

REFERENCE TITLE: **schools; governing board members; employment**

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2713

Introduced by
Representatives Pingerelli: Biasiucci, Burges, Carter, Chaplik, Fillmore,
Hoffman, Parker, Payne

AN ACT

AMENDING SECTION 15-421, 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 15-421, Arizona Revised Statutes, is amended to
3 read:

4 15-421. Governing board; members; qualifications; statement;
5 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 has been a
15 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. AN ELECTED OR APPOINTED GOVERNING BOARD MEMBER MAY NOT BE
24 EMPLOYED IN ANY CAPACITY BY OR BE PLACED AS AN EMPLOYEE OF A THIRD-PARTY
25 CONTRACTOR IN THE SCHOOL DISTRICT IN WHICH THE MEMBER SERVED AS A BOARD
26 MEMBER DURING THE FIRST TWO YEARS AFTER LEAVING OFFICE. A SCHOOL DISTRICT
27 MAY PROHIBIT A FORMER ELECTED OR APPOINTED GOVERNING BOARD MEMBER FROM
28 SERVING AS AN EMPLOYEE OR A THIRD-PARTY CONTRACTOR FOR THE DISTRICT FOR
29 MORE THAN TWO YEARS.

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

39 ~~F.~~ G. Notwithstanding section 15-511, each county school
40 superintendent shall publish on the superintendent's website the statement
41 of each certified candidate for membership on a school district governing
42 board located in the county. The county school superintendent shall list
43 each school district on the superintendent's website from which a link
44 shall be established to the candidate's name, which shall link to the
45 candidate's statement and photograph. The candidate shall submit the

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

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

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

34 ~~H.~~ I. A person related as immediate family who has the same
 35 household of residence within four years prior to a member of the
 36 governing board of the same school district is ineligible to be a
 37 candidate for nomination or election to that governing board if the
 38 governing board is composed of five members, except that a person related
 39 as immediate family who has the same household of residence within four
 40 years prior to a member of a governing board may be a candidate for
 41 nomination or election to the governing board of the same school district
 42 if the member is serving in the last year of a term of office. For a
 43 school district with a student count of at least two hundred fifty ~~and~~
 44 that is located in a county with a population of more than five hundred
 45 thousand persons, not more than two persons related by affinity, by

1 consanguinity or by law to the third degree shall be eligible to be a
2 candidate for nomination or election to a governing board that is composed
3 of five members. A qualified elector who resides in the school district
4 may bring an action in superior court to enforce this subsection.

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

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

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

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