

REFERENCE TITLE: school districts; board meetings; expenditures

State of Arizona
House of Representatives
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HB 2380

Introduced by
Representatives Gress: Carter N, Carter P, Gillette; Senators Angius,
Werner

AN ACT

AMENDING SECTIONS 15-321, 15-341 AND 15-342, ARIZONA REVISED STATUTES;
RELATING TO SCHOOL DISTRICT GOVERNING BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-321, Arizona Revised Statutes, is amended to
3 read:

4 15-321. Organization; election of president; meetings;
5 quorum; execution of warrants; exemption

6 A. For the purpose of organizing the governing board, the board
7 shall meet at the most convenient public facility in the school
8 district. ~~If a public facility is not available within the district, the~~
9 ~~governing board may meet at any available public facility that is~~
10 ~~convenient to all governing board members, regardless of the county or~~
11 ~~school district in which the facility is located. The governing board~~
12 ~~shall meet~~ in January next following the election.

13 B. At the organization meeting the governing board shall elect from
14 among the membership of the board a president.

15 C. For the purposes of regular meetings of the governing board, the
16 board shall meet at the most convenient public facility in the school
17 district. ~~If a public facility is not available within the district, the~~
18 ~~governing board may meet at any available public facility that is~~
19 ~~convenient to all governing board members, regardless of the county or~~
20 ~~school district in which the facility is located.~~

21 D. The board shall prescribe rules for its own government. It
22 shall hold a regular meeting at least once each month during the regular
23 school year and may hold other meetings as often as called. If action has
24 been taken and documents approved at a meeting, they may be signed
25 subsequently by individual board members.

26 E. Business shall be conducted at regular or special meetings.
27 Notice of a special meeting, and of the hour for a regular meeting if no
28 hour is fixed by a rule of the board, shall be delivered personally or by
29 telephone.

30 F. Notwithstanding section 1-216, if there is a vacancy or
31 vacancies on the governing board, a majority of the remaining members of
32 the governing board constitute a quorum for the transaction of business,
33 except that a single member of the governing board does not constitute a
34 quorum.

35 G. An order on a county school superintendent for a salary or other
36 expense shall be signed by the governing board. An order for a salary or
37 other expense may be signed between board meetings if a resolution to that
38 effect has been passed before the signing at a regular or special meeting
39 of the governing board and the order is ratified by the board at the next
40 regular or special meeting of the governing board.

41 H. This section does not apply to county school superintendents in
42 the conduct of an accommodation school.

1 Sec. 2. Section 15-341, Arizona Revised Statutes, is amended to
2 read:

3 15-341. General powers and duties; immunity; delegation

4 A. Each school district governing board shall:

5 1. Prescribe and enforce policies and procedures to govern the
6 schools that are not inconsistent with the laws or rules prescribed by the
7 state board of education.

8 2. Exclude from schools all books, publications, papers or
9 audiovisual materials of a sectarian, partisan or denominational
10 character. This paragraph does not prohibit the elective course allowed
11 by section 15-717.01.

12 3. Manage and control the school property within its district,
13 except that a district may enter into a partnership with an entity,
14 including a charter school, another school district or a military base, to
15 operate a school or offer educational services in a district building,
16 including at a vacant or partially used building, or in any building on
17 the entity's property pursuant to a written agreement between the parties.

18 4. Acquire school furniture, apparatus, equipment, library books
19 and supplies for the schools to use.

20 5. Prescribe the curricula and criteria for the promotion and
21 graduation of pupils as provided in sections 15-701 and 15-701.01.

22 6. Furnish, repair and insure, at full insurable value, the school
23 property of the district.

24 7. Construct school buildings on approval by a vote of the district
25 electors.

26 8. In the name of the district, convey property belonging to the
27 district and sold by the board.

28 9. Purchase school sites when authorized by a vote of the district
29 at an election conducted as nearly as practicable in the same manner as
30 the election provided in section 15-481 and held on a date prescribed in
31 section 15-491, subsection E, but such authorization shall not necessarily
32 specify the site to be purchased and such authorization shall not be
33 necessary to exchange unimproved property as provided in section 15-342,
34 paragraph 23.

35 10. Construct, improve and furnish buildings used for school
36 purposes when such buildings or premises are leased from the national park
37 service.

38 11. Purchase school sites or construct, improve and furnish school
39 buildings from the proceeds of the sale of school property only on
40 approval by a vote of the district electors.

41 12. Hold pupils to strict account for disorderly conduct on school
42 property.

43 13. Discipline students for disorderly conduct on the way to and
44 from school.

1 14. Except as provided in section 15-1224, deposit all monies
2 received by the district as gifts, grants and devises with the county
3 treasurer who shall credit the deposits as designated in the uniform
4 system of financial records. If not inconsistent with the terms of the
5 gifts, grants and devises given, any balance remaining after expenditures
6 for the intended purpose of the monies have been made shall be used to
7 reduce school district taxes for the budget year, except that in the case
8 of accommodation schools the county treasurer shall carry the balance
9 forward for use by the county school superintendent for accommodation
10 schools for the budget year.

11 15. Provide that, if a parent or legal guardian chooses not to
12 accept a decision of the teacher as provided in paragraph 42 of this
13 subsection, the parent or legal guardian may request in writing that the
14 governing board review the teacher's decision. This paragraph does not
15 release school districts from any liability relating to a child's
16 promotion or retention.

17 16. Provide for adequate supervision over pupils in instructional
18 and noninstructional activities by certificated or noncertificated
19 personnel.

20 17. Use school monies received from the state and county school
21 apportionment exclusively to pay salaries of teachers and other employees
22 and contingent expenses of the district.

23 18. Annually report to the county school superintendent on or
24 before October 1 in the manner and form and on the blanks prescribed by
25 the superintendent of public instruction or county school superintendent.
26 The board shall also report directly to the county school superintendent
27 or the superintendent of public instruction whenever required.

28 19. Deposit all monies received by school districts other than
29 student activities monies or monies from auxiliary operations as provided
30 in sections 15-1125 and 15-1126 with the county treasurer to the credit of
31 the school district except as provided in paragraph 20 of this subsection
32 and sections 15-1223 and 15-1224, and the board shall spend the monies as
33 provided by law for other school funds.

34 20. Establish bank accounts in which the board during a month may
35 deposit miscellaneous monies received directly by the district. The board
36 shall remit monies deposited in the bank accounts at least monthly to the
37 county treasurer for deposit as provided in paragraph 19 of this
38 subsection and in accordance with the uniform system of financial records.

39 21. Prescribe and enforce policies and procedures for disciplinary
40 action against a teacher who engages in conduct that is a violation of the
41 policies of the governing board but that is not cause for dismissal of the
42 teacher or for revocation of the certificate of the teacher. Disciplinary
43 action may include suspension without pay for a period of time not to
44 exceed ten school days. Disciplinary action shall not include suspension
45 with pay or suspension without pay for a period of time longer than ten

1 school days. The procedures shall include notice, hearing and appeal
 2 provisions for violations that are cause for disciplinary action. The
 3 governing board may designate a person or persons to act on behalf of the
 4 board on these matters.

5 22. Prescribe and enforce policies and procedures for disciplinary
 6 action against an administrator who engages in conduct that is a violation
 7 of the policies of the governing board regarding duties of administrators
 8 but that is not cause for dismissal of the administrator or for revocation
 9 of the certificate of the administrator. Disciplinary action may include
 10 suspension without pay for a period of time not to exceed ten school days.
 11 Disciplinary action shall not include suspension with pay or suspension
 12 without pay for a period of time longer than ten school days. The
 13 procedures shall include notice, hearing and appeal provisions for
 14 violations that are cause for disciplinary action. The governing board
 15 may designate a person or persons to act on behalf of the board on these
 16 matters. For violations that are cause for dismissal, the provisions of
 17 notice, hearing and appeal in chapter 5, article 3 of this title apply.
 18 The filing of a timely request for a hearing suspends the imposition of a
 19 suspension without pay or a dismissal pending completion of the hearing.

20 23. Notwithstanding sections 13-3108 and 13-3120, prescribe and
 21 enforce policies and procedures that prohibit a person from carrying or
 22 possessing a weapon on school grounds unless the person is a peace officer
 23 or has obtained specific authorization from the school administrator.

24 24. Prescribe and enforce policies and procedures relating to the
 25 health and safety of all pupils participating in district-sponsored
 26 practice sessions or games or other interscholastic athletic activities,
 27 including:

28 (a) The provision of water.

29 (b) Guidelines, information and forms, developed in consultation
 30 with a statewide private entity that supervises interscholastic
 31 activities, to inform and educate coaches, pupils and parents of the
 32 dangers of concussions and head injuries and the risks of continued
 33 participation in athletic activity after a concussion. The policies and
 34 procedures shall require that, before a pupil participates in an athletic
 35 activity, the pupil and the pupil's parent sign an information form at
 36 least once each school year that states that the parent is aware of the
 37 nature and risk of concussion. The policies and procedures shall require
 38 that a pupil who is suspected of sustaining a concussion in a practice
 39 session, game or other interscholastic athletic activity be immediately
 40 removed from the athletic activity and that the pupil's parent or guardian
 41 be notified. A coach from the pupil's team or an official or a licensed
 42 health care provider may remove a pupil from play. A team parent may also
 43 remove the parent's own child from play. A pupil may return to play on
 44 the same day if a health care provider rules out a suspected concussion at
 45 the time the pupil is removed from play. On a subsequent day, the pupil

1 may return to play if the pupil has been evaluated by and received written
2 clearance to resume participation in athletic activity from a health care
3 provider who has been trained in evaluating and managing concussions and
4 head injuries. A health care provider who is a volunteer and who provides
5 clearance to participate in athletic activity on the day of the suspected
6 injury or on a subsequent day is immune from civil liability with respect
7 to all decisions made and actions taken that are based on good faith
8 implementation of the requirements of this subdivision, except in cases of
9 gross negligence or wanton or wilful neglect. A school district, school
10 district employee, team coach, official or team volunteer or a parent or
11 guardian of a team member is not subject to civil liability for any act,
12 omission or policy undertaken in good faith to comply with the
13 requirements of this subdivision or for a decision made or an action taken
14 by a health care provider. A group or organization that uses property or
15 facilities owned or operated by a school district for athletic activities
16 shall comply with the requirements of this subdivision. A school district
17 and its employees and volunteers are not subject to civil liability for
18 any other person or organization's failure or alleged failure to comply
19 with the requirements of this subdivision. This subdivision does not
20 apply to teams that are based in another state and that participate in an
21 athletic activity in this state. For the purposes of this subdivision,
22 athletic activity does not include dance, rhythmic gymnastics,
23 competitions or exhibitions of academic skills or knowledge or other
24 similar forms of physical noncontact activities, civic activities or
25 academic activities, whether engaged in for the purposes of competition or
26 recreation. For the purposes of this subdivision, "health care provider"
27 means a physician who is licensed pursuant to title 32, chapter 13, 14 or
28 17, an athletic trainer who is licensed pursuant to title 32, chapter 41,
29 a nurse practitioner who is licensed pursuant to title 32, chapter 15, and
30 a physician assistant who is licensed pursuant to title 32, chapter 25.

31 (c) Guidelines, information and forms that are developed in
32 consultation with a statewide private entity that supervises
33 interscholastic activities to inform and educate coaches, pupils and
34 parents of the dangers of heat-related illnesses, sudden cardiac death and
35 prescription opioid use. Before a pupil participates in any
36 district-sponsored practice session or game or other interscholastic
37 athletic activity, the pupil and the pupil's parent must be provided with
38 information at least once each school year on the risks of heat-related
39 illnesses, sudden cardiac death and prescription opioid addiction.

40 25. Establish an assessment, data gathering and reporting system as
41 prescribed in chapter 7, article 3 of this title.

42 26. Provide special education programs and related services
43 pursuant to section 15-764, subsection A to all children with disabilities
44 as defined in section 15-761.

1 27. Administer competency tests prescribed by the state board of
2 education for the graduation of pupils from high school.

3 28. Ensure that insurance coverage is secured for all construction
4 projects for purposes of general liability, property damage and workers'
5 compensation and secure performance and payment bonds for all construction
6 projects.

7 29. Collect and maintain information about each current and former
8 teacher's educational and teaching background and experience in a
9 particular academic content subject area. A school district shall either
10 post the information on the school district's website or make the
11 information available for inspection on request of parents and guardians
12 of pupils enrolled at a school. This paragraph does not require any
13 school to release personally identifiable information in relation to any
14 teacher, including the teacher's address, salary, social security number
15 or telephone number.

16 30. Report to local law enforcement agencies any suspected crime
17 against a person or property that is a serious offense as defined in
18 section 13-706 or that involves a deadly weapon or dangerous instrument or
19 serious physical injury and any conduct that poses a threat of death or
20 serious physical injury to employees, students or anyone on the property
21 of the school. This paragraph does not limit or preclude the reporting by
22 a school district or an employee of a school district of suspected crimes
23 other than those required to be reported by this paragraph. For the
24 purposes of this paragraph, "dangerous instrument", "deadly weapon" and
25 "serious physical injury" have the same meanings prescribed in section
26 13-105.

27 31. In conjunction with local law enforcement agencies and
28 emergency response agencies, develop an emergency response plan for each
29 school in the school district in accordance with minimum standards
30 developed jointly by the department of education and the division of
31 emergency management within the department of emergency and military
32 affairs. Any emergency response plan developed pursuant to this paragraph
33 must address how the school and emergency responders will communicate with
34 and provide assistance to students with disabilities.

35 32. Provide written notice to the parents or guardians of all
36 students enrolled in the school district at least ten days before a public
37 meeting to discuss closing a school within the school district. The
38 notice shall include the reasons for the proposed closure and the time and
39 place of the meeting. The governing board shall fix a time for a public
40 meeting on the proposed closure not less than ten days before voting in a
41 public meeting to close the school. The school district governing board
42 shall give notice of the time and place of the meeting. At the time and
43 place designated in the notice, the school district governing board shall
44 hear reasons for or against closing the school. The school district
45 governing board is exempt from this paragraph if the governing board

1 determines that the school shall be closed because it poses a danger to
2 the health or safety of the pupils or employees of the school. A
3 governing board may consult with the division of school facilities within
4 the department of administration for technical assistance and for
5 information on the impact of closing a school. The information provided
6 from the division of school facilities within the department of
7 administration shall not require the governing board to take or not take
8 any action.

9 33. Incorporate instruction on Native American history into
10 appropriate existing curricula.

11 34. Prescribe and enforce policies and procedures:

12 (a) Allowing pupils who have been diagnosed with anaphylaxis by a
13 health care provider licensed pursuant to title 32, chapter 13, 14, 17 or
14 25 or by a registered nurse practitioner licensed and certified pursuant
15 to title 32, chapter 15 to carry and self-administer emergency
16 medications, including epinephrine delivery systems, while at school and
17 at school-sponsored activities. The pupil's name on the prescription
18 label on the medication container or on the medication device and annual
19 written documentation from the pupil's parent or guardian to the school
20 that authorizes possession and self-administration is sufficient proof
21 that the pupil is entitled to possess and self-administer the
22 medication. The policies shall require a pupil who uses an epinephrine
23 delivery system while at school and at school-sponsored activities to
24 notify the nurse or the designated school staff person of the use of the
25 medication as soon as practicable. A school district and its employees
26 are immune from civil liability with respect to all decisions made and
27 actions taken that are based on good faith implementation of the
28 requirements of this subdivision, except in cases of wanton or wilful
29 neglect.

30 (b) For the emergency administration of epinephrine delivery
31 systems by a trained employee of a school district pursuant to section
32 15-157.

33 35. Allow the possession and self-administration of prescription
34 medication for breathing disorders in handheld inhaler devices by pupils
35 who have been prescribed that medication by a health care professional
36 licensed pursuant to title 32. The pupil's name on the prescription label
37 on the medication container or on the handheld inhaler device and annual
38 written documentation from the pupil's parent or guardian to the school
39 that authorizes possession and self-administration is sufficient proof
40 that the pupil is entitled to possess and self-administer the medication.
41 A school district and its employees are immune from civil liability with
42 respect to all decisions made and actions taken that are based on a good
43 faith implementation of the requirements of this paragraph.

44 36. Prescribe and enforce policies and procedures to prohibit
45 pupils from harassing, intimidating and bullying other pupils on school

1 grounds, on school property, on school buses, at school bus stops, at
2 school-sponsored events and activities and through the use of electronic
3 technology or electronic communication on school computers, networks,
4 forums and mailing lists that include the following components:

5 (a) A procedure for pupils, parents and school district employees
6 to confidentially report to school officials incidents of harassment,
7 intimidation or bullying. The school shall make available written forms
8 designed to provide a full and detailed description of the incident and
9 any other relevant information about the incident.

10 (b) A requirement that school district employees report in writing
11 suspected incidents of harassment, intimidation or bullying to the
12 appropriate school official and a description of appropriate disciplinary
13 procedures for employees who fail to report suspected incidents that are
14 known to the employee.

15 (c) A requirement that, at the beginning of each school year,
16 school officials provide all pupils with a written copy of the rights,
17 protections and support services available to a pupil who is an alleged
18 victim of an incident reported pursuant to this paragraph.

19 (d) If an incident is reported pursuant to this paragraph, a
20 requirement that school officials provide a pupil who is an alleged victim
21 of the incident with a written copy of the rights, protections and support
22 services available to that pupil.

23 (e) A formal process for documenting reported incidents of
24 harassment, intimidation or bullying and providing for the
25 confidentiality, maintenance and disposition of this documentation.
26 School districts shall maintain documentation of all incidents reported
27 pursuant to this paragraph for at least six years. The school shall not
28 use that documentation to impose disciplinary action unless the
29 appropriate school official has investigated and determined that the
30 reported incidents of harassment, intimidation or bullying occurred. If a
31 school provides documentation of reported incidents to persons other than
32 school officials or law enforcement, all individually identifiable
33 information shall be redacted.

34 (f) A formal process for the appropriate school officials to
35 investigate suspected incidents of harassment, intimidation or bullying,
36 including procedures for notifying the alleged victim and the alleged
37 victim's parent or guardian when a school official or employee becomes
38 aware of the suspected incident of harassment, intimidation or bullying.

39 (g) Disciplinary procedures for pupils who have admitted or been
40 found to have committed incidents of harassment, intimidation or bullying.

41 (h) A procedure that sets forth consequences for submitting false
42 reports of incidents of harassment, intimidation or bullying.

43 (i) Procedures designed to protect the health and safety of pupils
44 who are physically harmed as the result of incidents of harassment,

1 intimidation and bullying, including, if appropriate, procedures to
2 contact emergency medical services or law enforcement agencies, or both.

3 (j) Definitions of harassment, intimidation and bullying.

4 37. Prescribe and enforce policies and procedures regarding
5 changing or adopting attendance boundaries that include the following
6 components:

7 (a) A procedure for holding public meetings to discuss attendance
8 boundary changes or adoptions that allows public comments.

9 (b) A procedure to notify the parents or guardians of the students
10 affected, including assurance that, if that school remains open as part of
11 the boundary change and capacity is available, students assigned to a new
12 attendance area may stay enrolled in their current school.

13 (c) A procedure to notify the residents of the households affected
14 by the attendance boundary changes.

15 (d) A process for placing public meeting notices and proposed maps
16 on the school district's website for public review, if the school district
17 maintains a website.

18 (e) A formal process for presenting the attendance boundaries of
19 the affected area in public meetings that allows public comments.

20 (f) A formal process for notifying the residents and parents or
21 guardians of the affected area as to the decision of the governing board
22 on the school district's website, if the school district maintains a
23 website.

24 (g) A formal process for updating attendance boundaries on the
25 school district's website within ninety days after an adopted boundary
26 change. The school district shall send a direct link to the school
27 district's attendance boundaries website to the department of real estate.

28 38. If the state board of education determines that the school
29 district has committed an overexpenditure as defined in section 15-107,
30 provide a copy of the fiscal management report submitted pursuant to
31 section 15-107, subsection H on its website and make copies available to
32 the public on request. The school district shall comply with a request
33 within five business days after receipt.

34 39. Ensure that the contract for the superintendent is structured
35 in a manner in which up to twenty percent of the total annual salary
36 included for the superintendent in the contract is classified as
37 performance pay. This paragraph does not require school districts to
38 increase total compensation for superintendents. Unless the school
39 district governing board votes to implement an alternative procedure at a
40 public meeting called for this purpose, the performance pay portion of the
41 superintendent's total annual compensation shall be determined as follows:

42 (a) Twenty-five percent of the performance pay shall be determined
43 based on the percentage of academic gain determined by the department of
44 education of pupils who are enrolled in the school district compared to
45 the academic gain achieved by the highest ranking of the fifty largest

1 school districts in this state. For the purposes of this subdivision, the
 2 department of education shall determine academic gain by the academic
 3 growth achieved by each pupil who has been enrolled at the same school in
 4 a school district for at least five consecutive months measured against
 5 that pupil's academic results in the 2008-2009 school year. For the
 6 purposes of this subdivision, of the fifty largest school districts in
 7 this state, the school district with pupils who demonstrate the highest
 8 statewide percentage of overall academic gain measured against academic
 9 results for the 2008-2009 school year shall be assigned a score of 100 and
 10 the school district with pupils who demonstrate the lowest statewide
 11 percentage of overall academic gain measured against academic results for
 12 the 2008-2009 school year shall be assigned a score of 0.

13 (b) Twenty-five percent of the performance pay shall be determined
 14 by the percentage of parents of pupils who are enrolled at the school
 15 district who assign a letter grade of "A" to the school on a survey of
 16 parental satisfaction with the school district. The parental satisfaction
 17 survey shall be administered and scored by an independent entity that is
 18 selected by the governing board and that demonstrates sufficient expertise
 19 and experience to accurately measure the results of the survey. The
 20 parental satisfaction survey shall use standard random sampling procedures
 21 and provide anonymity and confidentiality to each parent who participates
 22 in the survey. The letter grade scale used on the parental satisfaction
 23 survey shall direct parents to assign one of the following letter grades:

- 24 (i) A letter grade of "A" if the school district is excellent.
- 25 (ii) A letter grade of "B" if the school district is above average.
- 26 (iii) A letter grade of "C" if the school district is average.
- 27 (iv) A letter grade of "D" if the school district is below average.
- 28 (v) A letter grade of "F" if the school district is a failure.

29 (c) Twenty-five percent of the performance pay shall be determined
 30 by the percentage of teachers who are employed at the school district and
 31 who assign a letter grade of "A" to the school on a survey of teacher
 32 satisfaction with the school. The teacher satisfaction survey shall be
 33 administered and scored by an independent entity that is selected by the
 34 governing board and that demonstrates sufficient expertise and experience
 35 to accurately measure the results of the survey. The teacher satisfaction
 36 survey shall use standard random sampling procedures and provide anonymity
 37 and confidentiality to each teacher who participates in the survey. The
 38 letter grade scale used on the teacher satisfaction survey shall direct
 39 teachers to assign one of the following letter grades:

- 40 (i) A letter grade of "A" if the school district is excellent.
- 41 (ii) A letter grade of "B" if the school district is above average.
- 42 (iii) A letter grade of "C" if the school district is average.
- 43 (iv) A letter grade of "D" if the school district is below average.
- 44 (v) A letter grade of "F" if the school district is a failure.

1 (d) Twenty-five percent of the performance pay shall be determined
2 by other criteria selected by the governing board.

3 40. Maintain and store permanent public records of the school
4 district as required by law. Notwithstanding section 39-101, the
5 standards adopted by the Arizona state library, archives and public
6 records for the maintenance and storage of school district public records
7 shall allow school districts to elect to satisfy the requirements of this
8 paragraph by maintaining and storing these records either on paper or in
9 an electronic format, or a combination of a paper and electronic format.

10 41. Adopt in a public meeting and implement policies for principal
11 evaluations. Before adopting principal evaluation policies, the school
12 district governing board shall provide opportunities for public discussion
13 on the proposed policies. The governing board shall adopt policies that:

14 (a) Are designed to improve principal performance and improve
15 student achievement.

16 (b) Include the use of quantitative data on the academic progress
17 for all students, which shall account for between twenty percent and
18 thirty-three percent of the evaluation outcomes.

19 (c) Include four performance classifications, designated as highly
20 effective, effective, developing and ineffective.

21 (d) Describe both of the following:

22 (i) The methods used to evaluate the performance of principals,
23 including the data used to measure student performance and job
24 effectiveness.

25 (ii) The formula used to determine evaluation outcomes.

26 42. Prescribe and enforce policies and procedures that define the
27 duties of principals and teachers. These policies and procedures shall
28 authorize teachers to take and maintain daily classroom attendance, make
29 the decision to promote or retain a pupil in a grade in common school or
30 to pass or fail a pupil in a course in high school, subject to review by
31 the governing board in the manner provided in section 15-342,
32 paragraph 11.

33 43. Prescribe and enforce policies and procedures for the emergency
34 administration by an employee of a school district pursuant to section
35 36-2267 of naloxone hydrochloride or any other opioid antagonist approved
36 by the United States food and drug administration.

37 44. In addition to the notification requirements prescribed in
38 paragraph 36 of this subsection, prescribe and enforce reasonable and
39 appropriate policies to notify a pupil's parent or guardian if any person
40 engages in harassing, threatening or intimidating conduct against that
41 pupil. A school district and its officials and employees are immune from
42 civil liability with respect to all decisions made and actions taken that
43 are based on good faith implementation of the requirements of this
44 paragraph, except in cases of gross negligence or wanton or wilful
45 neglect. A person engages in threatening or intimidating if the person

1 threatens or intimidates by word or conduct to cause physical injury to
2 another person or serious damage to the property of another on school
3 grounds. A person engages in harassment if, with intent to harass or with
4 knowledge that the person is harassing another person, the person
5 anonymously or otherwise contacts, communicates or causes a communication
6 with another person by verbal, electronic, mechanical, telephonic or
7 written means in a manner that harasses on school grounds or substantially
8 disrupts the school environment.

9 45. Each fiscal year, provide to each school district employee a
10 total compensation statement that is broken down by category of benefit or
11 payment and that includes, for that employee, at least all of the
12 following:

- 13 (a) Base salary and any additional pay.
- 14 (b) Medical benefits and the value of any employer-paid portions of
15 insurance plan premiums.
- 16 (c) Retirement benefit plans, including social security.
- 17 (d) Legally required benefits.
- 18 (e) Any paid leave.
- 19 (f) Any other payment made to or on behalf of the employee.
- 20 (g) Any other benefit provided to the employee.

21 46. Develop and adopt in a public meeting policies to allow for
22 visits, tours and observations of all classrooms by parents of enrolled
23 pupils and parents who wish to enroll their children in the school
24 district unless a visit, tour or observation threatens the health and
25 safety of pupils and staff. These policies and procedures must be easily
26 accessible from the home page on each school's website.

27 47. HOLD ALL MEETINGS OF THE GOVERNING BOARD AND OF THE GOVERNING
28 BOARD'S SUBCOMMITTEES, AS DEFINED IN SECTION 38-431, AT A PUBLIC FACILITY
29 IN THE SCHOOL DISTRICT, SUBJECT TO THE REQUIREMENTS OF TITLE 38, CHAPTER
30 3, ARTICLE 3.1. THE GOVERNING BOARD SHALL ALSO:

31 (a) PROVIDE THE PUBLIC WITH ONLINE ACCESS TO ALL GOVERNING BOARD
32 MEETING AND SUBCOMMITTEE MEETING MATERIALS, INCLUDING SUPPLEMENTAL
33 MATERIALS PRESENTED AT EACH MEETING OR PROVIDED TO THE GOVERNING BOARD
34 MEMBERS IN PREPARATION FOR THE MEETING, IN THE SAME MANNER AS THE
35 GOVERNING BOARD PROVIDES ONLINE ACCESS TO MEETING NOTICES.

36 (b) PROVIDE THE PUBLIC WITH ONLINE ACCESS TO THE MATERIALS
37 PRESCRIBED IN SUBDIVISION (a) OF THIS PARAGRAPH AND GOVERNING BOARD
38 MEETING AND SUBCOMMITTEE MEETING MINUTES FOR AT LEAST FIVE YEARS AFTER THE
39 DATE OF THE MEETING.

40 (c) IF THE DISTRICT HAS A STUDENT COUNT OF MORE THAN FIVE THOUSAND
41 STUDENTS, PROVIDE THE PUBLIC WITH A LIVE VIDEO FEED OF EACH GOVERNING
42 BOARD MEETING AND ONLINE ACCESS TO VIDEO RECORDINGS OF EACH GOVERNING
43 BOARD MEETING FOR AT LEAST FIVE YEARS AFTER THE DATE OF THE MEETING.

44 48. IF THE GOVERNING BOARD USES A CONSENT AGENDA FOR A MEETING,
45 ALLOW ANY MEMBER OF THE GOVERNING BOARD TO REMOVE ONE OR MORE ITEMS FROM

1 THE CONSENT AGENDA AT ANY TIME BEFORE THE GOVERNING BOARD VOTES ON THE
2 CONSENT AGENDA. THE GOVERNING BOARD SHALL SEPARATELY DISCUSS AND VOTE ON
3 EACH ITEM THAT IS REMOVED FROM A CONSENT AGENDA.

4 B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this
5 section, the county school superintendent may construct, improve and
6 furnish school buildings or purchase or sell school sites in the conduct
7 of an accommodation school.

8 C. If any school district acquires real or personal property,
9 whether by purchase, exchange, condemnation, gift or otherwise, the
10 governing board shall pay to the county treasurer any taxes on the
11 property that were unpaid as of the date of acquisition, including
12 penalties and interest. The lien for unpaid delinquent taxes, penalties
13 and interest on property acquired by a school district:

14 1. Is not abated, extinguished, discharged or merged in the title
15 to the property.

16 2. Is enforceable in the same manner as other delinquent tax liens.

17 D. The governing board may not locate a school on property that is
18 less than one-fourth mile from agricultural land regulated pursuant to
19 section 3-365, except that the owner of the agricultural land may agree to
20 comply with the buffer zone requirements of section 3-365. If the owner
21 agrees in writing to comply with the buffer zone requirements and records
22 the agreement in the office of the county recorder as a restrictive
23 covenant running with the title to the land, the school district may
24 locate a school within the affected buffer zone. The agreement may
25 include any stipulations regarding the school, including conditions for
26 future expansion of the school and changes in the operational status of
27 the school that will result in a breach of the agreement.

28 E. A school district, its governing board members, its school
29 council members and its employees are immune from civil liability for the
30 consequences of adopting and implementing policies and procedures pursuant
31 to subsection A of this section and section 15-342. This waiver does not
32 apply if the school district, its governing board members, its school
33 council members or its employees are guilty of gross negligence or
34 intentional misconduct.

35 F. A governing board may delegate in writing to a superintendent,
36 principal or head teacher the authority to prescribe procedures that are
37 consistent with the governing board's policies.

38 G. Notwithstanding any other provision of this title, a school
39 district governing board shall not take any action that would result in a
40 reduction of pupil square footage unless the governing board notifies the
41 school facilities oversight board established by section 41-5701.02 of the
42 proposed action and receives written approval from the school facilities
43 oversight board to take the action. A reduction includes an increase in
44 administrative space that results in a reduction of pupil square footage
45 or sale of school sites or buildings, or both. A reduction includes a

1 reconfiguration of grades that results in a reduction of pupil square
2 footage of any grade level. This subsection does not apply to temporary
3 reconfiguration of grades to accommodate new school construction if the
4 temporary reconfiguration does not exceed one year. The sale of equipment
5 that results in a reduction that falls below the equipment requirements
6 prescribed in section 41-5711, subsection B is subject to commensurate
7 withholding of school district additional assistance monies
8 pursuant to the direction of the school facilities oversight board.
9 Except as provided in section 15-342, paragraph 10, proceeds from the sale
10 of school sites, buildings or other equipment shall be deposited in the
11 school plant fund as provided in section 15-1102.

12 H. Subsections C through G of this section apply to a county board
13 of supervisors and a county school superintendent when operating and
14 administering an accommodation school.

15 I. A school district governing board may delegate authority in
16 writing to the superintendent of the school district to submit plans for
17 new school facilities to the school facilities oversight board for the
18 purpose of certifying that the plans meet the minimum school facility
19 adequacy guidelines prescribed in section 41-5711.

20 J. For the purposes of subsection A, paragraph 37 of this section,
21 attendance boundaries may not be used to require students to attend
22 certain schools based on the student's place of residence.

23 Sec. 3. Section 15-342, Arizona Revised Statutes, is amended to
24 read:

25 15-342. Discretionary powers

26 The governing board OF A SCHOOL DISTRICT may:

- 27 1. Expel pupils for misconduct.
- 28 2. Exclude from grades one through eight children WHO ARE under six
29 years of age.
- 30 3. Make such separation of groups of pupils as ~~tt~~ THE GOVERNING
31 BOARD deems advisable.

32 4. Maintain such special schools during vacation as deemed
33 necessary for the benefit of the pupils of the school district.

34 5. Allow a superintendent or principal or representatives of the
35 superintendent or principal to travel for a school purpose, as determined
36 by a majority vote of the board. The board may allow members and
37 members-elect of the board to travel within or without the school district
38 for a school purpose and receive reimbursement. ANY OUT-OF-STATE TRAVEL
39 PURSUANT TO THIS PARAGRAPH MUST BE APPROVED ON A PER-TRIP BASIS BY A
40 MAJORITY ROLL CALL VOTE OF THE GOVERNING BOARD MEMBERS IN A PUBLIC MEETING
41 HELD PURSUANT TO TITLE 38, CHAPTER 3, ARTICLE 3.1. SUBJECT TO THE
42 REQUIREMENTS PRESCRIBED BY PARAGRAPH 40 OF THIS SECTION, THE GOVERNING
43 BOARD SHALL APPROVE OUT-OF-STATE TRAVEL BEFORE THE PROPOSED TRAVEL
44 WHENEVER POSSIBLE. IF PRIOR APPROVAL OF OUT-OF-STATE TRAVEL IS
45 IMPOSSIBLE, THE TRAVEL MUST BE SUBMITTED TO THE GOVERNING BOARD FOR

1 APPROVAL PURSUANT TO PARAGRAPH 41 OF THIS SECTION NOT LATER THAN THIRTY
2 DAYS AFTER THE TRAVEL OCCURS. Any expenditure for travel and subsistence
3 pursuant to this paragraph shall be as provided in title 38, chapter 4,
4 article 2. The designated post of duty referred to in section 38-621
5 shall be construed, for school district governing board members, to be the
6 member's actual place of residence, as opposed to the school district
7 office or the school district boundaries. Such expenditures shall be a
8 charge against the budgeted school district funds. The governing board of
9 a school district shall prescribe procedures and amounts for reimbursement
10 of lodging and subsistence expenses. Reimbursement amounts shall not
11 exceed the maximum amounts established pursuant to section 38-624,
12 subsection C.

13 6. Construct or provide in rural districts housing facilities for
14 teachers and other school employees that the board determines are
15 necessary to operate the school.

16 7. Sell or lease to the state, a county, a city, another school
17 district or a tribal government agency any school property required for a
18 public purpose if the sale or lease of the property will not affect the
19 normal operations of a school within the school district.

20 8. Annually budget and spend monies for membership in an
21 association of school districts within this state.

22 9. Enter into leases or lease-purchase agreements for school
23 buildings or grounds, or both, as lessor or as lessee, for periods of less
24 than twenty years subject to voter approval for construction of school
25 buildings as prescribed in section 15-341, subsection A, paragraph 7.

26 10. Subject to title 41, chapter 56, sell school sites or enter
27 into leases or lease-purchase agreements for school buildings and grounds,
28 as lessor or as lessee, for a period of twenty years or more, but not to
29 exceed ninety-nine years, if authorized by a vote of the school district
30 electors in an election called by the governing board as provided in
31 section 15-491, except that authorization by the school district electors
32 in an election is not required if one of the following requirements is
33 met:

34 (a) The market value of the school property is less than \$50,000 or
35 the property is procured through a renewable energy development agreement,
36 an energy performance contract, which among other items includes a
37 renewable energy power service agreement, or a simplified energy
38 performance contract pursuant to section 15-213.01.

39 (b) The buildings and sites are completely funded with monies
40 distributed by the ~~school facilities~~ division OF SCHOOL FACILITIES within
41 the department of administration or at the direction of the school
42 facilities oversight board, or its predecessor.

43 (c) The transaction involves the sale of improved or unimproved
44 property pursuant to an agreement with the school facilities oversight
45 board in which the school district agrees to sell the improved or

1 unimproved property and transfer the proceeds of the sale to the school
 2 facilities oversight board in exchange for monies from the school
 3 facilities oversight board for the acquisition of a more suitable school
 4 site. For a sale of property acquired by a school district before July 9,
 5 1998, a school district shall transfer to the school facilities oversight
 6 board that portion of the proceeds that equals the cost of the acquisition
 7 of a more suitable school site. If there are any remaining proceeds after
 8 the transfer of monies to the school facilities oversight board, a school
 9 district shall only use those remaining proceeds for future land purchases
 10 approved by the school facilities oversight board, or for capital
 11 improvements not funded by the school facilities oversight board for any
 12 existing or future facility.

13 (d) The transaction involves the sale of improved or unimproved
 14 property pursuant to a formally adopted plan and the school district uses
 15 the proceeds of this sale to purchase other property that will be used for
 16 similar purposes as the property that was originally sold if the sale
 17 proceeds of the improved or unimproved property are used within two years
 18 after the date of the original sale to purchase the replacement property.
 19 If the sale proceeds of the improved or unimproved property are not used
 20 within two years after the date of the original sale to purchase
 21 replacement property, the sale proceeds shall be used toward paying any
 22 outstanding bonded indebtedness. If any sale proceeds remain after paying
 23 for outstanding bonded indebtedness, or if the district has no outstanding
 24 bonded indebtedness, sale proceeds shall be used to reduce the district's
 25 primary tax levy. A school district shall not use this subdivision unless
 26 all of the following conditions exist:

27 (i) The school district is the sole owner of the improved or
 28 unimproved property that the school district intends to sell.

29 (ii) The school district did not purchase the improved or
 30 unimproved property that the school district intends to sell with monies
 31 that were distributed pursuant to title 41, chapter 56.

32 (iii) The transaction does not violate section 15-341,
 33 subsection G.

34 11. Review the decision of a teacher to promote a pupil to a grade
 35 or retain a pupil in a grade in a common school or to pass or fail a pupil
 36 in a course in high school. The pupil has the burden of proof to overturn
 37 the decision of a teacher to promote, retain, pass or fail the pupil. In
 38 order to sustain the burden of proof, the pupil shall demonstrate to the
 39 governing board that the pupil has mastered the academic standards adopted
 40 by the state board of education pursuant to sections 15-701 and 15-701.01.
 41 If the governing board overturns the decision of a teacher pursuant to
 42 this paragraph, the governing board shall adopt a written finding that the
 43 pupil has mastered the academic standards. Notwithstanding title 38,
 44 chapter 3, article 3.1, the governing board shall review the decision of a
 45 teacher to promote a pupil to a grade or retain a pupil in a grade in a

1 common school or to pass or fail a pupil in a course in high school in
2 executive session unless a parent or legal guardian of the pupil or the
3 pupil, if emancipated, disagrees that the review should be conducted in
4 executive session and then the review shall be conducted in an open
5 meeting. If the review is conducted in executive session, the board shall
6 notify the teacher of the date, time and place of the review and shall
7 allow the teacher to be present at the review. If the teacher is not
8 present at the review, the board shall consult with the teacher before
9 making its decision. Any request, including the written request as
10 provided in section 15-341, the written evidence presented at the review
11 and the written record of the review, including the decision of the
12 governing board to accept or reject the teacher's decision, shall be
13 retained by the governing board as part of its permanent records.

14 12. Provide transportation or site transportation loading and
15 unloading areas for any child or children if deemed ~~for~~ **IN** the best
16 interest of the district, whether within or without the district, county
17 or state.

18 13. Enter into intergovernmental agreements and contracts with
19 school districts or other governing bodies as provided in section 11-952.
20 Intergovernmental agreements and contracts between school districts or
21 between a school district and other governing bodies as provided in
22 section 11-952 are exempt from competitive bidding under the procurement
23 rules adopted by the state board of education pursuant to section 15-213.

24 14. Include in the curricula ~~++~~ **THE GOVERNING BOARD** prescribes for
25 high schools in the school district career and technical education,
26 vocational education and technology education programs and career and
27 technical, vocational and technology program improvement services for the
28 high schools, subject to approval by the state board of education. The
29 governing board may contract for the provision of career and technical,
30 vocational and technology education as provided in section 15-789.

31 15. Suspend a teacher or administrator from the teacher's or
32 administrator's duties without pay for a period of time of not ~~to exceed~~
33 **MORE THAN** ten school days, ~~;~~ if the board determines that suspension is
34 warranted pursuant to section 15-341, subsection A, paragraph 21 or 22.

35 16. Dedicate school property within an incorporated city or town to
36 that city or town or within a county to that county for use as a public
37 right-of-way if both of the following apply:

38 (a) Pursuant to an ordinance adopted by the city, town or county,
39 there will be conferred on the school district privileges and benefits
40 that may include benefits related to zoning.

41 (b) The dedication will not affect the normal operation of any
42 school within the district.

43 17. Enter into option agreements for the purchase of school sites.

44 18. Donate surplus or outdated learning materials, educational
45 equipment and furnishings to nonprofit community organizations if the

1 governing board determines that the anticipated cost of selling the
2 learning materials, educational equipment or furnishings equals or exceeds
3 the estimated market value of the materials.

4 19. Prescribe policies to assess reasonable fees for students to
5 use district-provided parking facilities. The fees are to be applied by
6 the district solely against costs incurred in operating or securing the
7 parking facilities. Any policy adopted by the governing board pursuant to
8 this paragraph shall include a fee waiver provision in appropriate cases
9 of need or economic hardship.

10 20. Establish alternative education programs that are consistent
11 with the laws of this state to educate pupils, including pupils who have
12 been reassigned pursuant to section 15-841, subsection E or F.

13 21. Require a period of silence to be observed at the commencement
14 of the first class of the day in the schools. If a governing board
15 chooses to require a period of silence to be observed, the teacher in
16 charge of the room in which the first class is held shall announce that a
17 period of silence not to exceed one minute in duration will be observed
18 for meditation, and during that time no activities shall take place and
19 silence shall be maintained.

20 22. Require students to wear uniforms.

21 23. Exchange unimproved property or improved property, including
22 school sites, if the governing board determines that the improved property
23 is unnecessary for the continued operation of the school district without
24 requesting authorization by a vote of the school district electors and if
25 the governing board determines that the exchange is necessary to protect
26 the health, safety or welfare of pupils or if the governing board
27 determines that the exchange is based on sound business principles for
28 either:

29 (a) Unimproved or improved property of equal or greater value.

30 (b) Unimproved property that the owner contracts to improve if the
31 value of the property ultimately received by the school district is of
32 equal or greater value.

33 24. For common and high school pupils, assess reasonable fees for
34 optional extracurricular activities and programs conducted when the common
35 or high school is not in session, except that fees shall not be charged
36 for pupils' access to or use of computers or related materials. For high
37 school pupils, the governing board may assess reasonable fees for fine
38 arts and vocational education courses and for optional services, equipment
39 and materials offered to the pupils beyond those required to successfully
40 complete the basic requirements of any other course, except that fees
41 shall not be charged for pupils' access to or use of computers or related
42 materials. Fees assessed pursuant to this paragraph shall be adopted at a
43 public meeting after notice has been given to all parents of pupils
44 enrolled at schools in the district and shall not exceed the actual costs
45 of the activities, programs, services, equipment or materials. The

1 governing board shall authorize principals to waive the assessment of all
2 or part of a fee assessed pursuant to this paragraph if it creates an
3 economic hardship for a pupil. For the purposes of this paragraph,
4 "extracurricular activity" means any optional, noncredit, educational or
5 recreational activity that supplements the education program of the
6 school, whether offered before, during or after regular school hours.

7 25. Notwithstanding section 15-341, subsection A, paragraphs 7 and
8 9, construct school buildings and purchase or lease school sites, without
9 a vote of the school district electors, if the buildings and sites are
10 totally funded from one or more of the following:

11 (a) Monies in the unrestricted capital outlay fund, except that the
12 estimated cost shall not exceed \$250,000 for a district that uses section
13 15-949.

14 (b) Monies distributed at the direction of the school facilities
15 oversight board established by section 41-5701.02 or by the ~~school~~
16 ~~facilities~~ division OF SCHOOL FACILITIES within the department of
17 administration pursuant to title 41, chapter 56.

18 (c) Monies specifically donated for the purpose of constructing
19 school buildings.

20 This paragraph does not eliminate the requirement for an election to raise
21 revenues for a capital outlay override pursuant to section 15-481 or a
22 bond election pursuant to section 15-491.

23 26. Conduct a background investigation that includes a fingerprint
24 check conducted pursuant to section 41-1750, subsection G for certificated
25 personnel and personnel who are not paid employees of the school district,
26 as a condition of employment. A school district may release the results
27 of a background check to another school district for employment purposes.
28 The school district may charge the costs of fingerprint checks to its
29 fingerprinted employee, except that the school district may not charge the
30 costs of fingerprint checks for personnel who are not paid employees of
31 the school district.

32 27. Unless otherwise prohibited by law, sell advertising as
33 follows:

34 (a) Advertisements shall be age appropriate and not promote any
35 substance that is illegal for minors such as alcohol, tobacco and drugs or
36 gambling. Advertisements shall comply with the state sex education policy
37 of abstinence.

38 (b) Advertising approved by the governing board for the exterior of
39 school buses may appear only on the sides of the bus in the following
40 areas:

41 (i) The signs shall be below the seat level rub rail and not extend
42 above the bottom of the side windows.

43 (ii) The signs shall be at least three inches from any required
44 lettering, lamp, wheel well or reflector behind the service door or stop
45 signal arm.

1 (iii) The signs shall not extend from the body of the bus so as to
2 allow a handhold or present a danger to pedestrians.

3 (iv) The signs shall not interfere with the operation of any door
4 or window.

5 (v) The signs shall not be placed on any emergency doors.

6 (c) The school district shall establish an advertisement fund that
7 is composed of revenues from the sale of advertising. The monies in an
8 advertisement fund are not subject to reversion.

9 28. Assess reasonable damage deposits to pupils in grades seven
10 through twelve for using textbooks, musical instruments, band uniforms or
11 other equipment required for academic courses. The governing board shall
12 adopt policies on any damage deposits assessed pursuant to this paragraph
13 at a public meeting called for this purpose after providing notice to all
14 parents of pupils in grades seven through twelve in the school district.
15 Principals of individual schools within the district may waive the damage
16 deposit requirement for any textbook or other item if the payment of the
17 damage deposit would create an economic hardship for the pupil. The
18 school district shall return the full amount of the damage deposit for any
19 textbook or other item if the pupil returns the textbook or other item in
20 reasonably good condition within the time period prescribed by the
21 governing board. For the purposes of this paragraph, "in reasonably good
22 condition" means the textbook or other item is in the same or a similar
23 condition as it was when the pupil received it, plus ordinary wear and
24 tear.

25 29. Notwithstanding section 15-1105, ~~expend~~ SPEND surplus monies in
26 the civic center school fund for maintenance and operations or
27 unrestricted capital outlay if sufficient monies are available in the fund
28 after meeting the needs of programs established pursuant to section
29 15-1105.

30 30. Notwithstanding section 15-1143, spend surplus monies in the
31 community school program fund for maintenance and operations or
32 unrestricted capital outlay if sufficient monies are available in the fund
33 after meeting the needs of programs established pursuant to section
34 15-1142.

35 31. Adopt guidelines to standardize the format of the school report
36 cards required by section 15-746 for schools within the district.

37 32. Adopt policies that require parental notification when a law
38 enforcement officer interviews a pupil on school grounds. Policies
39 adopted pursuant to this paragraph shall not impede a peace officer from
40 performing the peace officer's duties. If the school district governing
41 board adopts a policy that requires parental notification:

42 (a) The policy may provide reasonable exceptions to the parental
43 notification requirement.

44 (b) The policy shall set forth whether and under what circumstances
45 a parent may be present when a law enforcement officer interviews the

1 pupil, including reasonable exceptions to the circumstances under which a
2 parent may be present when a law enforcement officer interviews the pupil,
3 and shall specify a reasonable maximum time after a parent is notified
4 that an interview of a pupil by a law enforcement officer may be delayed
5 to allow the parent to be present.

6 33. Enter into voluntary partnerships with any party to finance
7 with monies other than school district monies and cooperatively design
8 school facilities that comply with the adequacy standards prescribed in
9 section 41-5711 and the square footage per pupil requirements pursuant to
10 section 41-5741, subsection D, paragraph 3, subdivision (b). The design
11 plans and location of any such school facility shall be submitted to the
12 school facilities oversight board for approval pursuant to section
13 41-5741, subsection 0. If the school facilities oversight board approves
14 the design plans and location of any such school facility, the party in
15 partnership with the school district may cause to be constructed and the
16 district may begin operating the school facility before monies are
17 distributed at the direction of the school facilities oversight board
18 pursuant to section 41-5741. Monies distributed from the new school
19 facilities fund to a school district in a partnership with another party
20 to finance and design the school facility shall be paid to the school
21 district pursuant to section 41-5741. The school district shall reimburse
22 the party in partnership with the school district from the monies paid to
23 the school district pursuant to section 41-5741, in accordance with the
24 voluntary partnership agreement. Before the school facilities oversight
25 board directs the distribution of any monies pursuant to this subsection,
26 the school district shall demonstrate to the school facilities oversight
27 board that the facilities to be funded pursuant to section 41-5741,
28 subsection 0 meet the minimum adequacy standards prescribed in section
29 41-5711. If the cost to construct the school facility exceeds the amount
30 that the school district receives from the new school facilities fund, the
31 partnership agreement between the school district and the other party
32 shall specify that, except as otherwise provided by the other party, any
33 such excess costs shall be the responsibility of the school district. The
34 school district governing board shall adopt a resolution in a public
35 meeting that an analysis has been conducted on the prospective effects of
36 the decision to operate a new school with existing monies from the school
37 district's maintenance and operations budget and how this decision may
38 affect other schools in the school district. If a school district
39 acquires land by donation at an appropriate school site approved by the
40 school facilities oversight board and a school facility is financed and
41 built on the land pursuant to this paragraph, the school facilities
42 oversight board shall direct the distribution of an amount equal to twenty
43 percent of the fair market value of the land that can be used for academic
44 purposes. The school district shall place the monies in the unrestricted
45 capital outlay fund and increase the unrestricted capital budget limit by

1 the amount of the monies placed in the fund. Monies distributed under
2 this paragraph shall be distributed from the new school facilities fund
3 pursuant to section 41-5741. If a school district acquires land by
4 donation at an appropriate school site approved by the school facilities
5 oversight board and a school facility is financed and built on the land
6 pursuant to this paragraph, the school district shall not receive monies
7 for the donation of real property pursuant to section 41-5741,
8 subsection F. It is unlawful for:

9 (a) A county, city or town to require as a condition of any land
10 use approval that a landowner or landowners that entered into a
11 partnership pursuant to this paragraph provide any contribution, donation
12 or gift, other than a site donation, to a school district. This
13 subdivision only applies to the property in the voluntary partnership
14 agreement pursuant to this paragraph.

15 (b) A county, city or town to require as a condition of any land
16 use approval that the landowner or landowners located within the
17 geographic boundaries of the school subject to the voluntary partnership
18 pursuant to this paragraph provide any donation or gift to the school
19 district except as provided in the voluntary partnership agreement
20 pursuant to this paragraph.

21 (c) A community facilities district established pursuant to title
22 48, chapter 4, article 6 to be used for reimbursement of financing the
23 construction of a school pursuant to this paragraph.

24 (d) A school district to enter into an agreement pursuant to this
25 paragraph with any party other than a master planned community party. Any
26 land area consisting of at least three hundred twenty acres that is the
27 subject of a development agreement with a county, city or town entered
28 into pursuant to section 9-500.05 or 11-1101 shall be deemed to be a
29 master planned community. For the purposes of this subdivision, "master
30 planned community" means a land area consisting of at least three hundred
31 twenty acres, which may be noncontiguous, that is the subject of a zoning
32 ordinance approved by the governing body of the county, city or town in
33 which the land is located that establishes the use of the land area as a
34 planned area development or district, planned community development or
35 district, planned unit development or district or other land use category
36 or district that is recognized in the local ordinance of such county, city
37 or town and that specifies the use of such land is for a master planned
38 development.

39 34. Enter into an intergovernmental agreement with a presiding
40 judge of the juvenile court to implement a law-related education program
41 as defined in section 15-154. The presiding judge of the juvenile court
42 may assign juvenile probation officers to participate in a law-related
43 education program in any school district in the county. The cost of
44 juvenile probation officers who participate in the program implemented
45 pursuant to this paragraph shall be funded by the school district.

1 35. Offer to sell outdated learning materials, educational
2 equipment or furnishings at a posted price commensurate with the value of
3 the items to pupils who are currently enrolled in that school district
4 before those materials are offered for public sale.

5 36. If the school district is a small school district as defined in
6 section 15-901, and if allowed by federal law, opt out of federal grant
7 opportunities if the governing board determines that the federal
8 requirements impose unduly burdensome reporting requirements.

9 37. Prescribe and enforce policies and procedures for the emergency
10 administration of inhalers by trained employees of the school district and
11 nurses who are under contract with the school district pursuant to section
12 15-158.

13 38. Develop policies and procedures to allow principals to budget
14 for or assist with budgeting federal, state and local monies.

15 39. Subject to article IX, section 7, Constitution of Arizona, the
16 laws pertaining to travel and subsistence, gifts, grants, including
17 federal grants, or devises and policies adopted by the department of
18 education, provide food and beverages at school district events, including
19 official school functions and trainings.

20 40. BEFORE VOTING ON WHETHER TO APPROVE PROPOSED OUT-OF-STATE
21 TRAVEL PURSUANT TO PARAGRAPH 5 OF THIS SECTION, THE GOVERNING BOARD SHALL
22 DO ALL OF THE FOLLOWING:

23 (a) IDENTIFY EACH INDIVIDUAL WHO MAY TRAVEL OUT OF STATE, INCLUDING
24 THE INDIVIDUAL'S JOB TITLE. AN INDIVIDUAL WHO IS NOT IDENTIFIED IN THE
25 ORIGINAL PROPOSAL THAT IS APPROVED BY THE GOVERNING BOARD PURSUANT TO THIS
26 PARAGRAPH MAY TRAVEL OUT OF STATE IN PLACE OF AN INDIVIDUAL WHO WAS
27 IDENTIFIED IN THE ORIGINAL PROPOSAL ONLY IF BOTH OF THE FOLLOWING APPLY:

28 (i) THE SUPERINTENDENT NOTIFIES THE GOVERNING BOARD IN WRITING AND
29 AT THE NEXT REGULAR PUBLIC MEETING OF THE GOVERNING BOARD THAT AN
30 INDIVIDUAL WHO WAS NOT IDENTIFIED IN THE ORIGINAL PROPOSAL TRAVELED IN
31 PLACE OF THE INDIVIDUAL WHO WAS IDENTIFIED IN THE ORIGINAL PROPOSAL. THE
32 NOTIFICATION PURSUANT TO THIS ITEM SHALL INCLUDE ALL OF THE INFORMATION
33 REQUIRED BY THIS PARAGRAPH FOR THE ORIGINAL PROPOSAL.

34 (ii) THE TRAVEL EXPENSES INCURRED BY THE INDIVIDUAL WHO WAS NOT
35 IDENTIFIED IN THE ORIGINAL PROPOSAL DO NOT EXCEED THE ESTIMATED COSTS
36 PURSUANT TO SUBDIVISION (c) OF THIS PARAGRAPH FOR THE INDIVIDUAL WHO WAS
37 IDENTIFIED IN THE ORIGINAL PROPOSAL.

38 (b) IDENTIFY THE NAME AND ADDRESS OF THE LODGING FACILITY AT WHICH
39 EACH INDIVIDUAL WILL STAY DURING THE PROPOSED TRAVEL.

40 (c) ESTIMATE THE TOTAL COST OF THE PROPOSED TRAVEL AND THE COST PER
41 INDIVIDUAL.

42 (d) PUBLICLY NOTE AND DESCRIBE BOTH THE SCHOOL PURPOSES OF THE
43 PROPOSED TRAVEL AND THE BENEFIT OF THE PROPOSED TRAVEL TO THE SCHOOL
44 DISTRICT.

1 41. IF OUT-OF-STATE TRAVEL THAT HAS ALREADY OCCURRED IS SUBMITTED
2 TO THE GOVERNING BOARD FOR APPROVAL PURSUANT TO PARAGRAPH 5 OF THIS
3 SECTION:

4 (a) BEFORE VOTING ON WHETHER TO APPROVE THE TRAVEL, THE GOVERNING
5 BOARD SHALL IDENTIFY ALL OF THE FOLLOWING:

6 (i) EACH INDIVIDUAL, INCLUDING THE INDIVIDUAL'S JOB TITLE, WHO
7 TRAVELED OUT OF STATE.

8 (ii) THE NAME AND ADDRESS OF THE LODGING FACILITY AT WHICH EACH
9 INDIVIDUAL STAYED DURING THE TRAVEL.

10 (iii) THE TOTAL COST OF THE TRAVEL AND THE COST PER INDIVIDUAL.

11 (iv) THE SCHOOL PURPOSES OF THE TRAVEL AND THE BENEFIT OF THE
12 TRAVEL TO THE SCHOOL DISTRICT.

13 (b) IF THE GOVERNING BOARD DOES NOT APPROVE OUT-OF-STATE TRAVEL
14 THAT HAS ALREADY OCCURRED, THE GOVERNING BOARD MAY REQUIRE EACH INDIVIDUAL
15 WHO TRAVELED OUT OF STATE WITHOUT APPROVAL TO REIMBURSE THE SCHOOL
16 DISTRICT FOR ANY EXPENSES THAT WERE PAID BY THE DISTRICT FOR THE TRAVEL.