

REFERENCE TITLE: unorganized territory; adjacent school districts

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

## **SB 1172**

Introduced by  
Senator Gray L

AN ACT

AMENDING SECTIONS 15-445 AND 15-825.02, ARIZONA REVISED STATUTES; RELATING TO  
SCHOOL ADMISSION REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-445, Arizona Revised Statutes, is amended to  
3 read:

4 15-445. Residents of unorganized territory: school district  
5 elections

6 A. The county school superintendent, on receiving notification from  
7 the state school superintendent pursuant to section 15-825.02, subsection B,  
8 shall do all of the following before calling an election:

9 1. Establish the boundaries of the proposed school district, taking  
10 into consideration communities of interest and excluding Indian reservations  
11 and other federal lands where reasonable to do so. During the period that  
12 the county school superintendent is considering the new school district  
13 boundaries, the county school superintendent shall conduct at least two  
14 public meetings at which public testimony is heard and questions are  
15 answered.

16 2. Identify adjacent school districts that accept at least twenty-five  
17 per cent of their open enrollment or certificate of educational convenience  
18 students from the unorganized territory and that are willing to accept the  
19 unorganized territory into the existing school district. If there is only  
20 one adjacent school district that meets these criteria, the boundaries of  
21 that school district shall be reestablished to include the unorganized  
22 territory without an election.

23 3. IF THE ADJACENT SCHOOL DISTRICT IS A COMMON SCHOOL DISTRICT THAT IS  
24 WITHIN THE BOUNDARIES OF A UNION HIGH SCHOOL DISTRICT, THE UNORGANIZED  
25 TERRITORY SHALL JOIN BOTH THE COMMON SCHOOL DISTRICT AND THE UNION HIGH  
26 SCHOOL DISTRICT. IF THE ADJACENT SCHOOL DISTRICT IS A COMMON SCHOOL DISTRICT  
27 THAT IS NOT WITHIN THE BOUNDARIES OF A HIGH SCHOOL DISTRICT, THE UNORGANIZED  
28 TERRITORY SHALL JOIN THE COMMON SCHOOL DISTRICT, AND HIGH SCHOOL PUPILS WHO  
29 RESIDE IN THE PREVIOUSLY UNORGANIZED TERRITORY SHALL BE EDUCATED IN THE SAME  
30 MANNER AS HIGH SCHOOL PUPILS WHO RESIDE IN THE COMMON SCHOOL DISTRICT.

31 ~~3-~~ 4. If there is more than one adjacent school district that meets  
32 the criteria prescribed in paragraph 2 of this subsection, prepare a pamphlet  
33 and a ballot question that includes the proposed boundaries and identifies  
34 existing adjacent school districts that are willing to accept the unorganized  
35 territory into the existing school district. The pamphlet shall be mailed to  
36 each household with one or more qualified electors. The pamphlet and ballot  
37 shall require the voters within the boundaries proposed by the county school  
38 superintendent to join an existing adjacent school district. The pamphlet  
39 and ballot shall include the full cash value, the assessed valuation and the  
40 estimated amount of the primary property taxes and the estimated amount of  
41 the secondary property taxes under each of the ballot options for each of the  
42 following:

43 (a) An owner occupied residence whose assessed valuation is the  
44 average assessed valuation of property classified as class three, as  
45 prescribed by section 42-12003 for the current year in the school district.

1 (b) An owner occupied residence whose assessed valuation is one-half  
2 of the assessed valuation of the residence in subdivision (a).

3 (c) An owner occupied residence whose assessed valuation is twice the  
4 assessed valuation of the residence in subdivision (a).

5 (d) A business whose assessed valuation is the average of the assessed  
6 valuation of property classified as class one, as prescribed by section  
7 42-12001, paragraphs 12 and 13 for the current year in the school district.

8 B. The county school superintendent shall schedule the election on the  
9 next available general election date allowed by law.

10 C. On a canvass of the vote and a determination by the county school  
11 superintendent that a majority of the voters ~~approves~~ APPROVE joining an  
12 existing adjacent school district, the county school superintendent shall  
13 notify the existing school district of the following:

14 1. That the boundaries of the school district shall be revised to  
15 include the property identified in the boundaries established by the county  
16 school superintendent.

17 2. That the school district shall provide the same educational  
18 services that are currently provided to students who reside in current  
19 boundaries of the school district to all students within the revised  
20 boundaries at the beginning of the next school year.

21 Sec. 2. Section 15-825.02, Arizona Revised Statutes, is amended to  
22 read:

23 15-825.02. Certificates of educational convenience; unorganized  
24 territory

25 A. If the annual number of certificates of educational convenience or  
26 students attending through open enrollment into ~~an~~ ANY adjacent school  
27 district from a single unorganized territory exceeds one hundred fifty, the  
28 superintendent of public instruction shall notify the county school  
29 superintendent and the county school superintendent shall notify the  
30 residents of the unorganized territory that the residents are required to  
31 join an ~~adjoining unified~~ ADJACENT school district. IF THE ADJACENT SCHOOL  
32 DISTRICT IS A COMMON SCHOOL DISTRICT THAT IS WITHIN THE BOUNDARIES OF A UNION  
33 HIGH SCHOOL DISTRICT, THE UNORGANIZED TERRITORY SHALL JOIN BOTH THE COMMON  
34 SCHOOL DISTRICT AND THE UNION HIGH SCHOOL DISTRICT. IF THE ADJACENT SCHOOL  
35 DISTRICT IS A COMMON SCHOOL DISTRICT THAT IS NOT WITHIN THE BOUNDARIES OF A  
36 HIGH SCHOOL DISTRICT, THE UNORGANIZED TERRITORY SHALL JOIN THE COMMON SCHOOL  
37 DISTRICT, AND HIGH SCHOOL PUPILS WHO RESIDE IN THE PREVIOUSLY UNORGANIZED  
38 TERRITORY SHALL BE EDUCATED IN THE SAME MANNER AS HIGH SCHOOL PUPILS WHO  
39 RESIDE IN THE COMMON SCHOOL DISTRICT.

40 B. The superintendent of public instruction shall notify the county  
41 school superintendent that the conditions prescribed in subsection A have  
42 occurred, and the county school superintendent shall prepare a ballot  
43 question to be voted on by the residents of the unorganized territory at the  
44 next general election to determine whether to join an adjacent existing  
45 school district.

1 C. Students attending an adjacent existing school district through  
2 open enrollment or through certificates of educational convenience that were  
3 approved before notification by the superintendent of public instruction  
4 pursuant to subsection B may continue enrollment in that existing school  
5 district until the unorganized territory joins a school district. Any  
6 students attending an adjacent existing school district through open  
7 enrollment or through certificates of educational convenience shall be  
8 allowed to continue enrollment in that existing school district even if the  
9 unorganized territory joins with a different adjacent school district. Any  
10 sibling of a student who continues to attend an adjacent existing school  
11 district through open enrollment or a certificate of educational convenience  
12 shall also be allowed to attend the same adjacent existing school district.

13 Sec. 3. Emergency

14 This act is an emergency measure that is necessary to preserve the  
15 public peace, health or safety and is operative immediately as provided by  
16 law.