

REFERENCE TITLE: school districts; governing boards; eligibility

State of Arizona
House of Representatives
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HB 2907

Introduced by
Representatives Abeytia: Austin, Caverro, Connolly, Crews, Garcia,
Gutierrez, Liguori, Sandoval, Simacek, Villegas

AN ACT

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

(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 boards; 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 is eligible for election to the office of governing
15 board member if all of the following apply:

16 1. The person is a registered voter of this state.

17 2. The person has been a resident of the school district for at
18 least one year immediately preceding the day of election.

19 3. The person is not subject to registration as a sex offender in
20 this state or in any other jurisdiction.

21 D. An employee of a school district, including a person who
22 directly provides certified or classified services to the school district
23 as an employee of a third-party contractor, or the spouse of such an
24 employee may not hold membership on the governing board of a school
25 district by which the employee is employed.

26 E. Notwithstanding subsection D of this section and title 38,
27 chapter 3, article 8, a small school district may employ, including
28 employment through a third-party contractor that provides services to the
29 small school district, a substitute teacher who is related to a member of
30 the governing board as immediate family and who has had the same household
31 of residence within the preceding four years. If a small school district
32 employs a substitute teacher pursuant to this subsection, the member of
33 the governing board who is related to the substitute teacher shall be
34 recused from voting on any matter relating to substitute teachers.

35 F. A school district may employ, including employment through a
36 third-party contractor that provides services to the school district, a
37 person who served as a member of the school district's governing board
38 during the preceding two years only in a position in which the person will
39 provide services directly to students, including as a certificated
40 teacher, a substitute teacher and an employee or contractor who provides
41 transportation, instructional support or student support services. A
42 school district may increase the time period prescribed in this subsection
43 to be more than two years.

44 G. A member of one governing board is ineligible to be a candidate
45 for nomination or election to or serve simultaneously as a member of any

1 other governing board, except that a member of a governing board may be a
2 candidate for nomination or election for any other governing board if the
3 member is serving in the last year of a term of office. A member of a
4 governing board shall resign the member's seat on the governing board
5 before becoming a candidate for nomination or election to the governing
6 board of any other school district, unless the member of the governing
7 board is serving in the last year of a term of office.

8 H. Notwithstanding section 15-511, each county school
9 superintendent shall publish on the superintendent's website the statement
10 of each certified candidate for membership on a school district governing
11 board located in the county. The county school superintendent shall list
12 each school district on the superintendent's website from which a link
13 shall be established to the candidate's name, which shall link to the
14 candidate's statement and photograph. The candidate shall submit the
15 statement to the person at the county school superintendent's office
16 assigned to manage candidate statements, after notice of certification
17 from the county school superintendent's office but not later than
18 twenty-one days before the date that general election early ballots are
19 allowed to be mailed. The person shall post each candidate's statement on
20 the county school superintendent's website not later than fourteen days
21 before the date that general election early ballots are allowed to be
22 mailed. If a candidate does not submit a statement, the county school
23 superintendent's website shall state "no response submitted" for the
24 candidate. The candidate statements shall be posted on the website
25 alphabetically by each school district and by candidate. The candidate
26 statement shall be typewritten or electronically submitted. The county
27 school superintendent shall post the statements verbatim as they are
28 received unless a candidate requests in writing that typographical errors
29 be corrected. The candidate statement shall contain the following items
30 in the same size and format for each candidate:

- 31 1. A recent photograph of the candidate.
- 32 2. A statement not to exceed five hundred words.
- 33 3. A disclosure of any relationships by affinity, by consanguinity
34 or by law to the third degree that exist between the candidate and any
35 current governing board members or other candidates for election to the
36 same governing board.

37 I. Persons related as immediate family ~~who have the same household~~
38 ~~of residence within four years prior~~ shall not serve simultaneously on the
39 governing board of the same school district ~~if the governing board is~~
40 ~~composed of five members. For a school district with a student count of~~
41 ~~at least two hundred fifty that is located in a county with a population~~
42 ~~of more than five hundred thousand persons, not more than two persons~~
43 ~~related by affinity, by consanguinity or by law to the third degree shall~~
44 ~~serve simultaneously on the governing board of the same school district if~~
45 ~~the governing board is composed of five members.~~ A qualified elector who

1 resides in the school district may bring an action in superior court to
2 enforce this subsection.

3 J. A person related as immediate family ~~who has the same household~~
4 ~~of residence within four years prior~~ to a member of the governing board of
5 the same school district is ineligible to be a candidate for nomination or
6 election to that governing board ~~if the governing board is composed of~~
7 ~~five members~~, except that a person related as immediate family ~~who has the~~
8 ~~same household of residence within four years prior~~ to a member of a
9 governing board may be a candidate for nomination or election to the
10 governing board of the same school district if the member is serving in
11 the last year of a term of office. ~~For a school district with a student~~
12 ~~count of at least two hundred fifty that is located in a county with a~~
13 ~~population of more than five hundred thousand persons, not more than two~~
14 ~~persons related by affinity, by consanguinity or by law to the third~~
15 ~~degree shall be eligible to be a candidate for nomination or election to a~~
16 ~~governing board that is composed of five members.~~ A qualified elector who
17 resides in the school district may bring an action in superior court to
18 enforce this subsection.

19 K. Persons related as immediate family ~~who have the same household~~
20 ~~of residence within four years prior~~ are ineligible to be simultaneous
21 candidates for nomination or election to the governing board of the same
22 school district ~~if the governing board is composed of five members.~~ ~~For a~~
23 ~~school district with a student count of at least two hundred fifty that is~~
24 ~~located in a county with a population of more than five hundred thousand~~
25 ~~persons, not more than two persons related by affinity, by consanguinity~~
26 ~~or by law to the third degree shall be simultaneous candidates for~~
27 ~~nomination or election to a governing board that is composed of five~~
28 ~~members.~~ A qualified elector who resides in the school district may bring
29 an action in superior court to enforce this subsection.

30 L. For the purposes of this section:

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

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

36 3. "Small school district" has the same meaning prescribed in
37 section 15-901.