

Senate Engrossed

students with disabilities; diaper changes

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SENATE BILL 1417

AN ACT

AMENDING TITLE 15, CHAPTER 7, ARTICLE 4, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-763.02; RELATING TO SPECIAL EDUCATION FOR EXCEPTIONAL
CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 7, article 4, Arizona Revised
3 Statutes, is amended by adding section 15-763.02, to read:

4 15-763.02. Children with disabilities; diaper changes

5 A. THE POLICIES AND PROCEDURES DEVELOPED PURSUANT TO SECTION
6 15-763, SUBSECTION A AND THE GUIDELINES ADOPTED PURSUANT TO SECTION
7 15-763, SUBSECTION B SHALL INCLUDE THE FOLLOWING PROVISIONS FOR SITUATIONS
8 IN WHICH A CHILD WITH A DISABILITY WEARS A DIAPER AND REQUIRES ASSISTANCE
9 TO CHANGE THE DIAPER:

10 1. EXCEPT AS PROVIDED IN SUBSECTION B OF THIS SECTION, ANY
11 INDIVIDUAL WHO CHANGES OR ASSISTS IN CHANGING THE DIAPER MUST BE A PERSON
12 OF THE SAME BIOLOGICAL SEX AS THE CHILD WITH A DISABILITY.

13 2. THE PARENT OF THE CHILD WITH A DISABILITY HAS A RIGHT TO MEET
14 EACH INDIVIDUAL WHO CHANGES OR ASSISTS IN CHANGING THE DIAPER.

15 3. THE PARENT OF THE CHILD WITH A DISABILITY MAY REVIEW RECORDS OR
16 LOG ENTRIES RELATED TO DIAPER CHANGES FOR THE PARENT'S CHILD WITH A
17 DISABILITY, INCLUDING THE NAME OF THE INDIVIDUAL OR INDIVIDUALS WHO CHANGE
18 OR ASSIST IN CHANGING THE DIAPER.

19 B. DURING ANY MEETING IN WHICH THE INDIVIDUALIZED EDUCATION PROGRAM
20 FOR A CHILD WITH A DISABILITY WHO WEARS A DIAPER AND REQUIRES ASSISTANCE
21 TO CHANGE THE DIAPER IS DEVELOPED, REVIEWED OR REVISED, THE PARENT OF THE
22 CHILD WITH A DISABILITY MAY PROVIDE WRITTEN CONSENT FOR INDIVIDUALS WHO
23 ARE NOT THE SAME BIOLOGICAL SEX AS THE CHILD WITH A DISABILITY TO CHANGE
24 THE DIAPER.