

REFERENCE TITLE: **small school districts; substitute teachers**

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

# **SB 1584**

Introduced by  
Senators Kerr: Shope

**AN ACT**

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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