

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2883**

Gress Floor Amendment

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1. Requires each school district governing board (governing board) member, at least biennially, to report to the county school superintendent the date on which the governing board member completed the required biennial training.
 2. Makes a governing board member ineligible to be a candidate for nomination, election or appointment to the office of governing board member in any school district if a county school superintendent determines the governing board member has failed to complete the required biennial training.
 3. Reinserts language that:
 - a) allows the Arizona Department of Education (ADE) to charge each school district for the cost of providing the biennial training to governing board members; and
 - b) requires each school district to pay for any costs incurred by ADE to provide the required biennial training to governing board members.
 2. Clarifies ADE must provide the training program to governing board members.

Amendment explanation prepared by C. Houser

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3/3/2025

ADDITIONAL COW
GRESS FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2883
(Reference to House engrossed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 <<Section 1. Section 15-302, Arizona Revised Statutes, is amended
3 to read:

4 15-302. Powers and duties

5 A. The county school superintendent shall:

6 1. Distribute all laws, reports, circulars, instructions and forms
7 that the county school superintendent may receive for the use of school
8 officers.

9 2. Record all official acts.

10 3. Appoint governing board members of school districts to fill all
11 vacancies, but the term of the appointment shall be until the next regular
12 election for governing board members, at which time a successor shall be
13 elected to serve the unexpired portion of the term. ~~[A person who is
14 subject to registration as a sex offender in this state or in any other
15 jurisdiction is ineligible for appointment under this paragraph.]~~ Within
16 thirty days after notification of a vacancy, the school district governing
17 board may submit up to three names to the county school superintendent for
18 consideration of an appointment to fill the vacancy. The county school
19 superintendent is not required to appoint a governing board member from
20 the list of names submitted by the governing board. The county school
21 superintendent, if the county school superintendent deems it in the best
22 interest of the community, may call a special election to fill the
23 vacancies. If an election is called, the newly elected member shall serve
24 for the remainder of the unexpired portion of the term. [A PERSON IS
25 INELIGIBLE FOR APPOINTMENT UNDER THIS PARAGRAPH IF EITHER OF THE FOLLOWING
26 APPLIES:

27 (a) THE PERSON IS SUBJECT TO REGISTRATION AS A SEX OFFENDER IN THIS
28 STATE OR IN ANY OTHER JURISDICTION.

29 (b) THE PERSON IS INELIGIBLE TO BE A CANDIDATE FOR APPOINTMENT TO
30 THE OFFICE OF SCHOOL DISTRICT GOVERNING BOARD MEMBER PURSUANT TO SECTION
31 15-349, SUBSECTION E.]

1 4. Make reports, when directed by the superintendent of public
2 instruction, showing matters relating to schools in the county as may be
3 required on the forms furnished by the superintendent of public
4 instruction.

5 5. Have such powers and perform such duties as otherwise prescribed
6 by law.

7 6. On or before October 1 of each year, report to the
8 superintendent of public instruction the amount of monies received from
9 state school funds, special school district taxes and other sources, the
10 total expenditures for school purposes and the balance on hand to the
11 credit of each school district at the close of the school year.

12 7. Contract with the board of supervisors for the board of
13 supervisors to conduct all regular school district elections.

14 8. Be responsible, in cooperation with the school district
15 governing boards and the board of supervisors, for all special school
16 district elections.

17 9. Maintain teacher and administrator certification records of
18 effective dates and expiration dates of teachers' and administrators'
19 certificates in compliance with guidelines prescribed in the uniform
20 system of financial records for those school districts for which the
21 county school superintendent is the fiscal agent. The county school
22 superintendent shall not draw a warrant in payment of a teacher's,
23 substitute teacher's or administrator's salary unless the teacher,
24 substitute teacher or administrator is legally certified during the fiscal
25 year in which the term for payment is demanded.

26 10. Notify a school district three years before the expiration of a
27 revenue control limit override that the school district's budget must be
28 adjusted in the final two years of the override pursuant to section
29 15-481, subsections P and Q, if the voters do not approve another
30 override.

31 11. In collaboration with the department of education and other
32 state agencies, assist school districts, charter schools, county free
33 library districts, municipal libraries, nonprofit and public libraries,
34 tribal libraries, private schools and tribal schools on using student
35 data, staff development, curriculum alignment and technology to improve
36 student performance.

37 12. Assist schools in meeting yearly adequate progress goals as
38 defined by criteria established by the state board of education and
39 implemented by the department of education.

40 B. At the request of school districts and charter schools, the
41 county school superintendent may provide discretionary programs in
42 addition to the programs prescribed in subsection A of this section.

43 C. The county school superintendent may provide the services
44 prescribed in subsections A and B of this section in the county or jointly
45 with two or more counties pursuant to title 11, chapter 7, article 3.

46 D. Each county school superintendent may establish an advisory
47 committee to the office of the county school superintendent.>>

1 Sec. 2. Title 15, chapter 3, article 3, Arizona Revised Statutes,
2 is amended by adding section 15-349, to read:

3 15-349. Governing board members; biennial training
4 requirements; ineligibility

5 A. IN CONSULTATION WITH THE OFFICE OF THE AUDITOR GENERAL, THE
6 DEPARTMENT OF EDUCATION SHALL DEVELOP A TRAINING PROGRAM FOR SCHOOL
7 DISTRICT GOVERNING BOARD MEMBERS THAT MAY BE DELIVERED THROUGH AN
8 IN-PERSON WORKSHOP, A VIRTUAL WORKSHOP OR SELF-PACED ONLINE TRAINING
9 MODULES OR ANY COMBINATION OF IN-PERSON WORKSHOP, VIRTUAL WORKSHOP AND
10 SELF-PACED ONLINE TRAINING MODULES. [THE DEPARTMENT SHALL PROVIDE THE
11 TRAINING PROGRAM TO THE GOVERNING BOARD MEMBERS OF EACH SCHOOL DISTRICT.]
12 THE OFFICE OF THE AUDITOR GENERAL SHALL ESTABLISH THE TRAINING
13 REQUIREMENTS FOR THE TRAINING PROGRAM DEVELOPED PURSUANT TO THIS
14 SUBSECTION AND SHALL REQUIRE THE TRAINING PROGRAM TO INCLUDE INSTRUCTION
15 ON ALL OF THE FOLLOWING:

- 16 1. PUBLIC SCHOOL FINANCE.
- 17 2. COMPLIANCE WITH THE UNIFORM SYSTEM OF FINANCIAL RECORDS
- 18 PRESCRIBED BY THE AUDITOR GENERAL PURSUANT TO SECTION 15-271.
- 19 3. HOW TO DEVELOP AND REVISE A SCHOOL DISTRICT BUDGET.
- 20 4. AUDIT REQUIREMENTS AND PROCEDURES.
- 21 5. HOW TO PREPARE THE ANNUAL FINANCIAL REPORT REQUIRED BY SECTION
- 22 15-904.
- 23 6. BEST PRACTICES RELATED TO INTERNAL CONTROLS.
- 24 7. REPORTS AND RESOURCES THAT ARE PROVIDED BY THE OFFICE OF THE
- 25 AUDITOR GENERAL.

26 B. EACH SCHOOL DISTRICT GOVERNING BOARD MEMBER SHALL COMPLETE
27 TRAINING ON ALL OF THE FOLLOWING TOPICS:

- 28 1. SCHOOL DISTRICT GOVERNANCE.
- 29 2. THE FIDUCIARY DUTIES OF SCHOOL DISTRICT GOVERNING BOARD MEMBERS.
- 30 3. HOW TO DEVELOP, ADOPT AND IMPLEMENT SCHOOL DISTRICT GOVERNING
- 31 BOARD POLICIES.
- 32 4. COMMUNITY ENGAGEMENT AND COLLABORATION WITH STAKEHOLDERS.
- 33 5. STUDENT OUTCOME-FOCUSED SCHOOL DISTRICT GOVERNANCE.
- 34 6. THE LEGAL AND ETHICAL RESPONSIBILITIES OF SCHOOL DISTRICT
- 35 GOVERNING BOARD MEMBERS.
- 36 7. ANY OTHER PROFESSIONAL DEVELOPMENT TOPICS THAT ARE RELEVANT TO
- 37 SERVICE AS A SCHOOL DISTRICT GOVERNING BOARD MEMBER.

38 C. [AT LEAST ONCE IN EVERY TWO-YEAR PERIOD.] EACH GOVERNING BOARD
39 MEMBER OF EACH SCHOOL DISTRICT IN THIS STATE SHALL~~;~~

40 1.] COMPLETE BOTH THE TRAINING DEVELOPED PURSUANT TO SUBSECTION A
41 OF THIS SECTION AND THE TRAINING REQUIRED PURSUANT TO SUBSECTION B OF THIS
42 SECTION ~~[AT LEAST ONCE IN EVERY TWO-YEAR PERIOD]~~. A SCHOOL DISTRICT
43 GOVERNING BOARD MEMBER MAY SELECT AND COMPLETE ONE OR MORE TRAINING
44 PROGRAMS THAT ARE PROVIDED BY A NONPROFIT ORGANIZATION, PROFESSIONAL
45 ASSOCIATION OR OTHER ENTITY THAT SPECIALIZES IN PUBLIC EDUCATION TO
46 SATISFY THE TRAINING REQUIREMENTS PRESCRIBED BY SUBSECTION B OF THIS
47 SECTION.

1 [2. REPORT TO THE COUNTY SCHOOL SUPERINTENDENT OF THE COUNTY IN
2 WHICH THE SCHOOL DISTRICT IS LOCATED THE DATE ON WHICH THE GOVERNING BOARD
3 MEMBER COMPLETED THE TRAINING.]

4 D. THE DEPARTMENT OF EDUCATION MAY CHARGE EACH SCHOOL DISTRICT FOR
5 THE COST OF PROVIDING THE TRAINING TO THE SCHOOL DISTRICT'S GOVERNING
6 BOARD MEMBERS PURSUANT TO SUBSECTION A OF THIS SECTION. EACH SCHOOL
7 DISTRICT SHALL PAY FOR ANY COSTS INCURRED BY THE DEPARTMENT OF EDUCATION
8 TO PROVIDE THE TRAINING TO THE SCHOOL DISTRICT'S GOVERNING BOARD MEMBERS.]

9 E. IF THE COUNTY SCHOOL SUPERINTENDENT OF THE COUNTY IN WHICH A
10 SCHOOL DISTRICT IS LOCATED DETERMINES THAT A GOVERNING BOARD MEMBER HAS
11 FAILED TO COMPLETE THE TRAINING REQUIRED BY SUBSECTION B OF THIS SECTION,
12 THE GOVERNING BOARD MEMBER IS INELIGIBLE TO BE A CANDIDATE FOR NOMINATION,
13 ELECTION OR APPOINTMENT TO THE OFFICE OF GOVERNING BOARD MEMBER IN ANY
14 SCHOOL DISTRICT IN THIS STATE.]

15 Sec. 3. Section 15-421, Arizona Revised Statutes, is amended to
16 read:

17 15-421. Governing boards; members; qualifications;
18 prohibitions; candidate statements; definitions

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

22 B. The governing body of a high school district shall be a
23 governing board composed of:

24 1. In a single district, the governing board members of the common
25 school district.

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

27 C. A person is eligible for election to the office of governing
28 board member if all of the following apply:

29 1. The person is a registered voter of this state.

30 2. The person has been a resident of the school district for at
31 least one year immediately preceding the day of election.

32 3. The person is not subject to registration as a sex offender in
33 this state or in any other jurisdiction.

34 [4. THE PERSON IS NOT INELIGIBLE TO BE A CANDIDATE FOR NOMINATION
35 OR ELECTION TO THE OFFICE OF GOVERNING BOARD MEMBER PURSUANT TO SECTION
36 15-349, SUBSECTION E.]

37 D. An employee of a school district, including a person who
38 directly provides certified or classified services to the school district
39 as an employee of a third-party contractor, or the spouse of such an
40 employee may not hold membership on the governing board of a school
41 district by which the employee is employed.

42 E. Notwithstanding subsection D of this section and title 38,
43 chapter 3, article 8, a small school district may employ, including
44 employment through a third-party contractor that provides services to the
45 small school district, a substitute teacher who is related to a member of
46 the governing board as immediate family and who has had the same household
47 of residence within the preceding four years. If a small school district

1 employs a substitute teacher pursuant to this subsection, the member of
2 the governing board who is related to the substitute teacher shall be
3 recused from voting on any matter relating to substitute teachers.

4 F. A school district may employ, including employment through a
5 third-party contractor that provides services to the school district, a
6 person who served as a member of the school district's governing board
7 during the preceding two years only in a position in which the person will
8 provide services directly to students, including as a certificated
9 teacher, a substitute teacher and an employee or contractor who provides
10 transportation, instructional support or student support services. A
11 school district may increase the time period prescribed in this subsection
12 to be more than two years.

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

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

- 45 1. A recent photograph of the candidate.
- 46 2. A statement not to exceed five hundred words.

1 3. A disclosure of any relationships by affinity, by consanguinity
2 or by law to the third degree that exist between the candidate and any
3 current governing board members or other candidates for election to the
4 same governing board.

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

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

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

43 L. NOTWITHSTANDING SUBSECTIONS I, J AND K OF THIS SECTION, AN
44 INDIVIDUAL WHO IS RELATED AS IMMEDIATE FAMILY TO AND WHO HAD THE SAME
45 HOUSEHOLD OF RESIDENCE WITHIN THE PREVIOUS FOUR YEARS AS ANOTHER MEMBER OF
46 OR CANDIDATE FOR NOMINATION OR ELECTION TO A SCHOOL DISTRICT GOVERNING
47 BOARD IS ELIGIBLE TO SERVE ON OR BE A CANDIDATE FOR NOMINATION OR ELECTION

1 TO THE SAME SCHOOL DISTRICT GOVERNING BOARD IF BOTH OF THE FOLLOWING
2 APPLY:

3 1. THE INDIVIDUAL IS UNDER TWENTY YEARS OF AGE.

4 2. THE INDIVIDUAL'S CURRENT HOUSEHOLD OF RESIDENCE IS NOT THE SAME
5 HOUSEHOLD OF RESIDENCE AS THE OTHER GOVERNING BOARD MEMBER OR CANDIDATE.

6 ~~1.~~ M. For the purposes of this section:

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

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

12 3. "Small school district" has the same meaning prescribed in
13 section 15-901.

14 Enroll and engross to conform

15 Amend title to conform

MATT GRESS

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02/28/2025

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C: VS