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REFERENCE TITLE: school district redistricting commission

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

HB 2028

Introduced by
Representatives Gray L, Barnes, Flake, Jayne, Konopnicki, Mason, Nichols,
Pearce, Senators Harper, Jarrett, Weiers: Representatives Allen J, Biggs,
Boone, Graf, Hart, Hubbs, Laughter, Reagan, Robson, Rosati, Stump,
Thompson

AN ACT

ESTABLISHING THE SCHOOL DISTRICT REDISTRICTING COMMISSION; PROVIDING FOR
CONDITIONAL ENACTMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. School district redistricting commission;
3 membership; duties

4 A. The school district redistricting commission is established
5 consisting of the following members:

6 1. Four members who are appointed by the president of the senate, no
7 more than three of whom shall be members of the same political party.

8 2. Four members who are appointed by the speaker of the house of
9 representatives, no more than three of whom shall be members of the same
10 political party.

11 3. Four members who are appointed by the governor.

12 4. The superintendent of public instruction, or the superintendent's
13 designee.

14 B. The commission shall elect a chairperson and a cochairperson from
15 the voting members. A quorum shall consist of a majority of the voting
16 members.

17 C. The department of revenue, the department of education, the joint
18 legislative budget committee, the school facilities board and any county
19 assessor in this state shall provide staff support, assistance and resources
20 to the commission at the request of the commission.

21 D. Commission members are not eligible to receive compensation, but
22 members are eligible for reimbursement of expenses under title 38, chapter 4,
23 article 2, Arizona Revised Statutes. Monies shall be paid from
24 appropriations made to the department of education.

25 E. The commission, after considering all relevant academic research,
26 shall design and submit to the governor on or before December 31, 2004 a
27 proposed school district unification and consolidation plan that includes the
28 following components:

29 1. Except as provided in paragraph 9 of this subsection, a student
30 population of school districts that ranges from an ideal minimum of six
31 thousand students to a maximum of thirty thousand students, including an
32 examination of the following:

33 (a) Statutory mechanisms to provide for the automatic division of a
34 school district that approaches the maximum number of students.

35 (b) The provision of regional services for administration,
36 instructional and noninstructional support services to rural or isolated
37 schools that due to geographic factors fall below the minimum student count.

38 2. Ensuring a smooth and efficient transition from the current number
39 of school districts in this state to the number of school districts proposed
40 in the school district unification and consolidation plan, including an
41 examination of the following:

42 (a) Increasing the membership of school district governing boards to
43 nine members, especially in large school districts and school districts
44 located in urban areas. The commission shall recommend district-wide
45 elections or at-large elections, or both.

1 (b) Mechanisms to allow the elected members of existing school
2 district governing boards to serve out the remainder of their terms.

3 3. Increasing the role of the school district governing board to
4 emphasize specified oversight and appeals activities in order to achieve the
5 following goals:

6 (a) To allow the governing boards to serve as the public's advocates
7 in the educational system.

8 (b) To allow governing boards to exercise fiduciary responsibility
9 toward citizens and taxpayers.

10 (c) To allow governing board members to operate as a check and balance
11 for local school administrators.

12 4. The development by the superintendent of public instruction of a
13 superintendent's institute to provide continuing education to school district
14 administrators in the areas of staff development, classroom management and
15 technology-assisted instruction.

16 5. The identification of the maximum efficiency level of
17 administration for districts of various sizes, by academic or support service
18 function, and the development of corresponding administrative standards with
19 which school districts shall be required to comply.

20 6. The development of a statewide uniform school district naming
21 convention where each school district would be assigned a legal designation
22 by county and school district number.

23 7. The establishment of regional educational service agencies managed
24 by county school superintendents to provide for the noninstructional support
25 of school districts in the county.

26 8. The requirement that each school district provide an annual
27 cost-benefit analysis concerning the outsourcing of all noninstructional
28 functions of the school district.

29 9. The restructuring of the state's school districts as follows:

30 (a) All school districts in this state shall be unified districts that
31 serve students in all grades from kindergarten through grade twelve.

32 (b) School districts shall be classified as rural unified school
33 districts if their student count is less than five hundred.

34 (c) School districts shall be classified as independent unified school
35 districts if their student count is more than six thousand.

36 (d) The elimination of statutory budget exemptions for school
37 districts with a student count of less than one hundred twenty-five.

38 (e) The implementation of statutory provisions that require taxpayer
39 approval for all school district bond issues and school district budget
40 overrides.

41 (f) School districts that currently participate in the accounting
42 responsibility program prescribed in section 15-914.01, Arizona Revised
43 Statutes, shall be required to use the fiscal management services that the
44 county school superintendent provides.

1 10. Ensuring that the unification and consolidation plan preserves
2 local control while at the same time maximizing an efficient and
3 cost-effective delivery of educational services.

4 11. Providing specific mechanisms for the payment of capital debt and
5 overrides previously accumulated by school districts before the
6 implementation of the unification and consolidation plan and the acquisition
7 of capital debt and overrides by school districts after the implementation of
8 the unification and consolidation plan.

9 F. A school district that is consolidated or unified under a school
10 district consolidation plan adopted by the commission is not eligible for
11 consolidation assistance pursuant to section 15-912, Arizona Revised
12 Statutes, or unification assistance pursuant to section 15-912.01, Arizona
13 Revised Statutes.

14 G. The commission shall hold public hearings and hear testimony
15 regarding the unification and consolidation of every affected school
16 district. Hearings shall be held throughout the state and shall include
17 rural school districts. The commission shall provide notice to the public at
18 least three weeks in advance of any hearing in the local district offices and
19 in the local newspapers.

20 H. The governor shall sign the report submitted by the commission and
21 shall file the report with the secretary of state.

22 I. Unless, on or before December 31, 2005, the legislature enacts
23 legislation rejecting the proposed school district consolidation plan
24 submitted by the commission, the proposed school district consolidation plan
25 shall be deemed to be adopted by the legislature and the legislative council
26 staff shall prepare proposed legislation conforming the Arizona Revised
27 Statutes to the findings in the report of the commission for consideration in
28 the forty-seventh legislature, second regular session.

29 Sec. 2. Conditional enactment

30 A. No recommendation of the commission may become effective unless the
31 Constitution of Arizona is amended by a vote of the people at the next
32 general election to enable the recommendations of the school district
33 redistricting commission to take effect in the absence of legislative action
34 within the time specified in this act.

35 B. Nothing in this section shall be construed to prevent the formation
36 of the commission before the approval of an amendment to the Constitution of
37 Arizona by a vote of the people at the next general election.

38 Sec. 3. Delayed repeal

39 This act is repealed from and after December 31, 2006.