

REFERENCE TITLE: board members; qualifications; training requirements

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2789

Introduced by
Representatives Hernandez L: Bravo, Hernandez C, Mathis

AN ACT

AMENDING TITLE 15, CHAPTER 3, ARTICLE 3, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-349; 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. Title 15, chapter 3, article 3, Arizona Revised
3 Statutes, is amended by adding section 15-349, to read:

4 15-349. Governing board members; professional development
5 training; requirement

6 IF THE SUPERINTENDENT OF PUBLIC INSTRUCTION, ANY COUNTY SCHOOL
7 SUPERINTENDENT OR ANY SCHOOL DISTRICT SUPERINTENDENT OFFERS PROFESSIONAL
8 DEVELOPMENT TRAINING RELATING TO SCHOOL DISTRICT GOVERNANCE, EACH SCHOOL
9 DISTRICT GOVERNING BOARD MEMBER OF EACH SCHOOL DISTRICT IN THIS STATE
10 SHALL COMPLETE EITHER:

- 11 1. EIGHT HOURS OR MORE OF THAT PROFESSIONAL DEVELOPMENT TRAINING.
- 12 2. A PROFESSIONAL DEVELOPMENT TRAINING WORKSHOP.

13 Sec. 2. Section 15-421, Arizona Revised Statutes, is amended to
14 read:

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

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

20 B. The governing body of a high school district shall be a
21 governing board composed of:

- 22 1. In a single district, the governing board members of the common
23 school district.
- 24 2. In a union high school district, five members.

25 C. A person ~~who is a registered voter of this state and has been a~~
26 ~~resident of the school district for at least one year immediately~~
27 ~~preceding the day of election~~ is eligible for election to the office of
28 governing board member IF THE PERSON MEETS ALL OF THE FOLLOWING
29 REQUIREMENTS:

30 1. IS A REGISTERED VOTER OF THIS STATE AND HAS BEEN A RESIDENT OF
31 THE SCHOOL DISTRICT FOR AT LEAST ONE YEAR IMMEDIATELY PRECEDING THE DATE
32 OF THE ELECTION.

33 2. HAS AT LEAST FOUR YEARS OF:

- 34 (a) POSTSECONDARY EDUCATION.
- 35 (b) EXPERIENCE, INCLUDING EXPERIENCE AS A PAID EMPLOYEE, VOLUNTEER
36 OR INTERN, RELATING TO ANY OF THE FOLLOWING:
 - 37 (i) PUBLIC SCHOOL FINANCE.
 - 38 (ii) PUBLIC SCHOOL BUDGETS.
 - 39 (iii) SCHOOL PROPERTY.
 - 40 (iv) STUDENT HEALTH AND SAFETY.
 - 41 (v) STUDENT ACHIEVEMENT.
 - 42 (vi) THE OPEN MEETING LAW.
 - 43 (vii) CONFLICTS OF INTEREST.
 - 44 (viii) FIDUCIARY RESPONSIBILITIES.
 - 45 (ix) ANY OTHER EXPERIENCE RELATING TO SCHOOL DISTRICT GOVERNANCE.

1 (c) A COMBINATION OF EDUCATION AND EXPERIENCE AS DESCRIBED IN
2 SUBDIVISIONS (a) AND (b) OF THIS PARAGRAPH.

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

8 E. A member of one governing board is ineligible to be a candidate
9 for nomination or election to or serve simultaneously as a member of any
10 other governing board, except that a member of a governing board may be a
11 candidate for nomination or election for any other governing board if the
12 member is serving in the last year of a term of office. A member of a
13 governing board shall resign the member's seat on the governing board
14 before becoming a candidate for nomination or election to the governing
15 board of any other school district, unless the member of the governing
16 board is serving in the last year of a term of office.

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

- 40 1. A recent photograph of the candidate.
- 41 2. A statement not to exceed five hundred words.
- 42 3. A disclosure of any relationships by affinity, by consanguinity
43 or by law to the third degree that exist between the candidate and any
44 current governing board members or other candidates for election to the
45 same governing board.

1 G. Persons related as immediate family who have the same household
2 of residence within four years prior shall not serve simultaneously on the
3 governing board of the same school district if the governing board is
4 composed of five members. For a school district with a student count of
5 at least two hundred fifty ~~and~~ that is located in a county with a
6 population of more than five hundred thousand persons, not more than two
7 persons related by affinity, by consanguinity or by law to the third
8 degree shall serve simultaneously on the governing board of the same
9 school district if the governing board is composed of five members. A
10 qualified elector who resides in the school district may bring an action
11 in superior court to enforce this subsection.

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

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

39 J. For the purposes of this section:

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

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

1 Sec. 3. Applicability: delayed repeal

2 A. Notwithstanding section 15-421, Arizona Revised Statutes, as
3 amended by this act, all persons serving as members of a school district
4 governing board on the effective date of this act may continue to serve
5 until the expiration of their normal terms.

6 B. This section is repealed from and after December 31, 2027.