

Senate Engrossed

small school districts; substitute teachers

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SENATE BILL 1584

AN ACT

AMENDING SECTION 15-421, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT GOVERNING BOARD MEMBERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-421, Arizona Revised Statutes, is amended to
3 read:

4 15-421. Governing board; members; qualifications;
5 prohibitions; candidate statements; definitions

6 A. The governing body of a school district shall be a governing
7 board. There shall be three governing board members, except as otherwise
8 provided by this section and section 15-425, subsection A.

9 B. The governing body of a high school district shall be a
10 governing board composed of:

11 1. In a single district, the governing board members of the common
12 school district.

13 2. In a union high school district, five members.

14 C. A person who is a registered voter of this state and WHO has
15 been a resident of the school district for at least one year immediately
16 preceding the day of election is eligible for election to the office of
17 governing board member.

18 D. ~~NO~~ AN employee of a school district, including a person who
19 directly provides certified or classified services to the school district
20 as an employee of a third-party contractor, or the spouse of such an
21 employee may NOT hold membership on ~~a~~ THE governing board of a school
22 district by which the employee is employed.

23 E. NOTWITHSTANDING SUBSECTION D OF THIS SECTION AND TITLE 38,
24 CHAPTER 3, ARTICLE 8, A SMALL SCHOOL DISTRICT MAY EMPLOY, INCLUDING
25 EMPLOYMENT THROUGH A THIRD-PARTY CONTRACTOR THAT PROVIDES SERVICES TO THE
26 SMALL SCHOOL DISTRICT, A SUBSTITUTE TEACHER WHO IS RELATED TO A MEMBER OF
27 THE GOVERNING BOARD AS THE MEMBER'S SPOUSE OR IMMEDIATE FAMILY AND WHO HAS
28 HAD THE SAME HOUSEHOLD OF RESIDENCE WITHIN THE PRECEDING FOUR YEARS. IF A
29 SMALL SCHOOL DISTRICT EMPLOYS A SUBSTITUTE TEACHER PURSUANT TO THIS
30 SUBSECTION, THE MEMBER OF THE GOVERNING BOARD WHO IS RELATED TO THE
31 SUBSTITUTE TEACHER SHALL BE RECUSED FROM VOTING ON ANY MATTER RELATING TO
32 SUBSTITUTE TEACHERS.

33 ~~F.~~ F. A member of one governing board is ineligible to be a
34 candidate for nomination or election to or serve simultaneously as a
35 member of any other governing board, except that a member of a governing
36 board may be a candidate for nomination or election for any other
37 governing board if the member is serving in the last year of a term of
38 office. A member of a governing board shall resign the member's seat on
39 the governing board before becoming a candidate for nomination or election
40 to the governing board of any other school district, unless the member of
41 the governing board is serving in the last year of a term of office.

42 ~~F.~~ G. Notwithstanding section 15-511, each county school
43 superintendent shall publish on the superintendent's website the statement
44 of each certified candidate for membership on a school district governing
45 board located in the county. The county school superintendent shall list

1 each school district on the superintendent's website from which a link
2 shall be established to the candidate's name, which shall link to the
3 candidate's statement and photograph. The candidate shall submit the
4 statement to the person at the county school superintendent's office
5 assigned to manage candidate statements, after notice of certification
6 from the county school superintendent's office but not later than
7 twenty-one days before the date that general election early ballots are
8 allowed to be mailed. The person shall post each candidate's statement on
9 the county school superintendent's website not later than fourteen days
10 before the date that general election early ballots are allowed to be
11 mailed. If a candidate does not submit a statement, the county school
12 superintendent's website shall state "no response submitted" for the
13 candidate. The candidate statements shall be posted on the website
14 alphabetically by each school district and by candidate. The candidate
15 statement shall be typewritten or electronically submitted. The county
16 school superintendent shall post the statements verbatim as they are
17 received unless a candidate requests in writing that typographical errors
18 be corrected. The candidate statement shall contain the following items
19 in the same size and format for each candidate:

- 20 1. A recent photograph of the candidate.
- 21 2. A statement not to exceed five hundred words.
- 22 3. A disclosure of any relationships by affinity, by consanguinity
23 or by law to the third degree that exist between the candidate and any
24 current governing board members or other candidates for election to the
25 same governing board.

26 ~~G.~~ H. Persons related as immediate family who have the same
27 household of residence within four years prior shall not serve
28 simultaneously on the governing board of the same school district if the
29 governing board is composed of five members. For a school district with a
30 student count of at least two hundred fifty ~~and~~ that is located in a
31 county with a population of more than five hundred thousand persons, not
32 more than two persons related by affinity, by consanguinity or by law to
33 the third degree shall serve simultaneously on the governing board of the
34 same school district if the governing board is composed of five
35 members. A qualified elector who resides in the school district may bring
36 an action in superior court to enforce this subsection.

37 ~~H.~~ I. A person related as immediate family who has the same
38 household of residence within four years prior to a member of the
39 governing board of the same school district is ineligible to be a
40 candidate for nomination or election to that governing board if the
41 governing board is composed of five members, except that a person related
42 as immediate family who has the same household of residence within four
43 years prior to a member of a governing board may be a candidate for
44 nomination or election to the governing board of the same school district
45 if the member is serving in the last year of a term of office. For a

1 school district with a student count of at least two hundred fifty ~~and~~
2 that is located in a county with a population of more than five hundred
3 thousand persons, not more than two persons related by affinity, by
4 consanguinity or by law to the third degree shall be eligible to be a
5 candidate for nomination or election to a governing board that is composed
6 of five members. A qualified elector who resides in the school district
7 may bring an action in superior court to enforce this subsection.

8 ~~I.~~ J. Persons related as immediate family who have the same
9 household of residence within four years prior are ineligible to be
10 simultaneous candidates for nomination or election to the governing board
11 of the same school district if the governing board is composed of five
12 members. For a school district with a student count of at least two
13 hundred fifty ~~and~~ that is located in a county with a population of more
14 than five hundred thousand persons, not more than two persons related by
15 affinity, by consanguinity or by law to the third degree shall be
16 simultaneous candidates for nomination or election to a governing board
17 that is composed of five members. A qualified elector who resides in the
18 school district may bring an action in superior court to enforce this
19 subsection.

20 ~~J.~~ K. For the purposes of this section:

21 1. "Household of residence" means the place of abode during
22 applicable time periods or the residence address used by an individual for
23 voter registration or property tax purposes.

24 2. "Immediate family" means individuals who are married to each
25 other and any children of those individuals.

26 3. "SMALL SCHOOL DISTRICT" HAS THE SAME MEANING PRESCRIBED IN
27 SECTION 15-901.