

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SENATE BILL 1313

AN ACT

AMENDING SECTIONS 15-101, 15-308 AND 15-465, ARIZONA REVISED STATUTES;
RELATING TO ACCOMMODATION SCHOOLS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-101, Arizona Revised Statutes, is amended to
3 read:

4 15-101. Definitions

5 In this title, unless the context otherwise requires:

6 1. "Accommodation school" means either:

7 (a) A school which is operated through the county board of supervisors
8 and the ~~county school superintendent~~ ACCOMMODATION SCHOOL BOARD OR THE
9 MILITARY RESERVATION ACCOMMODATION SCHOOL BOARD and which the ~~county school~~
10 ~~superintendent~~ ACCOMMODATION SCHOOL BOARD administers to serve a ~~military~~
11 ~~reservation~~ or territory which is not included within the boundaries of a
12 school district OR THE MILITARY RESERVATION ACCOMMODATION SCHOOL BOARD
13 ADMINISTERS TO SERVE A MILITARY RESERVATION.

14 (b) A school that provides educational services to homeless children
15 or alternative education programs as provided in section 15-308,
16 subsection B.

17 2. "Assessed valuation" means the valuation derived by applying the
18 applicable percentage as provided in title 42, chapter 15, article 1 to the
19 full cash value or limited property value, whichever is applicable, of the
20 property.

21 3. "Charter school" means a public school established by contract with
22 a district governing board, the state board of education or the state board
23 for charter schools pursuant to article 8 of this chapter to provide learning
24 that will improve pupil achievement.

25 4. "Child with a disability" means a child with a disability as
26 defined in section 15-761.

27 5. "Class A bonds" means general obligation bonds approved by a vote
28 of the qualified electors of a school district at an election held on or
29 before December 31, 1998.

30 6. "Class B bonds" means general obligation bonds approved by a vote
31 of the qualified electors of a school district at an election held from and
32 after December 31, 1998.

33 7. "Competency" means a demonstrated ability in a skill at a specified
34 performance level.

35 8. "Course" means organized subject matter in which instruction is
36 offered within a given period of time and for which credit toward promotion,
37 graduation or certification is usually given. A course consists of knowledge
38 selected from a subject for instructional purposes in the schools.

39 9. "Course of study" means a list of required and optional subjects to
40 be taught in the schools.

41 10. "Fiscal year" means the year beginning July 1 and ending June 30.

42 11. "Governing board" means a body organized for the government and
43 management of the schools within a school district or a ~~county school~~
44 ~~superintendent~~ AN ACCOMMODATION SCHOOL BOARD OR A MILITARY RESERVATION
45 ACCOMMODATION SCHOOL BOARD in the conduct of an accommodation school.

1 C. ~~Until January 1, 2010,~~ The county board of supervisors shall not BE
2 REQUIRED TO provide for necessary expenses pursuant to section 15-1001,
3 subsection A, paragraph 5 FOR NEW OR EXISTING ACCOMMODATION SCHOOLS without
4 an intergovernmental agreement with the ~~county school superintendent~~ SCHOOL
5 BOARD PURSUANT TO SUBSECTION D OF THIS SECTION, which shall set forth the
6 county's responsibility, if any, for financial contributions to the
7 accommodation school budget, any conditions related to the expenditures and
8 any financial reporting required of the ~~county school superintendent~~ SCHOOL
9 BOARD PURSUANT TO SUBSECTION D OF THIS SECTION. The county school
10 superintendent shall provide a report to the county board of supervisors by
11 April 1 of each year, on the county school superintendent's plans for the
12 provision of accommodation school services for the next school year and the
13 projected number of students at each accommodation school in the district.
14 By June 1 of each year, the county school superintendent shall provide the
15 county board of supervisors with estimated revenues from the state and other
16 financial information the county board of supervisors may request.

17 D. THE COUNTY BOARD OF SUPERVISORS SHALL ESTABLISH AN ACCOMMODATION
18 SCHOOL BOARD TO MANAGE AND OPERATE ACCOMMODATION SCHOOLS. AN ACCOMMODATION
19 SCHOOL BOARD SHALL CONSIST OF FIVE MEMBERS AND SHALL EITHER BE APPOINTED
20 PURSUANT TO THIS SUBSECTION OR THE COUNTY BOARD OF SUPERVISORS SHALL ADOPT A
21 RESOLUTION TO CONDUCT AN ELECTION IN WHICH THE QUALIFIED ELECTORS OF THE
22 COUNTY ELECT THE MEMBERS OF THE ACCOMMODATION SCHOOL BOARD. AN EMPLOYEE OF
23 AN ACCOMMODATION SCHOOL DISTRICT OR THE SPOUSE OF THE EMPLOYEE SHALL NOT HOLD
24 MEMBERSHIP ON A GOVERNING BOARD OF AN ACCOMMODATION DISTRICT THAT THE
25 EMPLOYEE IS EMPLOYED. ELECTED MEMBERS OF AN ACCOMMODATION SCHOOL BOARD SHALL
26 SERVE FOUR-YEAR TERMS. APPOINTED MEMBERS OF AN ACCOMMODATION SCHOOL BOARD
27 SHALL SERVE TERMS COMMENSURATE WITH THE COUNTY SCHOOL SUPERINTENDENT'S TERM.
28 APPOINTMENT TO FILL A VACANCY CAUSED BY OTHER THAN EXPIRATION OF TERM SHALL
29 BE FILLED BY THE REMAINING BOARD MEMBERS FOR THE UNEXPIRED PORTION OF THE
30 TERM. ELECTED OR APPOINTED MEMBERS OF AN ACCOMMODATION SCHOOL BOARD SHALL BE
31 SELECTED FROM AMONG THE QUALIFIED ELECTORS OF THE COUNTY. AN ACCOMMODATION
32 SCHOOL BOARD SHALL HAVE ALL OF THE POWERS AND DUTIES OF SCHOOL DISTRICT
33 GOVERNING BOARDS, EXCEPT THAT AN ACCOMMODATION SCHOOL BOARD SHALL NOT ISSUE
34 DEBT OR LEVY TAXES. APPOINTED MEMBERS OF AN ACCOMMODATION SCHOOL BOARD SHALL
35 NOT INCLUDE THE COUNTY SCHOOL SUPERINTENDENT AND SHALL BE APPOINTED AS
36 FOLLOWS:

37 1. TWO MEMBERS WHO ARE APPOINTED BY THE COUNTY SCHOOL SUPERINTENDENT,
38 ONE OF WHOM IS A CURRENT OR FORMER SCHOOL TEACHER, SCHOOL PRINCIPAL, SCHOOL
39 DISTRICT SUPERINTENDENT OR SCHOOL DISTRICT GOVERNING BOARD MEMBER AND ONE OF
40 WHOM HAS SUBSTANTIAL EXPERIENCE IN PUBLIC OR BUSINESS ADMINISTRATION.

41 2. TWO MEMBERS WHO ARE APPOINTED BY THE COUNTY BOARD OF SUPERVISORS,
42 ONE OF WHOM IS A CURRENT OR FORMER SCHOOL TEACHER, SCHOOL PRINCIPAL, SCHOOL
43 DISTRICT SUPERINTENDENT OR SCHOOL DISTRICT GOVERNING BOARD MEMBER AND ONE OF
44 WHOM HAS SUBSTANTIAL EXPERIENCE IN PUBLIC OR BUSINESS ADMINISTRATION.

1 3. ONE MEMBER WHO IS SELECTED BY A VOTE OF THE MEMBERS OF THE
2 ACCOMMODATION SCHOOL BOARD THAT ARE APPOINTED PURSUANT TO PARAGRAPHS 1 AND 2.
3 THE MEMBER APPOINTED PURSUANT TO THIS PARAGRAPH SHALL BE SELECTED WITHIN
4 THIRTY DAYS AFTER THE APPOINTMENT OF THE FOURTH MEMBER APPOINTED PURSUANT TO
5 PARAGRAPHS 1 AND 2.

6 E. THE ACCOMMODATION SCHOOL BOARD SHALL NOT HAVE AUTHORITY TO MANAGE
7 OR OPERATE EDUCATIONAL PROGRAMS CONDUCTED AT A JUVENILE DETENTION CENTER
8 PURSUANT TO SECTION 15-913 OR A COUNTY JAIL PURSUANT TO SECTION 15-913.01
9 THROUGH AN ACCOMMODATION SCHOOL. THE ADMINISTRATION OF THESE PROGRAMS SHALL
10 REMAIN UNDER THE DIRECTION OF THE COUNTY SCHOOL SUPERINTENDENT AND THE
11 JUVENILE COURT JUDGE OR SHERIFF IN EACH COUNTY, WHICHEVER IS APPLICABLE.

12 F. NOTWITHSTANDING ANY OTHER LAW, AN ACCOMMODATION SCHOOL IS AN
13 INDEPENDENT GOVERNMENTAL ENTITY THAT IS NOT PART OF COUNTY GOVERNMENT.

14 Sec. 3. Section 15-465, Arizona Revised Statutes, is amended to read:

15 15-465. Accommodation school; establishment on military
16 reservation; expenses; abandonment; military
17 reservation accommodation school board

18 A. Upon the withdrawal of a military reservation from any common
19 school district or high school district, as provided in section 15-464, and
20 upon a showing by the military authorities that necessary buildings and
21 facilities for the operation of a school are available, the county school
22 superintendent shall establish an accommodation school on the military
23 reservation.

24 ~~B. Expenses of conducting the school shall be paid out of the county~~
25 ~~school reserve fund by the county school superintendent, as the expenses of~~
26 ~~other accommodation schools are paid.~~

27 ~~C.~~ B. If a military reservation is abandoned in which an
28 accommodation school has been conducted in accordance with ~~the provisions of~~
29 this section and sections 15-464 and 15-466, the boundaries of the common
30 school district or the high school district, as they existed ~~prior to~~ BEFORE
31 withdrawal of the reservation from the school district, shall be deemed
32 automatically reinstated.

33 C. NOTWITHSTANDING SECTION 15-308, A MILITARY RESERVATION
34 ACCOMMODATION SCHOOL BOARD SHALL ADMINISTER EACH ACCOMMODATION SCHOOL ON A
35 MILITARY RESERVATION. MEMBERS OF THE MILITARY RESERVATION ACCOMMODATION
36 SCHOOL BOARD SHALL SERVE FOUR YEAR TERMS. APPOINTMENT TO FILL A VACANCY
37 CAUSED BY OTHER THAN EXPIRATION OF TERM SHALL BE FOR THE UNEXPIRED PORTION OF
38 THE TERM. MEMBERS OF THE MILITARY RESERVATION ACCOMMODATION SCHOOL BOARD
39 SHALL EITHER BE EMPLOYED ON THAT MILITARY RESERVATION OR RESIDE ON THAT
40 MILITARY RESERVATION EXCEPT THAT AN EMPLOYEE OF AN ACCOMMODATION SCHOOL
41 DISTRICT OR THE SPOUSE OF THE EMPLOYEE SHALL NOT HOLD MEMBERSHIP ON A
42 GOVERNING BOARD OF AN ACCOMMODATION DISTRICT THAT THE EMPLOYEE IS EMPLOYED.
43 THE MILITARY RESERVATION ACCOMMODATION SCHOOL BOARD SHALL HAVE ALL OF THE
44 POWERS AND DUTIES OF SCHOOL DISTRICT GOVERNING BOARDS, EXCEPT THAT A MILITARY
45 RESERVATION ACCOMMODATION SCHOOL BOARD SHALL NOT ISSUE DEBT OR LEVY TAXES.

1 MEMBERS OF A MILITARY RESERVATION ACCOMMODATION SCHOOL BOARD SHALL NOT
2 INCLUDE THE COUNTY SCHOOL SUPERINTENDENT AND SHALL BE APPOINTED AS FOLLOWS:
3 1. TWO MEMBERS WHO ARE APPOINTED BY THE COUNTY SCHOOL SUPERINTENDENT.
4 2. TWO MEMBERS WHO ARE APPOINTED BY THE COMMANDING OFFICER OF THE
5 MILITARY RESERVATION WHERE THE ACCOMMODATION SCHOOL IS LOCATED.
6 3. ONE MEMBER WHO IS SELECTED BY A VOTE OF THE MEMBERS OF THE MILITARY
7 RESERVATION ACCOMMODATION SCHOOL BOARD THAT ARE APPOINTED PURSUANT TO
8 PARAGRAPHS 1 AND 2 OF THIS SUBSECTION. THE MEMBER APPOINTED PURSUANT TO THIS
9 PARAGRAPH SHALL BE SELECTED WITHIN THIRTY DAYS AFTER THE APPOINTMENT OF THE
10 FOURTH MEMBER APPOINTED PURSUANT TO PARAGRAPHS 1 AND 2 OF THIS SUBSECTION.