

REFERENCE TITLE: school districts; minor boundary changes

State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HB 2107

Introduced by
Representative Udall

AN ACT

AMENDING SECTION 15-460, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT BOUNDARIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-460, Arizona Revised Statutes, is amended to
3 read:

4 15-460. Change of school district boundaries

5 A. On request of the governing board of a school district or on
6 receipt of a petition bearing the signatures of ten ~~per cent~~ PERCENT or
7 more of the qualified electors residing in the school district to change
8 the boundaries of the school district in such a manner as to include
9 adjacent unorganized territory, setting forth the boundaries desired and
10 the reasons for such change, the county school superintendent shall submit
11 the question of including the unorganized territory within the existing
12 school district to the qualified electors of the new proposed school
13 district. The election shall be held as provided in section 15-459,
14 except that a majority of the qualified electors voting on the question in
15 the unorganized territory and a majority of the qualified electors voting
16 on the question in the existing school district must approve the
17 change. If approved, the change is effective from and after June 30 next
18 following the election.

19 B. When ten ~~per cent~~ PERCENT or more of the qualified electors
20 residing in a school district desire that the boundaries of the school
21 district be diminished, they may present a petition to the county school
22 superintendent setting forth the change of boundaries desired and the
23 reasons for such change. The county school superintendent shall prepare
24 and transmit to the governing board of the school district proposed to be
25 diminished a report providing specific information regarding the future
26 availability of educational programs in the area of the district to be
27 detached and in the area ~~which~~ THAT will constitute the remaining
28 district, THE availability of pupil transportation services and the
29 financial impact on taxpayers. The governing board shall mail or
30 distribute the report to all households located in the school district.
31 The county school superintendent shall submit the question of diminishing
32 the school district boundaries to the qualified electors of the school
33 district. The election shall be held as provided in section 15-459. A
34 majority of the qualified electors voting on the question in the territory
35 to remain in the existing school district and a majority of the qualified
36 electors voting on the question in the territory to be excluded must
37 approve the change. If approved, the change is effective from and after
38 June 30 next following the election.

39 C. Notwithstanding subsections A and B of this section and this
40 chapter, the governing boards of two adjacent common, union or unified
41 school districts may authorize minor boundary adjustments to both school
42 districts and the governing boards of a unified school district and
43 adjacent common and union high school districts may authorize minor
44 boundary adjustments to the three school districts if all of the following
45 are true:

1 1. The school districts authorizing the boundary adjustment have
2 not previously made more than one minor boundary adjustment pursuant to
3 this subsection.

4 ~~2. A majority of the electors within the geographic boundaries of a~~
5 ~~portion of a school district, as specified in the petition, present a~~
6 ~~petition to the governing boards of the district or districts in which the~~
7 ~~petitioners currently reside and the district to which the petitioners~~
8 ~~desire to be annexed. If there are no electors within the geographic~~
9 ~~boundaries of the territory to be annexed, a majority of the property~~
10 ~~owners in the territory may submit the petition. The petition shall set~~
11 ~~forth the boundaries of the portion of the district to be annexed.~~

12 ~~3.~~ 2. A majority of the members of the governing boards of each
13 district approve the minor boundary adjustment AND UNITE IN A PETITION TO
14 THE COUNTY SCHOOL SUPERINTENDENT FOR THE MINOR BOUNDARY ADJUSTMENT. THE
15 PETITION SHALL SET FORTH THE BOUNDARIES OF THE PORTION OF THE DISTRICT TO
16 BE ANNEXED.

17 ~~4.~~ 3. The boundary adjustment would result in the transfer of ~~no~~
18 NOT more than ~~one and one-half per cent~~ TEN PERCENT of the student count
19 of the district from which the pupils will transfer.

20 ~~5.~~ 4. The boundary adjustment would not result in the transfer of
21 any school buildings, equipment or furnishings from one school district to
22 another school district.

23 ~~6.~~ 5. No member of the governing board of the school district to
24 be diminished is a resident of the territory that is being transferred to
25 the adjacent school district.

26 ~~7.~~ 6. The governing boards of the school districts have agreed on
27 a means to satisfy any liabilities.

28 D. If a majority of the members of the governing boards of school
29 districts ~~to which petitions were presented~~ UNITE IN A PETITION pursuant
30 to subsection C of this section ~~approve the petitions~~, the ~~petitions~~
31 PETITION shall be transmitted with the endorsements of the governing
32 boards to the county school superintendent. The county school
33 superintendent, if no petition opposing annexation signed by a majority of
34 the school electors representing either the resident district or the
35 district to which annexation is proposed is received within fifteen days
36 after the transmittal of the petition requesting annexation, shall make
37 the records of boundaries conform to the petition for annexation and
38 notify the boards of supervisors and the county assessor of the boundary
39 change. The change is effective from and after June 30 next following the
40 notification of the boards of supervisors.

41 E. Notwithstanding subsection A of this section, if the qualified
42 electors residing in a school district have previously voted to accept
43 unorganized territory into the district's boundaries in two consecutive
44 elections called for this purpose, the school district governing board may
45 annex any election precinct within the unorganized territory that is

1 contiguous to the school district if both of the following conditions
2 exist:

3 1. At least one hundred fifty pupils who reside in the election
4 precinct are enrolled in one or more school districts in the county.

5 2. The qualified electors of the precinct have previously voted in
6 favor of the annexation.

7 F. Notwithstanding subsection A of this section, the governing
8 board of a unified school district may authorize a change to the
9 geographic boundaries of the school district to include a noncontiguous
10 unorganized territory if all of the following criteria are met:

11 1. A majority of the qualified electors within the ~~geographical~~
12 **GEOGRAPHIC** boundaries of an unorganized territory that is proposed to be
13 included in the unified school district present a petition to the school
14 district governing board. If there are no qualified electors within the
15 geographic boundaries of the unorganized territory to be annexed, a
16 majority of the property owners in the unorganized territory may submit a
17 petition.

18 2. The unorganized territory to be included in the unified school
19 district contains ~~less~~ **FEWER** than one hundred fifty pupils at the time of
20 annexation.

21 3. The unorganized territory that is proposed to be included in the
22 unified school district is adjacent to an unorganized territory that is
23 part of an Indian reservation with a population of less than two thousand
24 persons but is not adjacent to the unified school district.

25 G. If the governing board of the unified school district approves
26 the petition pursuant to subsection F of this section, the petition shall
27 be transmitted with the endorsement of the governing board to the county
28 school superintendent. The county school superintendent, if no petition
29 opposing annexation signed by a majority of the qualified electors within
30 the school district is received within fifteen days after the transmittal
31 of the petition requesting annexation, shall make the boundaries conform
32 to the petition for annexation and notify the board of supervisors and the
33 county assessor of the boundary change. The change is effective from and
34 after June 30 next following the notification of the board of supervisors.

35 H. Notwithstanding subsections A and B of this section, if a
36 majority of the qualified electors or property owners who reside in a
37 residential subdivision, a recognized community or another type of
38 geographic location within a school district present a petition to the
39 governing board of an adjacent school district to modify the adjacent
40 school district's boundaries to include the property designated in the
41 petition, the boundaries of the original school district of residence
42 shall be changed to exclude the designated property and the boundaries of
43 the adjacent school district shall be changed to include the designated
44 property if all of the following conditions exist:

1 1. Both school districts are located in a county with a population
2 of more than one hundred fifteen thousand persons but less than one
3 hundred twenty thousand persons.

4 2. At least ninety ~~per cent~~ PERCENT of the pupils who reside on the
5 property designated in the petition either currently are transported at
6 least fifty miles each way to attend school or currently attend school in
7 the adjacent school district.

8 3. The boundaries of either school district have not been
9 previously changed to exclude or include the property designated in the
10 petition.

11 4. The proposed boundary change does not result in the transfer of
12 more than one hundred pupils from the original school district of
13 residence to the adjacent school district.

14 5. The boundary change does not result in the transfer of any
15 school facilities or school equipment between the affected school
16 districts.