

**Arizona State Board of Education**

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**PETITION AND APPLICATION FOR DETERMINATION REGARDING  
CRIMINAL HISTORY UNDER A.R.S. § 41-1093.04**

**DESCRIPTION OF PROCESS**

Under A.R.S. § 41-1093.04, a person with a criminal record may petition the Arizona State Board of Education (“Board”), at any time, including before obtaining any required education or experience, taking any examination or paying any fee, for a determination of whether the person’s criminal record disqualifies the person from receiving an educator certificate from the State of Arizona.

Under A.R.S. § 41-1093.04 the petitioner has the burden to provide all the information requested as well as any documents that support this application to review criminal history. The petition can be dismissed as administratively incomplete if all requested information and documentation is not timely submitted.

**STEP 1: Petitioner completes Petition and Application  
Packet**

**STEP 2: Board Staff Reviews submitted Petition and  
Application Packet**

Board staff will review all petition packets. If staff determines that the packet submitted is incomplete, staff will notify the petitioner by email what specific information is missing from the packet. Incomplete petitions will not be processed until all materials are received. Incomplete petitions will be held for a maximum of 90 days. If all required materials are not received within the 90 day time frame, the original packet will be

returned to the petitioner. It is the responsibility of the petitioner to secure all required information.

### **STEP 3: BOARD'S DESIGNATED REVIEWER MAKES RECOMMENDATION TO BOARD**

The reviewer designated by the Board reviews the petition and makes findings of fact, conclusions of law and a recommendation for disposition based solely on the information and documents provided in the petition. The reviewer's recommendation does not constitute final action by the Board on the petition.

### **STEP 4: FINAL DETERMINATION BY STATE BOARD OF EDUCATION**

The Board, in a meeting open to the public, reviews the hearing officer's findings of fact, conclusions of law and recommendation. The Board's final determination on the petition is based solely on the record presented to the designated reviewer. The Board may adopt, reject, or modify the recommendations of the reviewer. The Board cannot waive requirements imposed by state or federal law. Written notification of the Board's determination will be mailed to the petitioner at the mailing address provided in the petition.