

THE RECOMMENDATIONS AND A PLAN FOR SCHOOL DISTRICT BOUNDARY REORGANIZATION

AS REQUIRED BY CHAPTER 193, SENATE BILL 1160

OF THE 30TH LEGISLATURE, SECOND REGULAR SESSION

Signed by the Governor May 24, 1972

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SUPERINTENDENT OF PUBLIC INSTRUCTION

January 12, 1973

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It is recognized that the State Legislature has wide latitude in deciding upon a plan for reorganization of school districts in the State. Decisions can be made to enact legislation which would organize the school districts by direct mandate. In view of the fact that only one state, since 1945, has chosen this direct mandatory method of district reorganization, it is recommended that the Arizona Legislature choose a reorganization method which is not exclusively mandatory. The Department of Education feels that a single person or body cannot effectively consider all of the important factors involved in school district boundary reorganization at the community level; therefore, the Department recommends the following plan for legislation which provides for decentralization of planning and for maximum local citizen participation.

The experiences found in many other states have amply demonstrated that school finance and school redistricting are inter-related. We, the Department of Education, therefore, caution the Arizona Legislature to make every effort to approve a plan for collecting school taxes which makes approximately the same number of dollars available for each child in the State, regardless of the wealth of the district of residence. Although this plan for district reorganization can do much to reduce the broad range of district wealth disparities which currently exist, reform of the state school financing system is essential to securing equality of the local burden of school support and achieving equality of educational opportunity for Arizona's school children.

The State Department of Education herewith submits its recommendations and a developed plan for legislation that would make operational unified school districts in Arizona by July 1, 1977.

RECOMMENDED PURPOSE OF THE PROPOSED LEGISLATION

The recommended purposes of proposed legislation are:

- (a) to establish a system of unified public school districts, kindergarten through grade twelve, which offer equal educational opportunity and comprehensive educational programs and services for all pupils in the State, which assure economy in the use of public funds, and which eliminate the various types of school districts that presently exist while replacing them with unified school districts as hereinafter defined

- (b) to provide the procedure for an effective and orderly district reorganization program to be carried out by designated administrative agencies
- (c) to establish the policies, standards, or criteria under which these administrative agencies must function
- (d) to allow the initial planning for the reorganization of school districts to be conducted on the local level

Nothing in the proposed legislation authorizes state administrative agencies and/or regional committees as hereinafter defined to consolidate or propose consolidation of any school within unified districts.

DEFINITIONS

School District Boundary Reorganization: a process through which the purposes of education can be achieved at an acceptable level of quality with efficiency of organization and economy of operation, whereby new unified school districts are formed through alteration of the boundaries of established school districts and/or dissolution and abandonment of established school districts.

Unified School District: a district which provides education for at least grades kindergarten through twelve in one school district under a single board of education, a single administration, and a single operating budget.

Comprehensive Educational Program: the equal educational opportunities that are available to all students by providing programs and services designated to meet the educational needs identified at each level of the state public school system.

TIME PERIOD

All public school districts in Arizona are to be duly constituted as unified school districts by July 1, 1976, and operating as such no later than July 1, 1977.

CRITERIA FOR SCHOOL DISTRICT REORGANIZATION

All public school districts organized pursuant to the purposes of this plan shall conform to the following criteria:

- I. EACH SCHOOL DISTRICT SHALL BE UNIFIED (GRADES K-12) AND SHALL OPERATE WITH A SINGLE BOARD, ADMINISTRATION, AND BUDGET.
- II. EACH UNIFIED DISTRICT MAY CONSIST OF ALL OR PARTS OF ONE OR MORE EXISTING DISTRICTS AND MAY CROSS PRESENT REGIONAL PLANNING BOUNDARY LINES.

- III. EACH UNIFIED DISTRICT SHALL BE ORGANIZED SO THAT NO SOCIO-ECONOMIC OR ETHNIC GROUP WILL BE INTENTIONALLY EXCLUDED OR INCLUDED IN THE DISTRICT SOLELY BECAUSE OF THESE FACTORS.
- IV. EACH UNIFIED DISTRICT SHALL BE ORGANIZED IN ACCORDANCE WITH THE PRINCIPLE OF LOCAL RESPONSIBILITY SO AS TO PROVIDE EFFECTIVE CITIZEN PARTICIPATION.
- V. EACH UNIFIED DISTRICT SHALL BE ORGANIZED SO AS TO MINIMIZE INEQUITIES IN ASSESSED VALUATION OF REAL PROPERTY IN SUPPORT OF EACH PUPIL.
- VI. EACH UNIFIED DISTRICT SHALL BE ABLE TO PROVIDE SPECIALIZED SERVICES ABOVE AND BEYOND THE COMPREHENSIVE INSTRUCTIONAL PROGRAM AS DETERMINED BY THE NEEDS OF THE COMMUNITY.
- VII. A UNIFIED DISTRICT SHALL INCLUDE A MINIMUM PUPIL POPULATION OF 1500 AND A MAXIMUM OF 25,000, WITH EXCEPTIONS CONSIDERING GEOGRAPHIC LIMITATIONS. ALL PRESENTLY UNORGANIZED TERRITORY SHALL BE INCLUDED IN SOME UNIFIED DISTRICT.
- VIII. THE REDISTRICTING STATUTE SHALL NOT BE USED, EITHER TO ENCOURAGE OR DISCOURAGE CONSOLIDATION OF ATTENDANCE AREAS OR SCHOOLS.

THE STATE REDISTRICTING COMMISSION

A State Redistricting Commission shall be established for the specific and sole purpose of administering the district reorganization program. The Commission shall function independently of the State Board of Education, but it shall have a direct and organic connection with the Arizona Department of Education in order that the resources of the Department may be utilized as needed in carrying out Commission functions. To achieve this relationship, the State Superintendent of Public Instruction shall be the Executive Officer (non-voting) of the State Commission. The principle advantage of this plan is that the State Redistricting Commission, having no other function, can devote its entire energies to implementation of the legislation.

Commission members shall take office within sixty days of enactment of the legislation. The following factors shall apply:

- (a) Representativeness of the Commission membership. The Commission should be representative of the major social, economic, and political interests of the State. Geographic representation should also be assured. Commission members should be outstanding leaders in the State. The members should be lay citizens.

- (b) Length of members' terms. Commission members (including the incumbent Superintendent of Public Instruction) shall serve the entire duration period of the reorganization.
- (c) Size of State Redistricting Commission: The Commission will comprise eight members, one representative from each of the six regions, one member appointed by the Governor, and the non-voting Executive Officer.
- (d) Selection of Commission Membership. Six of the State Redistricting Commission members shall be elected to membership in a Regional Convention held specifically for that purpose. The seventh Commission member will be appointed by the Governor. The eighth member shall be the non-voting Executive Officer (Superintendent of Public Instruction).
- (e) Compensation. Commission members shall serve without pay but shall be reimbursed for all expenses incurred in conducting Commission affairs.
- (f) Meetings. Within ninety days of legislative enactment the Executive Officer shall call the Commission's first meeting to organize and select a chairman and a vice-chairman. Subsequent meetings shall be held at least monthly, with provision for special meetings on call by the chairman or a majority of the membership, or by the executive officer.

Powers and Duties of the State Redistricting Commission. The powers and duties of the State Redistricting Commission shall consist of at least the following:

- (a) To approve the appointment of a director and such other personnel as may be needed on nomination by the State Superintendent of Public Instruction. The compensation of such personnel shall be determined and fixed in accordance with policies and procedures currently used in employing Arizona Department of Education staff.
- (b) To approve the disbursement of such funds as are provided by law for carrying out the provisions of the school district reorganization legislation.
- (c) To formulate policies, guidelines, and principles, in accordance with the standards or criteria specified in the legislation, or delegated to the State Commission for administering the reorganization program.
- (d) To hold, or cause to be held, public meetings in various regions of the State for purposes of explaining the reorganization program to interested local citizens and school officials.

- (e) To develop methods of procedure for use by Regional Redistricting Committees (as defined in the subsequent section) for carrying out their duties and responsibilities for conducting the program. These procedures along with the policies and guidelines adopted by the State Redistricting Commission shall be incorporated in a manual for use by Regional Committees.
- (f) To appoint at the regular meeting next following the 90-day time period following legislative enactment a Regional Committee in any region in which such a committee has not been established.
- (g) To recommend to any Regional Committee any modification of the plan for reorganization of school districts of such region as may appear to the State Commission necessary to carry out the purposes, criteria or standards, and other provisions of the legislation.
- (h) To review all submitted plans for district reorganization and either approve such plans or reject them with reasons for rejection and recommendations for making the plan acceptable. The review and decision on redistricting plans and proposals submitted by Regional Committees must be made and the decision transmitted to the Regional Committee concerned within 60 days of the receipt of such plans and proposals. The State Commission shall have authority to reject redistricting plans and proposals only if such plans and proposals fail to comply with the purposes, standards, and criteria specified in the legislation.
- (i) To designate one or more members of the State Commission, together with members of the Commission's staff, to attend and take part in public hearings held as hereinafter provided for purposes of hearing local grievances to all or portions of Regional Committee plans and proposals that are purported to be in violation of the purposes, criteria, and standards established in the legislation.
- (j) To submit an annual report to the legislature regarding the progress of the reorganization program and the results achieved under its provisions. Such annual reports should also include an evaluation of the major problems encountered and any recommendations considered desirable for improving the reorganization legislation.

REGIONAL REDISTRICTING COMMITTEES

Special Regional Redistricting Committees shall be established and vested with specified powers and duties. In establishing such committees, the following shall apply:

1. Area of representation: Special Regional Redistricting Committees

shall be established on a regional basis, i.e. in each of the present six planning districts created by the Governor.

2. Mandatory establishment. All of the territory of the State shall be in a regional reorganization planning area.
3. Time of establishment. Each Regional Redistricting Committee shall be established not later than thirty days after the establishment of the State Redistricting Commission.
4. Composition of committees. Committees shall be composed of nine members. Only lay citizens should be eligible to serve on committees. Provisions shall be made for adequate representation from both rural and urban areas.
5. Method of selecting members. The board members of school districts within each region shall be called together in convention to select their Regional Committee members by ballot.
6. Meetings. Within 30 days after selection of the members, the Regional Committee shall hold its first meeting to organize and to select a chairman. Thereafter, meetings should be held on call by the chairman or by a majority of the members.
7. Length of terms; filling vacancies. All members of the Regional Committees shall serve for a term of the same length as the State Redistricting Commission or until a plan of reorganization has become effective, whichever may first occur. Appointments to fill vacancies shall be made by a majority vote of the remaining Committee members. If a voting member fails to attend two consecutive meetings after due notice and without being excused by the Committee Chairman, his office shall be declared vacant by the Committee. A majority of the Committee shall constitute a quorum for transaction of business, but no plan can be adopted except upon affirmative vote of a majority of the committee.
8. Funding regional committee activities. Although Regional Committee members shall serve without compensation, they shall be entitled to reimbursement for necessary expenses incurred in connection with performance of their duties. Provisions shall also be made whereby funds will be made available to Regional Committees for employment of necessary technical and clerical assistance.

Assisted by the State Redistricting Commission's staff, each Regional Committee shall submit a budget setting forth its needs for technical and clerical assistance and for meeting the necessary travel and related expenses of Regional Committee members. This budget shall be subject to approval by the State Redistricting Commission. This budget will be funded from appropriations requested by the State Superintendent of Public Instruction, as indicated earlier.

9. Powers and duties. Each Regional Redistricting Committee shall have the following powers and duties:

- (a) To prepare and submit to the State Redistricting Commission within one year after its first meeting a plan of reorganization conforming to the purposes, criteria, and standards specified in the legislation and likewise conforming to the policies and procedures adopted by the State Redistricting Commission. This plan must encompass all of the territory included within the jurisdiction of the Regional Committee. Proposals for more than one new unified school district may be included within a single plan so long as each proposed new unified district conforms to the criteria and standards set forth in the legislation and the policies and procedures adopted by the State Redistricting Commission.
- (b) To initiate joint planning with another regional committee whenever it appears desirable that a proposed new unified district could include territory beyond the Committee's jurisdiction. Likewise, to respond affirmatively whenever requested by another Regional Committee to engage in joint-committee planning. For purposes of joint-committee planning, not less than three members from each Regional Committee concerned shall be appointed. The proposal or proposals resulting from such joint-committee planning shall be subject to approval by majority vote of each of the Regional Committees concerned.
- (c) To hold at least one public hearing within the territory of each proposed new district. A notice of each public hearing shall be published in a local newspaper of general circulation within the proposed new district at least twice before the date set for the hearing. Notices shall be mailed to Board Members of each school district concerned.
- (d) To prepare and submit to the State Redistricting Commission as part of its plan of reorganization, the following:
 - (1) The name of each proposed new district
 - (2) A map showing the boundaries of the existing school district(s)
 - (3) A description of the proposed boundaries of each new district

- (4) A rationale for the plan
 - (5) A record of all hearings
 - (6) Such other records, reports, and materials as may be required by the State Redistricting Commission
- (e) To revise any reorganization plan or portion of a reorganization plan rejected by the State Redistricting Commission, taking into account the reasons specified by the State Redistricting Commission for its rejection. The deadline for submission of the new plan shall be within six months after notification by the State Redistricting Commission that the previous plan submitted had been rejected.
- (f) To conduct, in cooperation with the State Redistricting Commission and its staff, public hearings held for purposes of considering allegations by local citizens that any proposed new district developed by the Regional Committee, and approved by the State Redistricting Commission is in violation of the purposes, criteria, and standards set forth in the legislation. Such allegations shall be set forth in writing with appropriate documentation and submitted to both the Regional Committee and to the State Redistricting Commission. The State Redistricting Commission is empowered to decide whether the allegations submitted do constitute a justifiable basis for conducting such a hearing.

ARIZONA DEPARTMENT OF EDUCATION FUNCTIONS AND RESPONSIBILITIES

As already recommended, the State Superintendent of Public Instruction shall function as the Executive Officer (non-voting) for the State Redistricting Commission. The director of the redistricting program shall function under the State Superintendent's supervision, with appropriate staff members employed specifically to work with the director. Other functions of the Executive Officer include:

1. To make available to the State Redistricting Commission and Regional Committees data and information collected by the Arizona Department of Education which may be useful in carrying out their respective assigned responsibilities.
2. To make available to the school district reorganization director and staff, the assistance of Arizona Department of Education specialists or other consultants whose expertise may be needed in carrying out the reorganization program.
3. To prepare and submit a budget anticipating the financial requirements for conducting the reorganization program. The necessary expenses of Regional Committees shall be included in the budget request of the State Redistricting Commission.

APPROBATION OF PROPOSED NEW UNIFIED DISTRICTS

After September 30, 1976, the State Redistricting Commission shall have the duty and responsibility to establish boundaries a plan for new unified districts in any remaining portions of the state where new districts had not been proposed and established by July 1, 1976.

PROPERTY, INDEBTEDNESS, AND OBLIGATION OF FORMER SCHOOL DISTRICTS

All real and personal property of a former school district or districts composing a new unified district shall become property invested in the unified district.

All current indebtedness and obligations of the former district(s) shall become the indebtedness and obligation of the new unified district.

The rights of creditors against any former district(s) now components of a new unified district shall be preserved against the unified district.

All bonded indebtedness incurred by residents of original districts included in a new unified district shall remain the responsibility of the residents of the original districts which incurred the bonded indebtedness.

UNIFIED SCHOOL DISTRICT BOARDS OF EDUCATION

Boards of education of new unified districts shall have all the present powers and duties now vested in boards of elementary and secondary school districts.

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