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House Engrossed Senate Bill

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

SENATE BILL 1068

AN ACT

AMENDING SECTIONS 15-912 AND 15-912.01, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT REDISTRICTING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-912, Arizona Revised Statutes, is amended to
3 read:

4 15-912. Consolidation assistance

5 A. A resulting school district after merger of school districts may
6 budget for consolidation assistance as provided in subsection B of this
7 section if the school districts which merge include any of the following:

8 1. A common school district and at least one other common school
9 district or at least one unified school district.

10 2. A high school district and at least one other high school district
11 or at least one unified school district.

12 3. A unified school district and at least one other unified school
13 district or at least one high school district or at least one common school
14 district.

15 B. The eligible school district may increase the revenue control limit
16 and the district support level for the first ~~three years~~ YEAR of operation by
17 an amount determined as follows:

18 1. ~~In the first year for which a budget is computed~~ THROUGH DECEMBER
19 31, 2006, ~~ten~~ FIVE per cent of the revenue control limit.

20 ~~2. In the second year for which a budget is computed, seven per cent~~
21 ~~of the revenue control limit.~~

22 ~~3. In the third year for which a budget is computed, four per cent of~~
23 ~~the revenue control limit.~~

24 2. BEGINNING JANUARY 1, 2007, THE AMOUNT OF ANY TRANSITIONAL COSTS
25 THAT ARE DIRECTLY ASSOCIATED WITH ROUTINE FORMALITIES THAT ARE NECESSARY AS A
26 RESULT OF CONSOLIDATION SUCH AS CHANGING OF SIGNS, LETTERHEAD, STATIONARY AND
27 SIMILAR ISSUES.

28 C. A school district which budgets for consolidation assistance
29 pursuant to this section may not budget for unification assistance pursuant
30 to section 15-912.01 during the ~~three~~ ONE year period for which the
31 consolidation assistance is in effect ~~plus an additional two years~~
32 ~~immediately thereafter.~~

33 Sec. 2. Section 15-912.01, Arizona Revised Statutes, is amended to
34 read:

35 15-912.01. Unification assistance

36 A. New unified school districts formed after a subdivision and
37 unification as provided in section 15-458, subsection G or section 15-459,
38 subsection B, paragraph 5 or new unified school districts formed from a
39 common school district and a high school district pursuant to section
40 15-448, ~~may~~ budget for unification assistance as provided in subsection B of
41 this section.

42 B. The eligible school district may increase the revenue control limit
43 and the district support level for the first ~~three years~~ YEAR of operation by
44 an amount determined as follows:

45 1. ~~In the first year for which a budget is computed~~ THROUGH DECEMBER
46 31, 2006, ~~ten~~ FIVE per cent of the revenue control limit.

1 districts that offer instruction to students in programs for preschool
2 children with disabilities and kindergarten programs and grades one through
3 twelve. The commission's recommendations may include enlarging or
4 diminishing the size of affected school districts but shall also include
5 unorganized territories within recommended unified districts where
6 practicable. The commission may also determine that, based on the factors
7 considered by the commission in subsection F of this section, an existing
8 common school district should remain a common school district and not be
9 included in a new unified school district recommendation.

10 F. The commission shall submit a preliminary report on the proposed
11 school district unification plan to the governing boards of the affected
12 school districts by April 30, 2007. The governing boards of the affected
13 school districts shall review the preliminary report and may submit comments
14 to the commission by July 30, 2007, which may include specific
15 recommendations to modify the proposed unification plan or recommendations of
16 one or more alternative unification plans. The commission shall consider the
17 recommendations of the governing boards of the affected school districts and
18 then design and submit to the governor on or before December 31, 2007 a
19 proposed school district unification plan that includes the following
20 components:

21 1. Basing the unification plan on relevant academic and scientific
22 research regarding school size, school district size, fiscal implications and
23 legal issues that may include the following:

24 (a) Use by any of the affected districts of section 15-910 or
25 15-910.01, Arizona Revised Statutes.

26 (b) Estimated adjustment of both the primary and secondary tax rates
27 of the affected districts.

28 (c) Application of a career ladder program if not all of the affected
29 districts currently participate.

30 (d) Application of overrides authorized under title 15, chapter 4,
31 article 4, Arizona Revised Statutes.

32 (e) Estimated potential savings and efficiencies to be achieved
33 through the recommended unification.

34 (f) Application of teacher experience indexes and existing salary
35 schedules of affected districts.

36 (g) Potential impact on facilities needs due to unification.

37 2. Considering geographic boundaries and travel time of pupils. The
38 commission may recommend enlarging or diminishing the size of affected school
39 districts.

40 3. Developing a plan for unorganized territories that requires the
41 inclusion of areas where at least one per cent of the population attends a
42 public school within the boundaries of a unified school district.

43 4. The provision of regional or statewide services for administration,
44 instructional and noninstructional support services to rural or isolated
45 schools and rural and isolated school districts, or any other school district
46 that wishes to participate in the service plans.

1 5. Ensuring a smooth and efficient transition from the current number
2 of school districts in this state to the number of school districts proposed
3 in the school district unification plan, including an examination of the
4 following:

5 (a) Increasing the membership of school district governing boards to
6 nine members, especially in large school districts and school districts
7 located in urban areas.

8 (b) Mechanisms to allow the elected members of existing school
9 district governing boards to serve out the remainder of their terms.

10 (c) Assimilation by the unified school districts proposed in the
11 school district unification plan of the legal liabilities and other financial
12 and contractual obligations of the school districts being combined into a
13 unified school district.

14 6. The development of a statewide uniform school district naming
15 convention under which each school district would be assigned a legal
16 designation by county and school district number.

17 7. The review of existing statewide or regional educational service
18 agencies and the establishment where necessary of new statewide or regional
19 educational service agencies to provide for the noninstructional support of
20 school districts in the state.

21 8. The restructuring of the state's school districts as follows:

22 (a) All school districts in this state shall be unified districts that
23 serve students in at least all grades from kindergarten through grade twelve,
24 unless the commission determines otherwise.

25 (b) School districts shall be classified as rural unified school
26 districts if their student count is less than five hundred.

27 (c) School districts shall be classified as independent unified school
28 districts if their student count is more than six thousand.

29 (d) The consideration of the elimination of statutory budget
30 exemptions for school districts with a student count of less than one hundred
31 twenty-five.

32 9. Ensuring that the unification plan preserves local control while at
33 the same time maximizing an efficient and cost-effective delivery of
34 educational services.

35 10. Providing specific mechanisms for the payment of legal liabilities,
36 contractual obligations, capital debt and overrides previously accumulated by
37 school districts before the implementation of the unification plan and the
38 acquisition of legal liabilities, contractual obligations, capital debt and
39 overrides by school districts after the implementation of the unification
40 plan.

41 11. Identifying costs attributable to a unification plan subject to the
42 approval of the joint legislative budget committee.

43 G. The commission shall hold public hearings and hear testimony
44 regarding the unification of every affected school district. Hearings shall
45 be held throughout the state and shall include rural school districts. The

1 commission shall provide notice to the public at least three weeks in advance
2 of any hearing in the local district offices and in the local newspapers.

3 H. The commission shall include in the final report on the proposed
4 unification recommendations an estimate of the impact to the state general
5 fund if the proposed recommendations are approved by the voters in the
6 affected school districts and the estimated cost of the elections required by
7 the unification recommendations for reimbursement to the school districts.

8 I. The governor shall sign the report submitted by the commission and
9 shall file the report with the secretary of state.

10 J. The legislature shall not appropriate any monies for use by the
11 school district redistricting commission pursuant to this section.

12 Sec. 4. Unification approval; elections

13 A. Each county school superintendent in a county with a school
14 district that is affected by the proposed school district unification plan
15 submitted by the commission shall call an election of all qualified voters
16 within the boundaries of the proposed unified school district to be held at
17 the next general election to adopt the boundaries as proposed by the
18 commission. The county school superintendent shall prepare a publicity
19 pamphlet that shall be submitted to all registered voters in the affected
20 school districts no later than thirty-five days before the election. The
21 publicity pamphlet shall contain a complete description of the unification
22 plan and the factors considered by the commission pursuant to section 3,
23 subsection F of this act and shall include any arguments in favor of the plan
24 and any arguments in opposition to the plan submitted by members of the
25 governing boards of the affected school districts or from any elector who
26 wishes to submit such an argument. A copy of the publicity pamphlet shall be
27 submitted by the county school superintendent to the governor, the president
28 of the senate and the speaker of the house of representatives. The cost of
29 the election shall be paid by each affected school district in proportion to
30 each district's registered voters to the total registered voters within the
31 proposed unified district's boundary.

32 B. If the election pursuant to subsection A of this section is to
33 create a unified district under the current boundaries of a common or high
34 school district, the election ballot shall contain the following language:

35 Do you support the unification of the (insert name of
36 school district affected), a political subdivision of the
37 state of Arizona, to become a unified school district to provide
38 instruction in preschool programs for pupils with disabilities
39 and in kindergarten and grades one through twelve? Yes ()
40 No ()

41 A yes vote shall have the effect of approving the
42 unification of the _____ school district.

43 A no vote shall have the effect of denying the unification
44 of the _____ school district.

1 C. If the election pursuant to subsection A of this section is to
2 create a unified district that does not follow current boundaries of a common
3 or high school district or if the unification is for more than one district
4 affected, the election ballot shall contain the following language:

5 Do you support the unification of the (insert names of
6 school districts affected), as political subdivisions of the
7 state of Arizona, to become a unified school district to provide
8 instruction in preschool programs for pupils with disabilities
9 and in kindergarten and grades one through twelve? Yes ()
10 No ()

11 A yes vote shall have the effect of approving the
12 unification of the (insert names of school districts affected)
13 into the (name of proposed unified school district).

14 A no vote shall have the effect of denying the unification
15 of the (insert names of school districts affected) into the
16 (name of proposed unified school district).

17 D. A majority of the qualified electors in each affected school
18 district is required to approve the proposed unification plan. If the
19 unification plan is approved, the unified school district will become
20 operational at the beginning of the next fiscal year. If any of the affected
21 districts fail to approve the proposed unification plan, the plan is void.
22 The commission may revise the original unification plan and resubmit the plan
23 to the qualified electors of each affected school district. If a majority of
24 the qualified electors in any one of the affected school districts fails to
25 approve the unification plan, the school district shall not become part of a
26 unified school district.

27 Sec. 5. Delayed repeal

28 Section 3 of this act, relating to the school district redistricting
29 commission, and section 4 of this act, relating to unification approval, are
30 repealed from and after December 31, 2008.