matters prescribed by statute applicable to the specific agency or to any specific rule or class of rules. Additionally, an agency subject to Council review under A.R.S. §§ 41-1052 and 41-1055 shall respond to the following questions:

- None
- a. **Whether the rule requires a permit, license, or agency authorization under A.R.S. § 41-1037(A) and whether a general permit is used and if not, the reasons why a general permit is not used:**
 The Board does not issue permits.
 - b. **Whether a federal law is applicable to the subject of the rule, whether the rule is more stringent than federal law and if so, citation to the statutory authority to exceed the requirements of federal law:**
 Civil rights laws prohibiting discrimination based on disability are federal laws applicable to school facilities. The rules are not more stringent than federal law.
 - c. **Whether a person submitted an analysis to the agency that compares the rule's impact of the competitive-ness of business in this state to the impact on business in other states:**
 No analysis was submitted.

12. A list of any incorporated by reference material as specified in A.R.S. § 41-1028 and its location in the rules:
 None

13. The full text of the rules follows:

**TITLE 7. EDUCATION
 CHAPTER 6. SCHOOL FACILITIES BOARD**

ARTICLE 1. DEFINITIONS

Section
 R7-6-101. Definitions

ARTICLE 2. MINIMUM SCHOOL FACILITY GUIDELINES

Section
 R7-6-201. Application
 R7-6-202. ~~Reserved~~ Building Codes
 R7-6-205. School Site
 R7-6-210. ~~Academic Classroom Space~~ Square Footage
 R7-6-211. ~~Classroom Light~~ Classroom Fixtures and Equipment
 R7-6-212. ~~Reserved~~ Classroom Lighting
 R7-6-213. Classroom Temperature
 R7-6-214. Classroom ~~Acoustic~~ Acoustics
 R7-6-215. Classroom Air Quality
 R7-6-216. ~~Education Classroom Facilities for Disabled Students~~ Measuring Classroom Comfort
 R7-6-220. ~~Libraries and Media Centers/Research Area~~ Learning and Technology Center
 R7-6-221. Equipment for ~~Libraries and Media Centers/Research Area~~ Learning and Technology Center



- R7-6-225. ~~Cafeterias-Cafeteria~~
- R7-6-226. Food Service
- R7-6-227. Equipment List for Food Service
- R7-6-230. ~~Auditoriums, Multipurpose Rooms, or Other Multiuse Space~~
- R7-6-235. Technology
- R7-6-240. ~~Transportation Repealed~~
- R7-6-245. Science Facilities
- R7-6-246. Equipment List for Science Facilities
- R7-6-247. Art Facilities; Career and Technical Education Facilities
- R7-6-248. ~~Vocational Education Facilities Repealed~~
- R7-6-249. Physical Education and Comprehensive Health Program Facilities
- R7-6-250. Equipment List for Outdoor Physical Education Activity
- R7-6-251. Alternative Delivery Method
- R7-6-255. Parent Work Space
- R7-6-256. Two-way Internal Communication System
- R7-6-258. Administrative Space
- R7-6-260. ~~Laws and Building Codes Repealed~~
- R7-6-261. Energy Saving Measures
- R7-6-265. Building Systems
- R7-6-270. Building Structural Soundness
- R7-6-271. Exterior Envelope, Interior Surfaces, and Interior Finishes
- R7-6-285. Guidelines Exception

**ARTICLE 7. MINIMUM SCHOOL FACILITY GUIDELINES
FOR THE ARIZONA STATE SCHOOLS FOR THE DEAF AND BLIND**

Section

- R7-6-701. Application
- R7-6-705. ~~School Site Repealed~~
- R7-6-710. ~~Academic Classroom Space Square Footage Requirements for the ASDB~~
- R7-6-711. Classroom Fixtures and Equipment
- R7-6-712. ~~Classroom Lighting Repealed~~
- R7-6-713. ~~Classroom Temperature Repealed~~
- R7-6-714. Classroom Acoustics
- R7-6-715. ~~Classroom Air Quality Repealed~~
- R7-6-716. ~~Education Classroom Facilities for Disabled Students Repealed~~
- R7-6-720. ~~Libraries and Media Centers/Research Area Repealed~~
- R7-6-721. Equipment for ~~Libraries and Media Centers/Research Area~~ Learning and Technology Center
- R7-6-725. ~~Cafeterias Repealed~~
- R7-6-726. ~~Food Service Repealed~~
- R7-6-727. ~~Equipment List for Food Service Repealed~~
- R7-6-730. ~~Auditoriums, Multipurpose Rooms, or Other Multiuse Space Repealed~~
- R7-6-735. ~~Technology Repealed~~
- R7-6-740. ~~Transportation Repealed~~
- R7-6-745. ~~Science Facilities Repealed~~
- R7-6-746. ~~Equipment List for Science Facilities Repealed~~
- R7-6-747. ~~Art Facilities Repealed~~
- R7-6-748. ~~Vocational Education Facilities Repealed~~
- R7-6-749. ~~Physical Education and Comprehensive Health Program Facilities Repealed~~
- R7-6-750. Equipment List for Outdoor Physical Education
- R7-6-751. ~~Alternative Delivery Method Repealed~~
- R7-6-755. ~~Parent Work Space Repealed~~
- R7-6-756. Two-Way Internal Communication System
- R7-6-757. ~~Fire Alarm Repealed~~
- R7-6-758. Administrative Space
- R7-6-760. ~~Laws and Building Codes Repealed~~
- R7-6-761. ~~Energy Saving Measures Repealed~~
- R7-6-765. ~~Building Systems Repealed~~
- R7-6-770. ~~Building Structural Soundness Repealed~~
- R7-6-771. ~~Exterior Envelope, Interior Surfaces and Interior Finishes Repealed~~
- R7-6-775. ~~Minimum Gross Square Footage Repealed~~
- R7-6-776. ~~Assessment of Minimum Gross Square Footage Repealed~~



- R7-6-780. Student Boarding Space
 R7-6-781. Facility Requirements for ASDB Program Requirement Facilities Programs
 R7-6-782. Student Health Center
 R7-6-783. Parent Outreach Program Repealed
 R7-6-790. Guidelines Exception Repealed

ARTICLE 1. DEFINITIONS

R7-6-101. Definitions

~~In~~ The definitions at A.R.S. § 15-2032 apply to this Chapter. Additionally, unless otherwise specified, the following terms mean in this Chapter:

1. “Ambient CO₂ Level CO₂ level” means the carbon dioxide level of the outside air.
2. “All-weather All-weather surface” means ~~a~~ an area for vehicular use ~~and/or~~ or parking area that ~~shall be~~ is surfaced with ~~one of the following:~~ asphalt, concrete, chip seal, graded and compacted gravel, or other stabilized system.
3. “Area” means exterior covered or uncovered portion of a school site.
- 4-3. “Board” means the School Facilities Board.
- 5-4. “Decibel” means a unit ~~in which various acoustical hearing level quantities are expressed~~ for expressing the relative intensity of sounds.
- 6-5. “Eligible students” ~~means eligible students as defined in~~ has the same meaning as prescribed at A.R.S. § 15-901(A)(9).
- 7-6. “Equipment” means ~~a specified~~ an item not affixed to the real property of a school facility.
- 8-~~“Executive Director”~~ means Executive Director of the School Facilities Board as set forth in A.R.S. § 15-2002(C).
- 9-7. “Exterior envelope” means the exterior walls, floor, and roof of a building.
- 10-8. “Fixture” means ~~a specified~~ an item that is affixed to the real property of a school facility.
- 11-9. “Foot-candle Foot-candle” means the ~~direct light thrown,~~ amount of illumination the inside surface of ~~on a square foot of surface,~~ a one-foot-radius sphere would receive from ~~by~~ a candle 7/8 inch in diameter burning at the exact center of the sphere at 7.776 grams per hour.
- 12-10. “FTE” means ~~fulltime~~ full-time equivalent.
- 13-11. “General Classroom classroom” means a ~~classroom~~ space that ~~is or~~ can be appropriately configured for instruction in at least the areas of language arts, mathematics, and social studies.
- 14-12. “HVAC” means a heating, ventilation, and air conditioning system. ~~This does not necessarily mean a refrigerated~~ The air conditioning system may or may not be refrigerated.
13. “IEP” means individualized educational plan, a legal document required by law for each public school child who needs special education.
- 15-14. “Normal Conditions conditions” means occupancy during regular school hours while the building system is operating.
- 16-15. “PPM” means parts per million.
17. “Pupil” means student.
18. “Pupil transportation vehicle” means a bus used to transport eligible students between their residence and a school facility for the academic day ~~or a vehicle used to transport eligible disabled students between their residence and a school facility for the academic day.~~
- 19-16. “Random sample” means arbitrary selection through a process of ~~assigning numbers to~~ in which each classroom in each building ~~to be assessed~~ has an equal chance of being selected.
- 20-17. “School facility” means a building or group of buildings and outdoor area that are administered together to comprise a school campus.
- 21-18. “School site” means one or more parcels of land where a school facility is located. More than one school facility may be located on a school site.
22. “Space” means square footage located within the interior of a building.
- 23-19. “Specialty classroom” means a classroom ~~space~~ square footage that is ~~or~~ can be appropriately configured for instruction in a specific subject such as specifically designed for instruction in science, physical education, career and technical education, or art.
24. “Student body” means the number of students at a school facility.
- 25-20. “Student” means the number of students an individual:
 - a. Enrolled at a school facility; and
 - b. in In average daily membership. Average daily membership is defined as the attending average enrollment of fractional students and full time students, minus withdrawals, of each school day through the first 100 days in session, not adjusted for average daily attendance, which is defined at A.R.S. § 15-901.
21. “Student body” means the number of students at a school facility.
26. “Transportation capacity” means the number of passenger seats, according to manufacturer specifications, available on all of the pupil transportation vehicles owned by the school district, multiplied by two.



ARTICLE 2. MINIMUM SCHOOL FACILITY GUIDELINES

R7-6-201. Application

- A. The provisions of this ~~Article~~ Chapter apply:
 1. ~~After the effective date of the Chapter, and~~
 2. ~~To a newly constructed school facility, primary building renewal project, and necessary equipment.~~
- B. ~~The provisions of this Chapter are applicable to a school facility and equipment that are necessary to meet the minimum school facility guidelines established in this Article or to meet the gross square footage standards in addition to standards prescribed by law.~~
- C. ~~A school facility constructed or renewed and equipment obtained before the effective date of this Chapter is not required to comply with the provisions in this Chapter.~~

R7-6-202. Reserved Building Codes

- A. ~~When constructing a new school facility or performing a primary building renewal project, a school district shall comply with all applicable federal, state, and local building codes.~~
- B. ~~The Board shall maintain on its web site a list of building codes applicable to construction of a new school facility or renewal of an existing school facility. Before constructing a new school facility or renewing an existing school facility, a school district shall review the list of building codes to ensure compliance with all applicable codes.~~

R7-6-205. School Site

- A. A school site shall have safe access, parking, drainage, ~~and~~ security, ~~and area~~ to accommodate a school facility that complies with:
 1. ~~the~~ The minimum gross square footage requirements established in A.R.S. § 15-2011, for the number of students at the school facility; ~~and that comply with these guidelines~~
 2. This Chapter.
- B. ~~“Safe access” means~~ A school site provides safe access by having:
 1. ~~a~~ A student ~~drop-off~~ drop-off area; ~~and~~
 2. ~~or~~ A pedestrian pathway that allows students to enter the school facility through a designated point of entry without crossing vehicular traffic or by using crossing vehicular traffic at a designated crosswalk. ~~Any student drop-off area that is used by a bus must be configured to accommodate bus width and turning requirements.~~
- C. ~~“Parking means a maintainable all-weather surfaced~~ A school site provides adequate parking by having an all-weather surface area that is large enough to accommodate one parking space per staff FTE and one visitor parking space per 100 students. If this definition is not met, A school site that is unable to provide adequate parking may have the sufficiency of the parking at the school site is subject to review determined by the Board using the following criteria:
 1. Availability of street parking around the school;
 2. Availability of any nearby parking lots;
 3. Availability of public transit;
 4. Number of staff ~~that who~~ drive to work on a daily basis; and
 5. The average number of visitors on a daily basis.
- D. ~~“Drainage” means that a~~ A school site provides adequate drainage is configured such that runoff does not undermine the structural integrity of the school buildings located on the site or create flooding, ponding, or erosion resulting in a threat to health, safety, or welfare if the school site is prepared in a manner consistent with the drainage and floodplain management standards of the jurisdiction in which the school site is located.
- E. ~~“Security” means~~ A school site provides adequate security if there is a fenced or walled, play/physical outdoor, play or physical education area for preschool students with disabilities in programs for preschool children with disabilities and kindergarten and students in grades one kindergarten through grade six. This definition is met if the entire school is fenced or walled. If this definition is not met, A school site that is unable to provide adequate security may have the sufficiency of security at the school site is subject to review determined by the Board using the following criteria:
 1. Amount of vehicular traffic near the school site;
 2. Existence of hazardous or natural barriers on or near the school site;
 3. The amount of animal nuisance near the school site; and
 4. Visibility of the ~~play/physical outdoor, play or physical~~ education area.

R7-6-210. Academic Classroom Space Square Footage

- A. A school district shall have school facilities with ~~the following minimum~~ cumulative classroom square footage: ~~of 32 square feet for each student in programs for preschool children with disabilities, kindergarten programs and grades one through three in the district.~~
 1. For preschool students with disabilities through grade three: 32 square feet per student;
 2. For grades four through six: 28 square feet per student;
 3. For grades seven and eight: 26 square feet per student; and
 4. For grades nine through 12: 25 square feet per student.
- B. ~~A school district shall have school facilities with cumulative classroom square footage of 28 square feet for each student in grades four through six in the district. Classroom square footage of a school facility is measured from interior wall to interior wall of a classroom and is the space required for teaching. Both general and specialty classrooms are included in the classroom square footage of a school facility.~~
- C. ~~A school district shall have school facilities with cumulative~~ Cumulative classroom square footage of ~~26 square feet for each student in grades seven and eight in the district. is measured as follows:~~
 1. 100 percent of the classroom square footage usable for general classroom purposes and occupied throughout a day by the same students in programs for preschool students with disabilities, kindergarten, and grades one through six;
 2. 90 percent of the classroom square footage usable for general and specialty classroom purposes in programs for students in grades seven and eight; and



3. 85 percent of the classroom square footage usable for general and specialty classroom purposes in programs for students in grades nine through 12.
- D. ~~A school district shall have school facilities with cumulative classroom square footage of 25 square feet for each student in grades 9 through 12 in the district. Classroom square footage includes space allocated for any of the following purposes:~~
1. Garment storage.
 2. Supply storage.
 3. Work counter; and
 4. Teacher or student collaboration.
- E. ~~For purposes of measuring cumulative classroom square footage for programs for preschool children with disabilities, kindergarten programs and grades one through six, classroom spaces are those occupied throughout the school day by the same students, or usable for general classroom purposes. An exterior space may be included in the classroom square footage of a school facility if the exterior space is covered and meets all other standards in this Chapter.~~
- F. ~~For purposes of measuring cumulative classroom square footage for grades seven and eight, classroom spaces are 90 percent of the square footage of those rooms usable for general and specialty classroom purposes.~~
- G. ~~For purposes of measuring cumulative classroom square footage for grades 9 through 12, classroom spaces are 85 percent of the square footage of those rooms usable for general and specialty classroom purposes.~~
- H. ~~Classroom space is measured from interior wall to interior wall.~~
- I. ~~The amount of classroom space per student specified in this Article accounts for required teaching space.~~
- J. ~~The square footage of a general classroom is not counted as specialty classroom square footage.~~
- K. ~~The square footage of a specialty classroom is not counted as general classroom square footage.~~

R7-6-211. Classroom Fixtures and Equipment

- A. ~~Each general and specialty classroom shall:~~
1. ~~contain~~ Contain a work surface and seat for each student, teacher, and other individual regularly assigned to in the classroom. The work surface and seat shall be:
 - a. ~~appropriate~~ Appropriate for the normal activity of the class conducted in the room. ~~A work surface and seat are adequate if the items are; and~~
 1. ~~Safe; and~~
 2. ~~b. Maintainable~~ Capable of being moved into different configurations;
 - B. ~~2. Each general and specialty classroom shall have~~ Have one or more, non-electronic, mounted or retractable, surfaces, at least three feet by five feet, which fulfill all of the following purposes:
 - a. ~~an~~ Is erasable, surface and a surface
 - b. ~~Is suitable for projection, and purposes, appropriate for group classroom instruction and a~~
 - c. ~~Is suitable for display surface. A single surface may meet one or more of these purposes. An erasable surface and a surface suitable for projection purposes, appropriate for group classroom instruction must be at least three feet by five feet;~~
 - ~~C.3. Each general and specialty classroom shall have~~ Have storage for classroom materials or ~~access to conveniently located~~ accessible storage; and
 - ~~D.4. Each general and specialty classroom shall have a work surface and seat for the teacher and for the aid assigned to the classroom and~~ Have secure storage for student records, ~~that is located in the classroom or is convenient to access from the classroom or~~ conveniently accessible secure storage. Student records may be stored electronically.

R7-6-212. Classroom Lighting

- A. ~~Each general, science, and art classroom shall have a light system capable of maintaining at least:~~
1. ~~50 footcandles~~ Fifty foot-candles of light if the light is provided by incandescent, halogen, or fluorescent bulbs; or
 2. Thirty foot-candles of light if the light is provided by LED (light emitting diode) bulbs;
- B. ~~The light level shall be measured at a work surface located in the approximate center of the classroom, between clean light fixtures under normal operating conditions.~~
- C. ~~A random sample of 10 percent of the general, science, and art classrooms in each building shall be measured to determine the classroom light level for the school facility.~~
- D. ~~For purposes of this Section, all portable or modular buildings located at a school facility that were manufactured in the same year and installed at the school facility at the same time are considered a single building.~~

R7-6-213. Classroom Temperature

- A. ~~Each general, science, and art classroom~~ A school facility shall have a an HVAC system capable of maintaining a temperature between 68° and 82 F under normal conditions with an occupied classroom.
- B. ~~Except in areas where the elevation is above 5,000 feet, defective or non-operable air conditioners and evaporative coolers shall be replaced with air conditioning. Non-air conditioned schools with elevations less than 5,000 feet.~~
- C. ~~The temperature shall be measured at a work surface in the approximate center of the classroom, under normal conditions.~~
- D. ~~A random sample of 10 percent of the general, science, and art classrooms in each building shall be measured to determine the classroom temperature level for the school facility.~~
- E. ~~For purposes of this Section, all portable or modular buildings located at a school facility that were manufactured in the same year and installed at the school facility at the same time are considered a single building.~~

R7-6-214. Classroom Acoustics

- A. ~~Each general, science, and art classroom shall be maintainable at a~~ The sustained background sound level of each general, science, and art classroom shall be less than 55 decibels.
- B. ~~The sound level shall be measured at a work surface in the approximate center of the classroom, under normal conditions.~~



- ~~C.~~ A random sample of 10 percent of the general, science, and art classrooms in each building shall be measured to determine the classroom sound level for the school facility.
- ~~D.~~ For purposes of this Section, all portable or modular buildings located at a school facility that were manufactured in the same year and installed at the school facility at the same time are considered a single building.

R7-6-215. Classroom Air Quality

- ~~A.~~ Each general, science, and art classroom shall have a HVAC system capable of maintaining a CO₂ ~~The CO₂ level of not more than in~~ each general and specialty classroom shall not exceed 800 PPM above the ambient CO₂ level.
- ~~B.~~ The air quality shall be measured at a work surface in the approximate center of the classroom, under normal conditions.
- ~~C.~~ A random sample of 10 percent of the general, science, and art classrooms in each building shall be measured to determine the classroom air quality level for the school facility.
- ~~D.~~ For purposes of this Section, all portable or modular buildings located at a school facility that were manufactured in the same year and installed at the school facility at the same time are considered a single building.

R7-6-216. Education Classroom Facilities for Disabled Students Measuring Classroom Comfort

A school facility shall have space or access to space capable of being used for the education programs of disabled students attending the school facility. ~~To determine whether a school facility complies with the standards in R7-6-212 through R7-6-215:~~

- ~~1.~~ Classroom lighting, temperature, acoustics, and air quality shall be measured at a work surface in the approximate center of a classroom under normal conditions;
- ~~2.~~ Measuring shall be performed for a random sample of 10 percent of the general, science, and art classrooms in each building of the school facility; and
- ~~3.~~ All portable or modular buildings manufactured in the same year and installed at the school facility at the same time are considered a single building.

R7-6-220. Libraries and Media Centers/Research Area Learning and Technology Center

- ~~A.~~ A school facility shall have a learning and technology center with space for students to access ~~electronic and hard-copy~~ research materials, literature, non-text ~~and~~ reading materials, and reading books and technology, to permit students to achieve state academic standards as prescribed by the State Board of Education. ~~This~~ The learning and technology center shall include space for reading, listening, and viewing materials.
- ~~B.~~ For an elementary school facility that serves at least 150 students, ~~this space~~ the learning and technology center shall ~~be~~ have space equal to the greater of 1000 square feet or the square footage equal to 20 square feet per student for 10 percent of the student body.
- ~~C.~~ For a middle or junior high or high school facility that serves at least 150 students, ~~this space~~ the learning and technology center shall ~~be~~ have space equal to the greater of 1200 square feet or the square footage equal to 20 square feet per student for 10 percent of the student body.
- ~~D.~~ A school facility that serves at least 150 students shall have library fixtures and equipment in accordance with R7-6-221 as modified from time to time.
- ~~E.~~ A school facility shall have library materials in accordance with R7-6-221 as modified from time to time.

R7-6-221. Equipment for Libraries and Media Centers/Research Area Learning and Technology Center

- ~~A.~~ The standard equipment list for libraries and media centers/research areas is as follows ~~learning and technology center of a school facility shall contain the following minimum equipment:~~
 - ~~1.~~ One linear foot of library book shelves ~~shelf space~~ per student;
 - ~~2.~~ For a school facility of 150 or more students, one work surface ~~and seat~~ for every 20 students, minimum of 15, maximum of 75;
 - ~~3.~~ For a school of 150 or more students, one seat for every 20 students, minimum of 15, maximum of 75;
 - ~~4-3.~~ One TV/VCR;
 - ~~5-4.~~ One overhead projector ~~Projection equipment and projection surface;~~
 - ~~6-5.~~ Ten books per students ~~student;~~ ~~and~~
 - ~~7-6.~~ One almanac (may be ~~An~~ electronic or hard copy); ~~of each of the following:~~
 - ~~a.~~ Almanac.
 - ~~b.~~ Encyclopedia.
 - ~~c.~~ Atlas, ~~and~~
 - ~~d.~~ Unabridged dictionary.
 - ~~8.~~ One encyclopedia set per 200 students (may be electronic or hard copy);
 - ~~9.~~ One atlas (may be electronic or hard copy); ~~and~~
 - ~~10.~~ One unabridged dictionary (may be electronic or hard copy).
- ~~B.~~ Each ~~If a hard-copy almanac, encyclopedia, and or atlas is used, each~~ shall have a publication date of 2000 or later.

R7-6-225. Cafeterias Cafeteria

A school facility shall have a covered area or space, or combination, to permit ~~in which~~ students are able to eat within the school site, outside of general classrooms. ~~This~~ The space used as a cafeteria may have more than one function and may fulfill more than one guideline requirement (auditorium and/or indoor physical education) in this Chapter.

R7-6-226. Food Service

- ~~A.~~ A school facility shall have space, ~~and fixtures,~~ and equipment, in accordance with the standard equipment list in R7-6-227 as modified from time to time, for the preparation, receipt, storage, and service of ~~sufficient for receiving, storing, preparing, and serving~~ food to students. The food service fixtures and equipment shall be in or accessible to the cafeteria space, that is accessible to the serving area. The space, fixtures, and equipment shall be appropriate for the food service program of the school facility. Food service fixtures and equipment are subject to assessment under R7-6-265(A)(1) and (2).
- ~~B.~~ ~~Food~~ A school facility shall ensure food service ~~facilities~~ fixtures and equipment shall comply with county health codes.

**R7-6-227. Equipment List for Food Service-**

- A. A school facility that receives, stores, prepares, and serves food to students shall have the following fixtures and equipment ~~for the preparation, receipt, storage and service of food to students:~~
1. One three-compartment sink_;
 2. One ~~double stack~~ double-stack convection oven for a cooking kitchen or a warming oven_;
 3. One dishwasher if reusable dishes and silverware are used_;
 4. One ~~hot food~~ hot-food holding appliance_;
 5. One range with hood_;
 6. One refrigerator_;
 7. One freezer_; and
 8. One milk refrigerator.
- B. ~~The items in subsection (A) of this Section may be substituted for a reasonable An alternative may be substituted for any item in subsection (A) if the alternative enables the school facility to receive, store, prepare, and serve food to students.~~
- C. A school facility that receives, stores, and serves food prepared off the school site may adjust the items in subsection (A) accordingly.

R7-6-230. Auditoriums, Multipurpose Rooms, or Other Multiuse Space

A school facility shall have a space capable of being used for student assembly. The space shall be:

1. sufficient Large enough to accommodate one-third of the student body, ~~which shall be the~~
2. The same size or larger than an average classroom at the school facility, and ~~The space must be~~
3. equal to at least seven square feet multiplied by one-third of the student body in addition to the square footage of open aisle and exiting path space. This space may have more than one function and may fulfill more than one guideline requirement (cafeteria and/or indoor physical education).

R7-6-235. Technology

- ~~A. Each classroom at a A school facility shall have Internet access, at least through a network modem. Each school must have available either on a school basis or on a district wide basis a firewall and filtering software. Each school facility shall have provide at least one network connected multimedia computer device, available for student use, for every eight students, on a school wide network. Computer equipment is subject to assessment under R7-6-265(A)(1) and (2). A multimedia device is a computer, tablet, or other smart device with internet access capable of presenting multimedia content.~~
- ~~B. A multimedia computer is defined as a computer that has sound, CD-ROM, a keyboard, a monitor, and a pointing device.~~
- ~~C. Until June 30, 2005, each district shall have an application service provider, coupled with an adequate variety of instructional software.~~
- ~~D. In order to meet the requirements of this Section, should a school district have an application service provider in place, the school district may also meet the requirements of subsection (A) of this Section by purchasing thin client terminals or network appliances with full access to the Internet, equipped with a 13" screen or larger monitors.~~

R7-6-240. Transportation Repealed

- ~~A. Pupil transportation vehicles manufactured prior to 1978 shall be replaced if the eligible students transported exceeds the student transportation capacity of the district, excluding the vehicle eligible for replacement.~~
- ~~B. Diesel powered pupil transportation vehicles with more than 400,000 miles and gasoline powered pupil transportation vehicles with more than 200,000 miles shall be replaced if the eligible students transported exceeds the student transportation capacity of the district, excluding the vehicle eligible for replacement.~~
- ~~C. Diesel powered pupil transportation vehicles with more than 266,800 miles and gasoline powered pupil transportation vehicles with more than 133,400 miles shall be replaced if at least one half of the miles accumulated on the vehicle were driven on unpaved roads and if the eligible students transported exceeds the student transportation capacity of the district, excluding the vehicle eligible for replacement.~~

R7-6-245. Science Facilities

- A. A school facility with students in grades 5 five through 12 shall have classroom ~~space to deliver~~ square footage for delivery of practical science instruction, ~~or classroom space for an alternate science delivery method in science.~~
1. For grades five through eight, ~~no space is required beyond the academic classroom requirement~~ classroom square footage is required other than as specified in R7-6-210.
 2. For grades 9 nine through 12, four square feet per student is required for of practical and instructional instruction in science ~~space is required.~~ The space shall not be smaller than the average classroom at the facility. ~~This space is included in the academic classroom requirement and may be used for other instruction when not needed for practical instruction in science.~~
- B. ~~A Except as specified in R7-6-251, a school facility with students in grades 5 five through 12 that delivers practical science instruction shall have the science fixtures and equipment, in accordance with specified in R7-6-246 as modified from time to time. If an alternate science delivery method is used by a district, a school facility shall have science fixtures and equipment for students in grades 5 through 12 that are an alternate equivalent to the science fixtures and equipment identified in R7-6-246 for delivery of practical instruction in science.~~

R7-6-246. Equipment List for Science Facilities

- A. Science facilities for students in grades 9 nine through 12 shall have the following fixtures and equipment:
1. One demonstration table with non-corrosive surface per 250 students_;
 2. Six laboratory stations with a non-corrosive surface per 250 students_;
 3. One fume hood_;
 4. One chemical storage unit per 1,000 students_;
 5. One ~~eye wash/shower~~ eyewash or safety shower station per 250 students_;



- 6. One dissecting microscope per 25 students, minimum of ~~the lesser of 12 dissecting microscopes~~ or the number equal to one-half of the number of ~~eligible~~ students in grades nine through 12 divided by 25, whichever is fewer; and
- 7. One refrigerator.
- B. Science facilities for students in grades five through 12 shall have the following fixtures and equipment:
 - 1. One sink per 250 students;
 - 2. One compound microscope per 25 students, minimum of ~~the lesser of 12 compound microscopes~~ or the number equal to one-half of the number of ~~eligible~~ students in grades five through 12 divided by 25, whichever is fewer; and
 - 3. One balance per 250 students.

R7-6-247. Arts Facilities; Career and Technical Education Facilities

- A. ~~A~~ Except as specified in R7-6-251, a school facility with students in grades 7 seven through 12 shall have space to deliver art education programs, including visual, music, and performing arts, ~~programs or have access to an alternate delivery method~~ and career and technical education programs.
- B. ~~For~~ A school facility with students in grades 7 seven through 12; shall have four square feet per student of art and/or vocational education space is required for art education and career and technical education. The space shall not be smaller than the average classroom at the facility. ~~This space is included in the academic classroom requirement~~ and may be used for other instruction when not needed for instruction in the arts or career and technical education.
- C. A school facility with students in kindergarten through sixth grade may deliver art education in the classroom square footage specified in R7-6-210. Education in performing arts may be delivered to students in kindergarten through sixth grade in spaces such as a multiuse space, gymnasium, or cafeteria if the spaces have appropriate acoustical treatment.

R7-6-248. Vocational Education Facilities Repealed

- ~~A. A school facility with students in grades 7 through 12 shall have space to deliver vocational education programs or have access to an alternate delivery method.~~
- ~~B. For grades 7 through 12, four square feet per student of art and/or vocational education space is required. The space shall not be smaller than the average classroom at the facility. This space is included in the academic classroom requirement and may be used for other instruction.~~

R7-6-249. Physical Education and Comprehensive Health Program Facilities

- A. ~~A school facility shall have area and space and fixtures, in accordance with R7-6-250 as modified from time to time, classroom square footage for indoor physical education activity and space for a comprehensive health program established in compliance with the academic standards prescribed by the State Board of Education.~~
- B. ~~For schools designed for 20-50 students, the~~ The indoor space classroom square footage available for physical education must be one single space of at least 1,600 square feet. activity shall be:
 - 1. For a school facility designed to serve no more than 50 students: at least 1,600 square feet in a single space;
 - 2. For schools designed for 50 a school facility designed to serve 51 to 125 students; the indoor space available for physical education must be one single space of at least 2,600 square feet in a single space;
 - 3. For schools a school facility designed for more than 125 to serve 126 to 600 students; the total indoor space available for physical education must be at least 5,100 square feet, and one single space that is of which at least 2,600 square feet must be available: is in a single space; and
 - 4. For a school facility designed to serve more than 600 students: at least 7,500 square feet, which may include space that also serves as a cafeteria.
- C. ~~This space~~ The classroom square footage designated in subsection (B) may have more than one function and may fulfill more than one guideline requirement (cafeteria and/or auditorium). The including the comprehensive health space is the indoor space available for physical education program.

R7-6-250. Equipment List for Outdoor Physical Education Activity

- A. ~~A school facility shall have the following equipment and fixtures for physical education:~~
 - 1. ~~Exterior to the building, one hardscape equivalent in size to an outdoor basketball court size surface area and two goals per 300 students, four court to a maximum of three hardscapes.~~
 - 2. ~~B. Exterior to the building, one baseball/softball backstop~~ A school facility with students in grades seven through 12 shall have a sports field appropriate for softball, hardball, football, track, soccer, or other sports.
- ~~B. Concrete shall be used when installing basketball courts.~~

R7-6-251. Alternate Alternative Delivery Method

- ~~If~~ A school district may use an alternate delivery alternative method is used by the district to deliver instruction in art, science, or vocational career and technical education; the Before an alternate alternative method is used, the school district must be approved by shall:
 - 1. Have the school district governing board and be determine the alternative method is capable of meeting the requirements established in the academic standards prescribed by the State Board of Education for the specific subject area; and
 - 2. Approve use of the alternative method.

R7-6-255. Parent Work Space

- A. ~~If parents are invited to assist with school activities, a school facility shall include a work space capable of being used by large enough to accommodate the number of parents expected to assist with school activities at one time.~~
- B. One square foot per student, with a minimum of 150 square feet and a maximum of 800 square feet, is required. The maximum may be exceeded. The parent work space may be divided into more than one room. This space in multiple locations throughout the school facility and may have more than one function.

**R7-6-256. Two-way Internal Communication System**

A school facility shall have a ~~network and~~ two-way internal communication system between a central location and ~~each classroom, library, physical education space, and the cafeteria~~ each general and specialty classroom, the learning and technology center, and the cafeteria.

R7-6-258. Administrative Space

- A. A school facility shall have space for ~~the use of by~~ the administration of the school. For the school administrator, 150 designated square feet is required. For general administrative purposes, ~~and additional 1.5 square feet per student is required, with a minimum of a space between 150 square feet and a maximum of 2,500 and 1.5 square feet per student, as reasonable for the size of the anticipated student body, is required. The maximum may be exceeded.~~
- B. A school facility shall have a dedicated space in which to isolate a sick student from the other students. This space shall be ~~a designated space that is~~ accessible to a restroom; and large enough to accommodate one cot per 200 students, with a maximum of four cots. ~~The maximum may be exceeded.~~
- C. A school facility shall have work space available to the faculty. ~~This space that is in addition to any work area available to a teacher, space in or near a classroom. One square foot per student with a maximum of A space between 150 square feet and a maximum of 800 and one square foot is required foot per student, as reasonable for the size of the anticipated student body, is required. The maximum may be exceeded. The space may be divided into more than one room. This~~ The faculty work space may be in multiple locations throughout the school facility and may have more than one function.

R7-6-260. Laws and Building Codes Repealed

- ~~A. To the extent required by law, school buildings shall be in compliance with federal, state and local building and fire codes and laws that are applicable to the particular building. Existing school buildings are not required to comply with current requirements for new buildings unless this compliance is specifically mandated by law or by the building or fire code of the jurisdiction where the building is located.~~
- ~~B. At a minimum, the 1997 Uniform Building Code (UBC) is required to be met for new school facility construction and, as required, for building renovations in existing schools.~~

R7-6-261. Energy Saving Measures

~~New school facility construction and, as required, building renovations in existing school, Both construction of a new school facility and renewal of an existing school facility shall include, where reasonable, energy conservation upgrades measures that will provide dollar savings in excess of the cost of the upgrade conservation measure within eight years of the installation construction or renewal.~~

R7-6-265. Building Systems

- A. ~~Building~~ As required under A.R.S. § 15-2011(B)(3), building systems in a school facility must shall be in working order and capable of being properly maintained. A building system shall be is considered to be in “working order and capable of being maintained,” if all of the following:
- ~~1. The system is capable of being operated as intended and maintained;~~
 - ~~2. The system is capable of being maintained according to manufacturer’s instructions;~~
 - ~~2-3. Newly manufactured or refurbished replacement parts are available;~~
 - ~~3-4. The remaining life expectancy of the system, at the time of the initial statewide assessment, is at least three years;~~
 - ~~4-5. The system is capable of supporting the gross square footage standard and minimum of the school facility guidelines established in this Article; and~~
 - ~~5-6. Components of the system present no imminent danger of personal injury.~~
- B. ~~Building systems include, as required by law, under A.R.S. § 15-2011(B)(3) to be in working order and capable of being maintained include roof, plumbing, telephone, electrical, and heating and cooling HVAC systems. Additionally, under this Chapter, the following building systems shall be in working order and capable of being properly maintained: as well as fire alarm, twoway two-way internal communication, computer network cabling, and existing security systems.~~

R7-6-270. Building Structural Soundness

~~A As required under A.R.S. § 15-2011(B)(4), all buildings of a school facility must shall be structurally sound. A building of a school facility shall be is considered structurally sound if the building:~~

- ~~1. presents Presents no imminent danger of personal harm, or major~~
- ~~2. Has no visible signs of major decay or distress, and~~
- ~~3. the Appears to have at least three years of remaining life expectancy of the building structure appears to be at least a minimum of three years.~~

R7-6-271. Exterior Envelope, Interior Surfaces, and Interior Finishes

~~The exterior envelope, interior surfaces, and interior finishes at of a school facilities must facility shall be safe and capable of being maintained.~~

1. An exterior envelope is safe and capable of being maintained if:
 - a. Walls and roof are ~~weather tight under normal conditions with routine upkeep~~ constructed of materials requiring minimal maintenance, including painting;
 - b. ~~Doors~~ Walls, roof, doors, and windows are weather tight under normal conditions with routine upkeep; and
 - c. The building structural systems support the loads imposed on them.
2. An interior surface is safe and capable of being maintained if it is:
 - a. Structurally sound;
 - b. Capable of supporting a finish; and
 - c. Capable of continuing in its intended use, with normal maintenance and repair, for at least three years ~~after the initial statewide assessment.~~
3. An interior finish is safe and capable of being maintained if it is:



- a. Free of exposed lead paint;
- b. Free of friable asbestos; and
- c. Capable of continuing in its intended use, with normal maintenance and repair, for at least three years after the initial state-wide assessment.

R7-6-285. Guidelines Exception

The Board may grant an exception from any of the guidelines requirements, in this Chapter, upon agreement between the Board and the school district. To obtain an exception, the governing board of the school district shall submit a written request to the Board. The Board shall grant an exception if it determines that the intent of the guideline is capable of being met by the school district in an alternate alternative manner. If the Board grants the exception, the Board shall deem the school district shall be deemed to meet meets the guideline and is not eligible for state funding to meet the guideline.

ARTICLE 7. MINIMUM SCHOOL FACILITY GUIDELINES FOR THE ARIZONA STATE SCHOOLS FOR THE DEAF AND BLIND

R7-6-701. Application

- A.** The provisions of Article 2 apply to the Arizona State Schools for the Deaf and Blind (ASDB), created under A.R.S. Title 15, Chapter 11, except as specified in this Article.
- B.** When a provision of Article 2 refers to a school district, the reference shall be interpreted to mean the ASDB governing board.
- C.** If there is a conflict between a provision of this Chapter and a student’s IEP, the IEP controls.
- D.** The provisions of this Article are applicable only to the Arizona State Schools for the Deaf and Blind (“ASDB”) as created by A.R.S. Title 15, Chapter 11. Board funding for ASDB deficiency correction projects pursuant to this Article is subject to legislative authorization for such funding.

R7-6-705. School Site Repealed

- A.** A school site shall have safe access, parking, drainage, security, and area to accommodate a school facility that complies with the minimum gross square footage requirements established in A.R.S. § 52011, for the number of students at the school facility and that comply with these guidelines.
- B.** “Safe access” means a student drop off area or pedestrian pathway that allows students to enter the school facility without crossing vehicular traffic or by using a designated crosswalk. Any student drop off area that is used by a bus must be configured to accommodate bus width and turning requirements.
- C.** “Parking means a maintainable all-weather surfaced area that is large enough to accommodate one parking space per staff FTE and 10 visitor parking spaces per 100 students. If this definition is not met, the sufficiency of the parking at the site is subject to review by the Board using the following criteria:
 - 1. Availability of street parking around the school;
 - 2. Availability of any nearby parking lots;
 - 3. Availability of public transit;
 - 4. Number of staff that drive to work on a daily basis; and
 - 5. The average number of visitors on a daily basis.
- D.** “Drainage” means that a school site is configured such that runoff does not undermine the structural integrity of the school buildings located on the site or create flooding, ponding, or erosion resulting in a threat to health, safety, or welfare.
- E.** “Security” means perimeter fencing surrounding the campus with lockable access gates with at least one automatic gate including eard access as well as sight/audio, two-way communication with a central security office. The campus shall also have an accessible security office of at least 300 square feet per campus for visitor registration and multiple campus surveillance cameras strategically located around campus feeding video to the security office via monitors. The campus shall also have a fenced or walled play/physical education area for students in programs for preschool children with disabilities and kindergarten and students in grades 1 through 6. The requirement for a fenced or walled play/physical education area is met if the entire school is fenced or walled; otherwise, the sufficiency of this requirement is subject to review by the Board using the following criteria:
 - 1. Amount of vehicular traffic near the school site;
 - 2. Existence of hazardous or natural barriers on or near the school site;
 - 3. The amount of animal nuisance near the school site; and
 - 4. Visibility of the play/physical education area.

R7-6-710. Academic Classroom Space Square Footage Requirements for the ASDB

- A.** To accommodate the needs of ASDB students, the classroom square footage requirements of the ASDB differ from those of other school facilities as follows.
- A-B.** The ASDB shall have school facilities with Minimum cumulative classroom square footage: of 150 square feet for each of its students in programs for preschool children with disabilities and kindergarten programs.
 - 1. For preschool students with disabilities through kindergarten: 150 square feet per student; and
 - 2. For grades one through 12: 100 square feet per student.
- B-C.** The ASDB shall have school facilities with cumulative classroom square footage of 100 square feet for each of its students in grades kindergarten through six. Learning and technology center:
 - 1. For an elementary school facility that serves at least 150 students, the greater of 1000 square feet or the square footage equal to 325 square feet per student for 10 percent of the student body; and
 - 2. For a middle or junior high or high school facility that serves at least 150 students, the greater of 1200 square feet or the square footage equal to 275 square feet per student for 10 percent of the student body.
- C-D.** The ASDB shall have school facilities with cumulative classroom square footage of 100 square feet for each of its students in grades seven and eight. Multiuse space capable of being used for student assembly:
 - 1. Large enough to accommodate one-half of the student body plus parents and staff.



2. The same size or larger than an average classroom at the ASDB, and
 3. At least 50 square feet multiplied by one-third of the student body in addition to the square footage of open aisle and exiting path space.
- ~~D.E.~~ The ASDB shall have school facilities with cumulative classroom square footage of 100 square feet for each of its students in grades 9 through 12. Science facilities:
1. For grades five through eight, no classroom square footage is required other than as specified in R7-6-710; and
 2. For grades nine through 12, 10 square feet per student is required for practical instruction in science.
- ~~E.F.~~ For purposes of measuring cumulative classroom square footage for programs for preschool children with disabilities, kindergarten programs and grades one through six, classroom spaces are those occupied throughout the school day by the same students, or usable for general classroom purposes. Art facilities: For students in grades seven through 12, 10 square feet per student is required for art education.
- ~~F.G.~~ For purposes of measuring cumulative classroom square footage for grades seven and eight, classroom spaces are 90 percent of the square footage of those rooms usable for general and specialty classroom purposes. Career and technical education facilities: For students in grades seven through 12, 40 square feet per student is required for career and technical education programs.
- ~~G.H.~~ For purposes of measuring cumulative classroom square footage for grades 9 through 12, classroom spaces are 85 percent of the square footage of those rooms usable for general and specialty classroom purposes. Physical education and comprehensive health program facilities: 125 square feet per student of indoor space is required for physical education and comprehensive health programs.
- ~~H.I.~~ Classroom space is measured from interior wall to interior wall. The spaces designated under subsections (C) through (H) shall not be smaller than the average classroom at the ASDB.
- ~~I.J.~~ The amount of classroom space per student specified in this Article accounts for required teaching space. The spaces designated under subsections (E) through (H) shall not be:
1. Included in the classroom square footage requirement; or
 2. Used for instruction other than the specialty instruction specified.
- ~~J.~~ The square footage of a general classroom is not counted as specialty classroom square footage.
- ~~K.~~ The square footage of a specialty classroom is not counted as general classroom square footage.

R7-6-711. Classroom Fixtures and Equipment

- A. Each general and specialty classroom ~~of the ASDB~~ shall contain:
1. ~~two~~ Two work surfaces and seating per student and seating for each student, in the classroom that accommodates ~~The work surfaces and seat shall accommodate the special needs of a student who is deaf, blind, and multi-handicapped students or has multiple disabilities. The work surface and seat shall be appropriate for the normal activity of the class conducted in the room. A work surface and seat are adequate if the items are:~~ and
 1. Safe; and
 2. Maintainable One work surface and seat for the teacher and any other individual regularly assigned to the classroom.
- B. Each general and specialty classroom shall have an erasable surface and a surface suitable for projection purposes, appropriate for group classroom instruction and a display surface. A single surface may meet one or more of these purposes. An erasable surface and a surface suitable for projection purposes, appropriate for group classroom instruction must be at least three feet by five feet. ~~The ASDB shall provide the equipment and supplies necessary to meet the IEP of all students.~~
- ~~C.~~ Each general and specialty classroom shall have storage for classroom materials or access to conveniently located storage.
- ~~D.~~ Each general and specialty classroom shall have a work surface and seat for the teacher and for the aid assigned to the classroom and secure storage for student records, that is located in the classroom or is convenient to access from the classroom.
- ~~E.~~ Each classroom shall have the following equipment to facilitate instruction to deaf/hard of hearing students:
1. ~~TTY~~
 2. Accessible computer with Internet access and printer
 3. Television with built-in captioned and videocassette recorder.
 4. Loop systems for auditory access.
 5. Sound field amplification system.
 6. Overhead projector.
- ~~F.~~ Each classroom shall have the following equipment to facilitate instruction to blind/visually impaired students:
1. One CCTV.
 2. One listening station.
 3. Two Braille-n' Speakers.
 4. Two Braille writers.
 5. Slantboards.
 6. Fully accessible computer station with Braille printer.
 7. Tables to accommodate Braille writers and Braille books simultaneously.
 8. Shelving for Braille materials, low vision aids/equipment.
 9. Auditory electronic dictionaries and calculators.
 10. Cane racks.
 11. Television monitor with a video cassette recorder.

R7-6-712. Classroom Lighting Repealed

- ~~A.~~ Each general, science, and art classroom shall have non-glare, natural light and a light system capable of maintaining at least 50 foot-candles of ambient, indirect light and 70 foot-candles of direct task lighting, which may include lamps.
- ~~B.~~ The light level shall be measured at a work surface located in the approximate center of the classroom, between clean light fixtures under normal operating conditions.



- C. A random sample of 10 percent of the general, science, and art classrooms in each building shall be measured to determine the classroom light level for the school facility.
- D. For purposes of this Section, all portable or modular buildings located at a school facility that were manufactured in the same year and installed at the school facility at the same time are considered a single building.

R7-6-713. Classroom Temperature Repealed

- A. Each general, science, and art classroom, and all student residence space shall have a HVAC system capable of maintaining a temperature between 68° and 82° F under normal conditions with an occupied classroom.
- B. Except in areas where the elevation is above 5,000 feet, defective or non operable A/C conditioning and evaporative coolers shall be replaced with A/C. Non air conditioned schools with elevations less than 5,000 feet shall be air conditioned.
- C. In the classrooms, the temperature shall be measured at a work surface in the approximate center of the classroom, under normal conditions.
- D. A random sample of 10 percent of the student residence space, and the general, science, and art classrooms in each building shall be measured to determine the classroom temperature level for the school facility.
- E. For purposes of this Section, all portable or modular buildings located at a school facility that were manufactured in the same year and installed at the school facility at the same time are considered a single building.

R7-6-714. Classroom Acoustics

- A. The library/media center, the multipurpose room, and each general, science, and art classroom shall be maintainable at a sustained background sound level of the learning and technology center, multiuse space, and each general, science, and art classroom of the ASDB shall be less than 35 decibels.
- B. The sound level shall be measured at a work surface in the approximate center of the room, under normal conditions.
- C. A random sample of 10 percent of all rooms in each building subject to this requirement shall be measured to determine the room sound level for the school facility.
- D. For purposes of this Section, all portable or modular buildings located at a school facility that were manufactured in the same year and installed at the school facility at the same time are considered a single building.

R7-6-715. Classroom Air Quality Repealed

- A. Each general, science, and art classroom shall have a HVAC system capable of maintaining a CO2 level of not more than 800 PPM above the ambient CO2 level.
- B. The air quality shall be measured at a work surface in the approximate center of the classroom, under normal conditions.
- C. A random sample of 10 percent of the general, science, and art classrooms in each building shall be measured to determine the classroom air quality level for the school facility.
- D. For purposes of this Section, all portable or modular buildings located at a school facility that were manufactured in the same year and installed at the school facility at the same time are considered a single building.

R7-6-716. Education Classroom Facilities for Disabled Students Repealed

A school facility shall have space or access to space capable of being used for the education programs of disabled students attending the school facility.

R7-6-720. Libraries and Media Centers/Research Area Repealed

- A. A school facility shall have space for students to access research materials, literature, non-text reading materials, and reading books and technology, to permit students to achieve state academic standards as prescribed by the State Board of Education. This shall include space for reading, listening, and viewing materials.
- B. For an elementary school facility that serves at least 150 students, this space shall be the greater of 1000 square feet or the square footage equal to 325 square feet per student for 10 percent of the student body.
- C. For a middle or junior high or high school facility that serves at least 150 students, this space shall be the greater of 1200 square feet or the square footage equal to 275 square feet per student for 10 percent of the student body.
- D. A school facility that serves at least 150 students shall have library fixtures and equipment in accordance with R7-6-721 as modified from time to time.
- E. A school facility shall have library materials in accordance with R7-6-721 as modified from time to time.

R7-6-721. Equipment for Libraries and Media Centers/Research Area Learning and Technology Center

- A. The standard equipment list for libraries and media centers/research areas is as follows: The learning and technology center of each ASDB campus shall have equipment defined in each student's IEP or as defined in R7-6-221, as appropriate.
 1. Twelve linear feet of library book shelves per blind student and two linear feet of library book shelves per deaf student;
 2. One work surface for every 40 students;
 3. One seat for every eight students;
 4. Two TV's/VCR's;
 5. One overhead projector;
 6. One accessible computer station with Internet access for every 25 students;
 7. One Braille printer;
 8. Ten books per students;
 9. One almanac (may be electronic or hard copy);
 10. One encyclopedia set per 200 students (may be electronic or hard copy);
 11. One atlas (may be electronic or hard copy);
 12. One unabridged dictionary (may be electronic or hard copy); and
 13. At least one set of each of the books listed in subsections (9) through (12) of this Section shall be accessible to blind students.



B. Each almanac, encyclopedia and atlas shall have a publication date of 2000 or later.

R7-6-725. Cafeterias Repealed

A school facility shall have a covered area or space, or combination, to permit students to eat within the school site, outside of general classrooms. This space may have more than one function and may fulfill more than one guideline requirement.

R7-6-726. Food Service Repealed

A. A school facility shall have space and fixtures and equipment, in accordance with the standard equipment list in R7-6-727 as modified from time to time, for the preparation, receipt, storage, and service of food to students that is accessible to the serving area. The space, fixtures, and equipment shall be appropriate for the food service program of the school facility. Food service fixtures and equipment are subject to assessment under R7-6-765(A)(1) and (2).

B. Food service facilities and equipment shall comply with county health codes.

R7-6-727. Equipment List for Food Service Repealed

A. A school facility shall have the following fixtures and equipment for the preparation, receipt, storage and service of food to students:

1. One three compartment sink.
2. One double stack convection oven for a cooking kitchen or a warming oven.
3. One dishwasher if reusable dishes and silverware are used.
4. One hot food holding appliance.
5. One range with hood.
6. One refrigerator.
7. One freezer.
8. One milk refrigerator.

B. The items in subsection (A) of this Section may be substituted for a reasonable alternative.

R7-6-730. Auditoriums, Multipurpose Rooms, or Other Multiuse Space Repealed

A school facility shall have a space capable of being used for student assembly sufficient to accommodate one half of the student body plus parents and staff, which shall be the same size or larger than an average classroom at the facility. The space must be equal to at least 50 square feet multiplied by one third of the student body. This space may have more than one function and may fulfill more than one guideline requirement (cafeteria and/or indoor physical education).

R7-6-735. Technology Repealed

A. Each classroom at a school facility shall have Internet access, at least through a network modem. Each school must have available either on a school basis or on a district wide basis a firewall and filtering software. Each school facility shall have at least one network multimedia computer, available for student use, for every eight students, on a school-wide network. Computer equipment is subject to assessment under R7-6-765(A)(1) and (2).

B. A multimedia computer is defined as a computer that has sound, CD-ROM, a keyboard, a monitor, and a pointing device.

C. Until June 30, 2005, each ASDB campus shall have an application service provider, coupled with an adequate variety of instructional software.

D. When five or more students are provided instruction remotely, at least one classroom in each school facility shall be equipped for distance learning activities, including video conferencing capable of supporting 30 frames per second.

R7-6-740. Transportation Repealed

A. Pupil transportation vehicles manufactured prior to 1978 shall be replaced if the eligible students transported exceeds the student transportation capacity of the district, excluding the vehicle eligible for replacement.

B. Diesel powered pupil transportation vehicles with more than 250,000 miles or more than 10 years of service, gasoline powered pupil transportation vehicles with more than 150,000 miles or more than 10 years of service, and coach buses with more than 500,000 miles or more than 15 years of service, shall be replaced if the eligible students transported exceeds the student transportation capacity of the district, excluding the vehicle eligible for replacement.

R7-6-745. Science Facilities Repealed

A. A school facility with students in grades 5 through 12 shall have classroom space to deliver practical science instruction, or classroom space for an alternate science delivery method.

1. For grades five through eight no space is required beyond the academic classroom requirement. For grades 9 through 12, 10 square feet per student of practical and instructional science space is required. The space shall not be smaller than the average classroom at the facility. This space is separate and distinct from the academic classroom requirement and may not be used for other instruction.

B. A school facility with students in grades 5 through 12 that delivers practical science instruction shall have science fixtures and equipment, in accordance with R7-6-746 as modified from time to time. If an alternate science delivery method is used by the ASDB, a school facility shall have science fixtures and equipment for students in grades 5 through 12 that are an alternate equivalent to the science fixtures and equipment identified in R7-6-746.

R7-6-746. Equipment List for Science Facilities Repealed

A. Science facilities for students in grades 9 through 12 shall have the following fixtures and equipment:

1. One demonstration table with non-corrosive surface per 250 students.
2. Six laboratory stations with a non-corrosive surface per 250 students.
3. One fume hood.
4. One chemical storage unit per 1,000 students.
5. One eye wash/shower per 250 students.



- 6. One dissecting microscope per 25 students, minimum of the lesser of 12 or one half of the number of eligible students.
- 7. One refrigerator.

B. Science facilities for students in grades 5 through 12 shall have the following fixtures and equipment:

- 1. One sink per 250 students.
- 2. One compound microscope per 25 students, minimum of the lesser of 12 or one half of the number of eligible students.
- 3. One balance per 250 students.

R7-6-747. Arts Facilities Repealed

- A.** A school facility with students in grades 7 through 12 shall have space to deliver art education programs including visual, music, and performing arts programs or have access to an alternate delivery method.
- B.** For grades 7 through 12, ten square feet per student of art and/or vocational education space is required. The space shall not be smaller than the average classroom at the facility. This space shall not be included in the academic classroom requirement and may not be used for other instruction.

R7-6-748. Vocational Education Facilities Repealed

- A.** A school facility with students in grades 7 through 12 shall have space to deliver vocational education programs or have access to an alternate delivery method.
- B.** For grades 7 through 12, forty square feet per student of art and/or vocational education space is required. The space shall not be smaller than the average classroom at the facility. This space shall not be included in the academic classroom requirement and may not be used for other instruction.

R7-6-749. Physical Education and Comprehensive Health Program Facilities Repealed

- A.** A school facility shall have area and space and fixtures, in accordance with R7-6-750 as modified from time to time, for physical education activity and space for a comprehensive health program established in compliance with the academic standards prescribed by the State Board of Education.
- B.** One hundred twenty five square feet per student of comprehensive health space is required. The comprehensive health space is the indoor space available for physical education and this space shall not be included in the academic classroom requirement and this space shall not have more than one function or satisfy more than one guideline requirement.

R7-6-750. Equipment List for Outdoor Physical Education

- A.** A school facility shall have the following equipment and fixtures for physical education:
 - 1. Exterior to the building, one hardscape equivalent in size to an outdoor basketball court size surface area and two goals per 300 students, four court to a maximum of three hardscapes.
 - 2. Exterior to the building, one baseball/softball backstop.
- B.** Concrete shall be used when installing basketball courts.

R7-6-751. Alternate Delivery Method Repealed

If an alternate delivery method is used by the ASDB to deliver instruction in art, science, or vocational education, the alternate method must be approved by the ASDB governing board and be capable of meeting the requirements established in the academic standards prescribed by the State Board of Education for the specific subject area.

R7-6-755. Parent Work Space Repealed

- A.** If parents are invited to assist with school activities, a school facility shall include a work space capable of being used by parents.
- B.** One square foot per student, with a minimum of 150 square feet and a maximum of 800 square feet, is required. The maximum may be exceeded. The space may be divided into more than one room. This space may have more than one function.

R7-6-756. Two-way Internal Communication System

A school facility shall have a network and two-way two-way internal communication system between a central location and each classroom, library, physical education space, and the cafeteria each general and specialty classroom, the learning and technology center, and the cafeteria. The internal communication system shall have both audio and video capabilities.

R7-6-757. Fire Alarm Repealed

A school facility shall have a fire alarm system as required by the State Fire Marshal. The fire alarm system shall meet current ADAAG requirements.

R7-6-758. Administrative Space

- A.** A school facility shall have space for the use of by the administration of the school. For the school administrator, 150 designated square feet is required. For general administrative purposes, and additional 7.5 square feet per student is required, with a minimum of a space between 150 square feet and a maximum of 2,500 square feet. The maximum may be exceeded and 7.5 square feet per student, as reasonable for the size of the anticipated student body, is required.
- B.** A school facility shall have a dedicated space in which to isolate a sick student from the other students. This space shall be a designated space that is accessible to a restroom, and large enough to accommodate one cot per 50 students, with a maximum of eight cots. The maximum may be exceeded.
- C.** A school facility shall have work space available to the faculty. This space that is in addition to any work area available to a teacher, space in or near a classroom. One square foot per student with a maximum of A space between 150 square feet and a maximum of 800 square feet and one square foot per student, as reasonable for the size of the anticipated student body, is required. The maximum may be exceeded. The space may be divided into more than one room. This The faculty work space may be in multiple locations throughout the school facility and may have more than one function.



D. A 9,500 square foot facility used for the administration of the Arizona School for the Deaf and Blind shall also be available.

R7-6-760. Laws and Building Codes Repealed

- A.** To the extent required by law, school buildings shall be in compliance with federal, state and local building and fire codes and laws that are applicable to the particular building.
- B.** At a minimum, the 1997 Uniform Building Code (UBC) is required to be met for new school facility construction and, as required, for building renovations in existing schools.

R7-6-761. Energy Saving Measures Repealed

New school facility construction and, as required, building renovations in existing schools, shall include, where reasonable, energy conservation upgrades that will provide dollar savings in excess of the cost of the upgrade within eight years of the installation.

R7-6-765. Building Systems Repealed

- A.** Building systems in a school facility must be in working order and capable of being properly maintained. A building system shall be considered to be in "working order and capable of being maintained," if all of the following:
1. The system is capable of being operated as intended and maintained.
 2. Newly manufactured or refurbished replacement parts are available.
 3. The remaining life expectancy of the system, at the time of the initial statewide assessment, is at least three years.
 4. The system is capable of supporting the gross square footage standard and minimum school facility guidelines established in this Article.
 5. Components of the system present no imminent danger of personal injury.
- B.** Building systems include, as required by law, roof, plumbing, telephone, electrical, and heating and cooling systems as well as fire alarm, two-way internal communication, computer cabling, and existing security systems.

R7-6-770. Building Structural Soundness Repealed

A school facility must be structurally sound. A school facility shall be considered structurally sound if the building presents no imminent danger or major visible signs of decay or distress, and the remaining life expectancy of the building structure appears to be at least a minimum of three years.

R7-6-771. Exterior Envelope, Interior Surfaces and Interior Finishes Repealed

The exterior envelope, interior surfaces, and interior finishes at school facilities must be safe and capable of being maintained.

1. An exterior envelope is safe and capable of being maintained if:
 - a. Walls and roof are weather tight under normal conditions with routine upkeep;
 - b. Doors and windows are weather tight under normal conditions with routine upkeep; and
 - c. The building structural systems support the loads imposed on them.
2. An interior surface is safe and capable of being maintained if it is:
 - a. Structurally sound;
 - b. Capable of supporting a finish; and
 - c. Capable of continuing in its intended use with normal maintenance and repair for at least three years after the initial statewide assessment.
3. An interior finish is safe and capable of being maintained if it is:
 - a. Free of exposed lead paint;
 - b. Free of friable asbestos; and
 - c. Capable of continuing in its intended use, with normal maintenance and repair, for at least three years after the initial statewide assessment.

R7-6-775. Minimum Gross Square Footage Repealed

The ASDB shall have sufficient school facilities, which comply with minimum school facility guidelines established in this Article, to meet the per pupil minimum adequate gross square footage requirements for the ASDB as determined by law, based on number and grade distribution of the students served by the ASDB.

R7-6-776. Assessment of Minimum Gross Square Footage Repealed

- A.** Computation of the gross square footage of a school facility may be by physical measure or by calculation based on architectural plan documents.
- B.** The gross square footage of a school facility equals all space within the facility excluding space used for ASDB administrative purposes.
- C.** The gross square footage of the ASDB shall equal the sum of the gross square footage of each school facility owned by the ASDB.
- D.** The minimum gross square footage of the ASDB equals the sum of the products of the students in each grade or program for pre-school children with disabilities or kindergarten program multiplied by the minimum adequate gross square footage requirements per pupil, applicable to the ASDB for such grade or program.
- E.** For the purpose of assessment of minimum gross square footage, the number of children in all grades and kindergarten shall be evenly distributed across all grades and kindergarten served by the ASDB.

R7-6-780. Student Boarding Space

Each ASDB campus shall provide safe and sanitary student boarding for resident ASDB students as follows:

1. A student dormitory consisting of a shared living area, resident and kitchen; and a bedroom for each student in grades preschool kindergarten through grade 12, at a ratio of The student dormitory shall provide at least 400 square feet of space per student, and
2. A bedroom for each Resourcee housing at a ratio of 150 square feet per occupant;
3. One live-in assistant housing (apartment) for every eight resident students at a ratio of 500 square feet per live-in assistant.



- 4. One laundry room for every student dormitory. The laundry room shall provide at least at a ratio of 100 square feet of space for every eight resident students.
- 5. ~~All independent living dormitory space shall be constructed with 300 square feet per student with no fewer than two students per dormitory.~~

R7-6-781. Facility Requirements for ASDB ~~Program Requirement Facilities Programs~~

- ~~A. Each ASDB campus shall provide minimum facilities required the following minimum square footage of space to support the ASDB audiology program specified: requirements at a ratio of five square feet per deaf student and one square foot per blind student.

 - 1. Audiology program. Five square feet per deaf student and one square foot per blind student;
 - 2. Auditory training and speech therapy program. Three square feet per deaf student and one square foot per blind student;
 - 3. Low-vision program. Three square feet per student;
 - 4. Occupational and physical therapy program. Five square feet per student with a minimum of 1,500 square feet; and
 - 5. Orientation and mobility program. Six square feet per blind student.~~
- ~~B. Each ASDB campus shall provide minimum facilities required to support ASDB auditory training and speech therapy program requirements at a ratio of three square feet per deaf student and one square foot per blind student.~~
- ~~C. Each ASDB campus shall provide minimum facilities required to support ASDB low vision program requirements at a ratio of three square feet per student.~~
- ~~D. Each ASDB campus shall provide minimum facilities required to support ASDB occupational and physical therapy program requirements at a ratio of five square feet per student with a minimum of 1,500 square feet.~~
- ~~E. Each ASDB campus shall provide minimum facilities required to support ASDB orientation and mobility program requirements at a ratio of six square feet per blind student.~~
- ~~F. Each ASDB campus shall provide a distance learning classroom required to support ASDB program requirements. This facility shall be at a minimum a 600 square foot separate/dedicated space for teaching to satellite, remote, and shared schools.~~

R7-6-782. Student Health Center

Each ASDB boarding campus shall have space for a student health center. The student health center shall have at a ratio of least 13 square feet of space per student.

R7-6-783. Parent Outreach Program ~~Repealed~~

~~Each ASDB campus shall have space for a Parent Outreach Program at a ratio of 10 square feet per family with students enrolled at the campus with a minimum area of 300 square feet.~~

R7-6-790. Guidelines ~~Exception Repealed~~

~~The Board may grant an exception from any of the guidelines requirements, upon agreement between the Board and the school district. The Board shall grant an exception if it determines that the intent of the guideline is capable of being met by the ASDB in an alternate manner. If the Board grants the exception, the ASDB shall be deemed to meet the guideline and is not eligible for state funding to meet the guideline.~~



GOVERNOR EXECUTIVE ORDER

Executive Order 2020-02 is being reproduced in each issue of the *Administrative Register* as a notice to the public regarding state agencies' rulemaking activities.

This order has been reproduced in its entirety as submitted.

EXECUTIVE ORDER 2020-02

Moratorium on Rulemaking to Promote Job Creation and Economic Development; Implementation of Licensing Reform Policies

[M20-01]

WHEREAS, government regulations should be as limited as possible; and

WHEREAS, burdensome regulations inhibit job growth and economic development; and

WHEREAS, protecting the public health, peace and safety of the residents of Arizona is a top priority of state government; and

WHEREAS, in 2015, the State of Arizona implemented a moratorium on all new regulatory rulemaking by State agencies through executive order, and renewed the moratorium in 2016, 2017, 2018 and 2019; and

WHEREAS, the State of Arizona eliminated or improved 637 burdensome regulations in 2019 and a total of 2,289 needless regulations have been eliminated or improved since 2015; and

WHEREAS, estimates show these eliminations saved job creators \$53.9 million in operating costs in 2019 and a total of over \$134.3 million in savings since 2015; and

WHEREAS, in 2019, for every one new necessary rule added to the Administrative Code, five have been repealed or improved; and

WHEREAS, approximately 354,000 private sector jobs have been added to Arizona since January 2015; and

WHEREAS, all government agencies of the State of Arizona should continue to promote customer-service-oriented principles for the people that it serves; and

WHEREAS, each State agency shall continue to conduct a critical and comprehensive review of its administrative rules and take action to reduce the regulatory burden, administrative delay and legal uncertainty associated with government regulation while protecting the health and safety of residents; and

WHEREAS, each State agency should continue to evaluate its administrative rules using any available and reliable data and performance metrics; and

WHEREAS, Article 5, Section 4 of the Arizona Constitution and Title 41, Chapter 1, Article 1 of the Arizona Revised Statutes vests the executive power of the State of Arizona in the Governor.

NOW, THEREFORE, I, Douglas A. Ducey, by virtue of the authority vested in me by the Constitution and laws of the State of Arizona hereby declare the following:

1. A State agency subject to this Order shall not conduct any rulemaking, whether informal or formal, without the prior written approval of the Office of the Governor. In seeking approval, a State agency shall address one or more of the following as justifications for the rulemaking:
 - a. To fulfill an objective related to job creation, economic development or economic expansion in this State.
 - b. To reduce or ameliorate a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid violating a court order or federal law that would result in sanctions by a federal court for failure to conduct the rulemaking action.
 - e. To comply with a federal statutory or regulatory requirement if such compliance is related to a condition for the receipt of federal funds or participation in any federal program.
 - f. To comply with a state statutory requirement.
 - g. To fulfill an obligation related to fees or any other action necessary to implement the State budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - h. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - i. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within an agency or wasteful, fraudulent or abusive activities perpetrated against an agency.
 - j. To eliminate rules which are antiquated, redundant or otherwise no longer necessary for the operation of state government.
2. A State agency that submits a rulemaking request pursuant to this Order shall recommend for consideration by the Office of the Governor at least *three* existing rules to eliminate for every *one* additional rule requested by the agency.



3. A State agency that submits a rulemaking exemption request pursuant to this Order shall include with their request an analysis of how small businesses may be impacted by any newly proposed rules or rule modifications.
4. A State agency subject to this Order shall not publicize any directives, policy statements, documents or forms on its website unless such are explicitly authorized by the Arizona Revised Statutes or Arizona Administrative Code. Any material that is not specifically authorized must be removed immediately.
5. A State agency that issues occupational or professional licenses shall prominently post on the agency’s website landing page all current state policies that ease licensing burdens and the exact steps applicants must complete to receive their license using these policies. State agencies should provide information that applies to all applicants, but have a designated area on such landing page that includes licensing information specifically for military spouses, active duty service members and veterans and all policies that make it easier for these applicant groups to receive their license. Examples of reduced licensing burdens include universal recognition of out-of-state licenses, availability of temporary licenses, fee waivers, exam exemptions and/or allowing an applicant to substitute military education or experience for licensing requirements. A landing page feature may link to an internal agency web page with more information, if necessary. All information must be easy to locate and written in clear and concise language.
6. All state agencies that are required to issue occupational or professional licenses by universal recognition (established by section 32-4302, Arizona Revised Statutes) must track all applications received for this license type. Before any agency denies a professional or occupational license applied for under section 32-4302, Arizona Revised Statutes, the agency shall submit the application and justification for denial to the Office of the Governor for review before any official action is taken by the agency. The Office of the Governor should be notified of any required timeframes, whether in statute or rule, for approval or denial of the license by the agency.
7. For the purposes of this Order, the term “State agencies” includes, without limitation, all executive departments, agencies, offices, and all state boards and commissions, except for: (a) any State agency that is headed by a single elected State official; (b) the Corporation Commission; and (c) any board or commission established by ballot measure during or after the November 1998 general election. Those state agencies, boards and commissions excluded from this Order are strongly encouraged to voluntarily comply with this Order in the context of their own rulemaking processes.
8. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a State agency. For the purposes of this Order, “person,” “rule” and “rulemaking” have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.

IN WITNESS THEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey
GOVERNOR

DONE at the Capitol in Phoenix on this 13th day of January in the Year Two Thousand and Twenty and of the Independence of the United States of America the Year Two Hundred and Forty-Fourth.

ATTEST:
Katie Hobbs
SECRETARY OF STATE



REGISTER INDEXES

The *Register* is published by volume in a calendar year (See “General Information” in the front of each issue for more information).

Abbreviations for rulemaking activity in this Index include:

PROPOSED RULEMAKING

PN = Proposed new Section
 PM = Proposed amended Section
 PR = Proposed repealed Section
 P# = Proposed renumbered Section

SUPPLEMENTAL PROPOSED RULEMAKING

SPN = Supplemental proposed new Section
 SPM = Supplemental proposed amended Section
 SPR = Supplemental proposed repealed Section
 SP# = Supplemental proposed renumbered Section

FINAL RULEMAKING

FN = Final new Section
 FM = Final amended Section
 FR = Final repealed Section
 F# = Final renumbered Section

SUMMARY RULEMAKING

PROPOSED SUMMARY

PSMN = Proposed Summary new Section
 PSMM = Proposed Summary amended Section
 PSMR = Proposed Summary repealed Section
 PSM# = Proposed Summary renumbered Section

FINAL SUMMARY

FSMN = Final Summary new Section
 FSMM = Final Summary amended Section
 FSMR = Final Summary repealed Section
 FSM# = Final Summary renumbered Section

EXPEDITED RULEMAKING

PROPOSED EXPEDITED

PEN = Proposed Expedited new Section
 PEM = Proposed Expedited amended Section
 PER = Proposed Expedited repealed Section
 PE# = Proposed Expedited renumbered Section

SUPPLEMENTAL EXPEDITED

SPEN = Supplemental Proposed Expedited new Section
 SPEM = Supplemental Proposed Expedited amended Section
 SPER = Supplemental Proposed Expedited repealed Section
 SPE# = Supplemental Proposed Expedited renumbered Section

FINAL EXPEDITED

FEN = Final Expedited new Section
 FEM = Final Expedited amended Section
 FER = Final Expedited repealed Section
 FE# = Final Expedited renumbered Section

EXEMPT RULEMAKING

EXEMPT

XN = Exempt new Section
 XM = Exempt amended Section
 XR = Exempt repealed Section
 X# = Exempt renumbered Section

EXEMPT PROPOSED

PXN = Proposed Exempt new Section
 PXM = Proposed Exempt amended Section
 PXR = Proposed Exempt repealed Section
 PX# = Proposed Exempt renumbered Section

EXEMPT SUPPLEMENTAL PROPOSED

SPXN = Supplemental Proposed Exempt new Section
 SPXR = Supplemental Proposed Exempt repealed Section
 SPXM = Supplemental Proposed Exempt amended Section
 SPX# = Supplemental Proposed Exempt renumbered Section

FINAL EXEMPT RULEMAKING

FXN = Final Exempt new Section
 FXM = Final Exempt amended Section
 FXR = Final Exempt repealed Section
 FX# = Final Exempt renumbered Section

EMERGENCY RULEMAKING

EN = Emergency new Section
 EM = Emergency amended Section
 ER = Emergency repealed Section
 E# = Emergency renumbered Section
 EEXP = Emergency expired

RECODIFICATION OF RULES

RC = Recodified

REJECTION OF RULES

RJ = Rejected by the Attorney General

TERMINATION OF RULES

TN = Terminated proposed new Sections
 TM = Terminated proposed amended Section
 TR = Terminated proposed repealed Section
 T# = Terminated proposed renumbered Section

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R4-26-406.	PM-187; FM-1017	R2-12-1202.	F#-106; FM-106	R17-5-609.	FM-1047
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		R2-12-1305.	FN-537	R17-3-806.	EXP-382
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Other legal notices required to be published under the Administrative Procedure Act, such as Rulemaking Docket Openings, are included in this Index by volume page number. Notices of Agency Ombudsman, Substantive Policy Statements, Proposed Delegation Agreements, and other applicable public records as required by law are also listed in this Index by volume page number.

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RULES EFFECTIVE DATES CALENDAR

A.R.S. § 41-1032(A), as amended by Laws 2002, Ch. 334, § 8 (effective August 22, 2002), states that a rule generally becomes effective 60 days after the day it is filed with the Secretary of State's Office. The following table lists filing dates and effective dates for rules that follow this provision. Please also check the rulemaking Preamble for effective dates.

January		February		March		April		May		June	
Date Filed	Effective Date										
1/1	3/1	2/1	4/1	3/1	4/30	4/1	5/31	5/1	6/30	6/1	7/31
1/2	3/2	2/2	4/2	3/2	5/1	4/2	6/1	5/2	7/1	6/2	8/1
1/3	3/3	2/3	4/3	3/3	5/2	4/3	6/2	5/3	7/2	6/3	8/2
1/4	3/4	2/4	4/4	3/4	5/3	4/4	6/3	5/4	7/3	6/4	8/3
1/5	3/5	2/5	4/5	3/5	5/4	4/5	6/4	5/5	7/4	6/5	8/4
1/6	3/6	2/6	4/6	3/6	5/5	4/6	6/5	5/6	7/5	6/6	8/5
1/7	3/7	2/7	4/7	3/7	5/6	4/7	6/6	5/7	7/6	6/7	8/6
1/8	3/8	2/8	4/8	3/8	5/7	4/8	6/7	5/8	7/7	6/8	8/7
1/9	3/9	2/9	4/9	3/9	5/8	4/9	6/8	5/9	7/8	6/9	8/8
1/10	3/10	2/10	4/10	3/10	5/9	4/10	6/9	5/10	7/9	6/10	8/9
1/11	3/11	2/11	4/11	3/11	5/10	4/11	6/10	5/11	7/10	6/11	8/10
1/12	3/12	2/12	4/12	3/12	5/11	4/12	6/11	5/12	7/11	6/12	8/11
1/13	3/13	2/13	4/13	3/13	5/12	4/13	6/12	5/13	7/12	6/13	8/12
1/14	3/14	2/14	4/14	3/14	5/13	4/14	6/13	5/14	7/13	6/14	8/13
1/15	3/15	2/15	4/15	3/15	5/14	4/15	6/14	5/15	7/14	6/15	8/14
1/16	3/16	2/16	4/16	3/16	5/15	4/16	6/15	5/16	7/15	6/16	8/15
1/17	3/17	2/17	4/17	3/17	5/16	4/17	6/16	5/17	7/16	6/17	8/16
1/18	3/18	2/18	4/18	3/18	5/17	4/18	6/17	5/18	7/17	6/18	8/17
1/19	3/19	2/19	4/19	3/19	5/18	4/19	6/18	5/19	7/18	6/19	8/18
1/20	3/20	2/20	4/20	3/20	5/19	4/20	6/19	5/20	7/19	6/20	8/19
1/21	3/21	2/21	4/21	3/21	5/20	4/21	6/20	5/21	7/20	6/21	8/20
1/22	3/22	2/22	4/22	3/22	5/21	4/22	6/21	5/22	7/21	6/22	8/21
1/23	3/23	2/23	4/23	3/23	5/22	4/23	6/22	5/23	7/22	6/23	8/22
1/24	3/24	2/24	4/24	3/24	5/23	4/24	6/23	5/24	7/23	6/24	8/23
1/25	3/25	2/25	4/25	3/25	5/24	4/25	6/24	5/25	7/24	6/25	8/24
1/26	3/26	2/26	4/26	3/26	5/25	4/26	6/25	5/26	7/25	6/26	8/25
1/27	3/27	2/27	4/27	3/27	5/26	4/27	6/26	5/27	7/26	6/27	8/26
1/28	3/28	2/28	4/28	3/28	5/27	4/28	6/27	5/28	7/27	6/28	8/27
1/29	3/29	2/29	4/29	3/29	5/28	4/29	6/28	5/29	7/28	6/29	8/28
1/30	3/30			3/30	5/29	4/30	6/29	5/30	7/29	6/30	8/29
1/31	3/31			3/31	5/30			5/31	7/30		



July		August		September		October		November		December	
Date Filed	Effective Date										
7/1	8/30	8/1	9/30	9/1	10/31	10/1	11/30	11/1	12/31	12/1	1/30/21
7/2	8/31	8/2	10/1	9/2	11/1	10/2	12/1	11/2	1/1/21	12/2	1/31/21
7/3	9/1	8/3	10/2	9/3	11/2	10/3	12/2	11/3	1/2/21	12/3	2/1/21
7/4	9/2	8/4	10/3	9/4	11/3	10/4	12/3	11/4	1/3/21	12/4	2/2/21
7/5	9/3	8/5	10/4	9/5	11/4	10/5	12/4	11/5	1/4/21	12/5	2/3/21
7/6	9/4	8/6	10/5	9/6	11/5	10/6	12/5	11/6	1/5/21	12/6	2/4/21
7/7	9/5	8/7	10/6	9/7	11/6	10/7	12/6	11/7	1/6/21	12/7	2/5/21
7/8	9/6	8/8	10/7	9/8	11/7	10/8	12/7	11/8	1/7/21	12/8	2/6/21
7/9	9/7	8/9	10/8	9/9	11/8	10/9	12/8	11/9	1/8/21	12/9	2/7/21
7/10	9/8	8/10	10/9	9/10	11/9	10/10	12/9	11/10	1/9/21	12/10	2/8/21
7/11	9/9	8/11	10/10	9/11	11/10	10/11	12/10	11/11	1/10/21	12/11	2/9/21
7/12	9/10	8/12	10/11	9/12	11/11	10/12	12/11	11/12	1/11/21	12/12	2/10/21
7/13	9/11	8/13	10/12	9/13	11/12	10/13	12/12	11/13	1/12/21	12/13	2/11/21
7/14	9/12	8/14	10/13	9/14	11/13	10/14	12/13	11/14	1/13/21	12/14	2/12/21
7/15	9/13	8/15	10/14	9/15	11/14	10/15	12/14	11/15	1/14/21	12/15	2/13/21
7/16	9/14	8/16	10/15	9/16	11/15	10/16	12/15	11/16	1/15/21	12/16	2/14/21
7/17	9/15	8/17	10/16	9/17	11/16	10/17	12/16	11/17	1/16/21	12/17	2/15/21
7/18	9/16	8/18	10/17	9/18	11/17	10/18	12/17	11/18	1/17/21	12/18	2/16/21
7/19	9/17	8/19	10/18	9/19	11/18	10/19	12/18	11/19	1/18/21	12/19	2/17/21
7/20	9/18	8/20	10/19	9/20	11/19	10/20	12/19	11/20	1/19/21	12/20	2/18/21
7/21	9/19	8/21	10/20	9/21	11/20	10/21	12/20	11/21	1/20/21	12/21	2/19/21
7/22	9/20	8/22	10/21	9/22	11/21	10/22	12/21	11/22	1/21/21	12/22	2/20/21
7/23	9/21	8/23	10/22	9/23	11/22	10/23	12/22	11/23	1/22/21	12/23	2/21/21
7/24	9/22	8/24	10/23	9/24	11/23	10/24	12/23	11/24	1/23/21	12/24	2/22/21
7/25	9/23	8/25	10/24	9/25	11/24	10/25	12/24	11/25	1/24/21	12/25	2/23/21
7/26	9/24	8/26	10/25	9/26	11/25	10/26	12/25	11/26	1/25/21	12/26	2/24/21
7/27	9/25	8/27	10/26	9/27	11/26	10/27	12/26	11/27	1/26/21	12/27	2/25/21
7/28	9/26	8/28	10/27	9/28	11/27	10/28	12/27	11/28	1/27/21	12/28	2/26/21
7/29	9/27	8/29	10/28	9/29	11/28	10/29	12/28	11/29	1/28/21	12/29	2/27/21
7/30	9/28	8/30	10/29	9/30	11/29	10/30	12/29	11/30	1/29/21	12/30	2/28/21
7/31	9/29	8/31	10/30			10/31	12/30			12/31	3/1/21



REGISTER PUBLISHING DEADLINES

The Secretary of State's Office publishes the Register weekly. There is a three-week turnaround period between a deadline date and the publication date of the Register. The weekly deadline dates and issue dates are shown below. Council meetings and Register deadlines do not correlate. Also listed are the earliest dates on which an oral proceeding can be held on proposed rulemakings or proposed delegation agreements following publication of the notice in the Register.

Deadline Date (paper only) Friday, 5:00 p.m.	Register Publication Date	Oral Proceeding may be scheduled on or after
February 7, 2020	February 28, 2020	March 30, 2020
February 14, 2020	March 6, 2020	April 6, 2020
February 21, 2020	March 13, 2020	April 13, 2020
February 28, 2020	March 20, 2020	April 20, 2020
March 6, 2020	March 27, 2020	April 27, 2020
March 13, 2020	April 3, 2020	May 4, 2020
March 20, 2020	April 10, 2020	May 11, 2020
March 27, 2020	April 17, 2020	May 18, 2020
April 3, 2020	April 24, 2020	May 26, 2020
April 10, 2020	May 1, 2020	June 2, 2020
April 17, 2020	May 8, 2020	June 8, 2020
April 24, 2020	May 15, 2020	June 15, 2020
May 1, 2020	May 22, 2020	June 22, 2020
May 8, 2020	May 29, 2020	June 29, 2020
May 15, 2020	June 5, 2020	July 6, 2020
May 22, 2020	June 12, 2020	July 13, 2020
May 29, 2020	June 19, 2020	July 20, 2020
June 5, 2020	June 26, 2020	July 27, 2020
June 12, 2020	July 3, 2020	August 3, 2020
June 19, 2020	July 10, 2020	August 10, 2020
June 26, 2020	July 17, 2020	August 17, 2020
July 3, 2020	July 24, 2020	August 24, 2020
July 10, 2020	July 31, 2020	August 31, 2020
July 17, 2020	August 7, 2020	September 8, 2020
July 24, 2020	August 14, 2020	September 14, 2020
July 31, 2020	August 21, 2020	September 21, 2020
August 7, 2020	August 28, 2020	September 28, 2020
August 14, 2020	September 4, 2020	October 5, 2020
August 21, 2020	September 11, 2020	October 13, 2020
August 28, 2020	September 18, 2020	October 19, 2020



GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES

The following deadlines apply to all Five-Year Review Reports and any adopted rule submitted to the Governor’s Regulatory Review Council. Council meetings and Register deadlines do not correlate. We publish these deadlines under A.R.S. § 41-1013(B)(15).

All rules and Five-Year Review Reports are due in the Council office by 5 p.m. of the deadline date. The Council’s office is located at 100 N. 15th Ave., Suite 305, Phoenix, AZ 85007. For more information, call (602) 542-2058 or visit <http://grrc.az.gov>.

GOVERNOR’S REGULATORY REVIEW COUNCIL DEADLINES FOR 2019/2020 (MEETING DATES ARE SUBJECT TO CHANGE)

[M19-118]

DEADLINE FOR PLACEMENT ON AGENDA*	FINAL MATERIALS SUBMITTED TO COUNCIL	DATE OF COUNCIL STUDY SESSION	DATE OF COUNCIL MEETING
<i>Tuesday</i> November 19, 2019	<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 7, 2020	<i>Tuesday</i> January 14, 2020
<i>Tuesday</i> December 24, 2019	<i>Tuesday</i> January 21, 2020	<i>Tuesday</i> January 28, 2020	<i>Tuesday</i> February 4, 2020
<i>Tuesday</i> January 21, 2020	<i>Tuesday</i> February 18, 2020	<i>Tuesday</i> February 25, 2020	<i>Tuesday</i> March 3, 2020
<i>Tuesday</i> February 18, 2020	<i>Tuesday</i> March 24, 2020	<i>Tuesday</i> March 31, 2020	<i>Tuesday</i> April 7, 2020
<i>Tuesday</i> March 24, 2020	<i>Tuesday</i> April 21, 2020	<i>Tuesday</i> April 28, 2020	<i>Tuesday</i> May 5, 2020
<i>Tuesday</i> April 21, 2020	<i>Tuesday</i> May 19, 2020	Wednesday May 27, 2020	<i>Tuesday</i> June 2, 2020
<i>Tuesday</i> May 19, 2020	<i>Tuesday</i> June 23, 2020	<i>Tuesday</i> June 30, 2020	<i>Tuesday</i> July 7, 2020
<i>Tuesday</i> June 23, 2020	<i>Tuesday</i> July 21, 2020	<i>Tuesday</i> July 28, 2020	<i>Tuesday</i> August 4, 2020
<i>Tuesday</i> July 21, 2020	<i>Tuesday</i> August 18, 2020	<i>Tuesday</i> August 25, 2020	<i>Tuesday</i> September 1, 2020
<i>Tuesday</i> August 18, 2020	<i>Tuesday</i> September 22, 2020	<i>Tuesday</i> September 29, 2020	<i>Tuesday</i> October 6, 2020
<i>Tuesday</i> September 22, 2020	<i>Tuesday</i> October 20, 2020	<i>Tuesday</i> October 27, 2020	<i>Tuesday</i> November 3, 2020
<i>Tuesday</i> October 20, 2020	<i>Tuesday</i> November 17, 2020	<i>Tuesday</i> November 24, 2020	<i>Tuesday</i> December 1, 2020
<i>Tuesday</i> November 17, 2020	<i>Tuesday</i> December 22, 2020	<i>Tuesday</i> December 29, 2020	<i>Tuesday</i> January 5, 2021
<i>Tuesday</i> December 29, 2020	<i>Tuesday</i> January 19, 2021	<i>Tuesday</i> January 26, 2021	<i>Tuesday</i> February 2, 2021

* Materials must be submitted by 5 PM on dates listed as a deadline for placement on a particular agenda. Placement on a particular agenda is not guaranteed.