



**DECONCINI McDONALD YETWIN & LACY**

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

2525 EAST BROADWAY BOULEVARD • SUITE 200 • TUCSON, ARIZONA 85716-5300

(520) 322-5000 • (520) 322-5585 (FAX)

DMYL.COM

DENISEM. BAINTON  
LISA J. BOWEY  
ALICEW. CALLISON  
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MICHAEL R. URMAN

**FIRM FOUNDERS:**  
EVO A. DECONCINI (1901-1986)  
JOHN R. McDONALD (1933-2012)  
DENNISW. DECONCINI

**PHOENIX OFFICE**  
7310 NORTH 16TH STREET, SUITE 205  
PHOENIX, ARIZONA 85020  
(602) 282-0500  
FAX: (602) 282-0520

**OF COUNSEL:**  
PETER B. GOLDMAN  
JAMES A. J. TRY  
RICHARD M. YETWIN  
BARRON & ASSOCIATES, P.C. - JOHN H. BARRON, III

July 15, 2021

**PLEASE REPLY TO TUCSON**  
JRICHARDSON@DMYL.COM

**Via Electronic Mail: kharrier@az.gov**

Kaitlin Harrier  
Education Policy Advisor  
Office of Governor Doug Ducey  
1700 West Washington Street  
Phoenix Arizona 850007

RE: Your July 14, 2021 letters to Peoria and Catalina Foothills School Districts

Dear Ms. Harrier:

The undersigned represent Catalina Foothills Unified School District No. 16 of Pima County (CFSD) and Peoria Unified School District No. 11 of Maricopa County (PUSD). Yesterday, you wrote a letter to these two school districts alleging that their practice of requiring a 10-day quarantine of unvaccinated students who have been exposed to COVID-19 is unlawful. We respectfully disagree.

Your letters reference Section 12 of Chapter 404, Laws 2021. Section 12 of Chapter 404 adds a new statute, A.R.S. § 15-342.05, which reads as follows:

15-342.05. Face coverings; requirement prohibition

A. Notwithstanding any other law or order, a county, city, town, school district governing board or charter school governing body may not require the use of face coverings by students or staff during school hours and on school property.

B. A school district or charter school may not require a student or teacher to receive a vaccine for Covid-19 or to wear a face covering to participate in in-person instruction.

CFSD and PUSD are in full compliance with this new statute. Neither CFSD nor PUSD “require the use of face coverings by students or staff during school hours or on school property.” Also, neither CFSD nor PUSD “require any student or teacher to receive a vaccine for COVID-19 or to wear a face covering to participate in in-person instruction.”

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Nothing in A.R.S. § 15-342.05 restricts a school district from following guidance provided by federal, state and local public health authorities with regard to students who have been exposed to COVID-19. These authorities uniformly provide that a temporary quarantine is the appropriate course of action except for students who can demonstrate that they have been fully vaccinated. It would not be appropriate or reasonable for school districts to ignore these public health standards, and A.R.S. § 15-342.05 does not mandate that they do so.

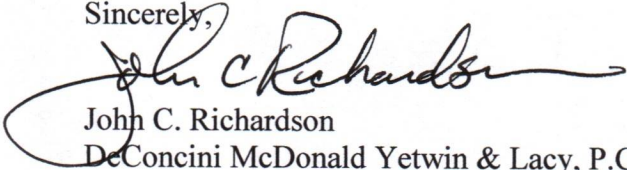
In addition, the Parent Bill of Rights is inapplicable. While parents in Arizona are empowered to decide whether and where their children attend public school, they are not permitted to dictate which of the school's otherwise lawful health and safety procedures their children will follow once the decision to attend public school has been made.

Parents and other community members have a right to expect that their local school district will do what it reasonably can to provide a safe educational environment for its students, and CFSD and PUSD are committed to providing such an environment. Students who are required to quarantine based on exposure to COVID-19 are not abandoned. Both school districts provide instruction and assistance to such students during their temporary absence from school.

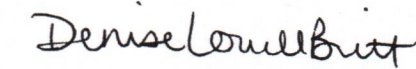
Simply stated, a student's temporary quarantine in conformance with guidance published by the CDC, the Arizona Department of Health and the Pima and Maricopa County Health Departments does not violate either the letter or spirit of A.R.S. § 15-342.05. Instead, this practice promotes public health.

On behalf of CFSD and PUSD, we would ask you to formally withdraw your July 14, 2021 letters. Our clients are not acting unlawfully.

Sincerely,



John C. Richardson  
DeConcini McDonald Yetwin & Lacy, P.C.



Denise Lowell-Britt  
Udall Shumway, P.L.C.

c: Dr. Mary Kamerzell, CFSD Superintendent  
Dr. Jason Reynolds, PUSD Superintendent

July 15, 2021

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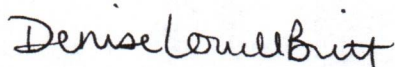
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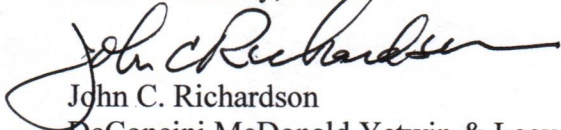
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