

State of Arizona  
Senate  
Fiftieth Legislature  
First Regular Session  
2011

# SENATE BILL 1521

AN ACT

AMENDING SECTION 15-341, ARIZONA REVISED STATUTES; RELATING TO SCHOOL DISTRICT GOVERNING BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-341, Arizona Revised Statutes, is amended to  
3 read:

4 15-341. General powers and duties; immunity; delegation

5 A. The governing board shall:

6 1. Prescribe and enforce policies and procedures for the governance of  
7 the schools, not inconsistent with law or rules prescribed by the state board  
8 of education.

9 2. Exclude from schools all books, publications, papers or audiovisual  
10 materials of a sectarian, partisan or denominational character.

11 3. Manage and control the school property within its district.

12 4. Acquire school furniture, apparatus, equipment, library books and  
13 supplies for the use of the schools.

14 5. Prescribe the curricula and criteria for the promotion and  
15 graduation of pupils as provided in sections 15-701 and 15-701.01.

16 6. Furnish, repair and insure, at full insurable value, the school  
17 property of the district.

18 7. Construct school buildings on approval by a vote of the district  
19 electors.

20 8. Make in the name of the district conveyances of property belonging  
21 to the district and sold by the board.

22 9. Purchase school sites when authorized by a vote of the district at  
23 an election conducted as nearly as practicable in the same manner as the  
24 election provided in section 15-481 and held on a date prescribed in section  
25 15-491, subsection E, but such authorization shall not necessarily specify  
26 the site to be purchased and such authorization shall not be necessary to  
27 exchange unimproved property as provided in section 15-342, paragraph 23.

28 10. Construct, improve and furnish buildings used for school purposes  
29 when such buildings or premises are leased from the national park service.

30 11. Purchase school sites or construct, improve and furnish school  
31 buildings from the proceeds of the sale of school property only on approval  
32 by a vote of the district electors.

33 12. Hold pupils to strict account for disorderly conduct on school  
34 property.

35 13. Discipline students for disorderly conduct on the way to and from  
36 school.

37 14. Except as provided in section 15-1224, deposit all monies received  
38 by the district as gifts, grants and devises with the county treasurer who  
39 shall credit the deposits as designated in the uniform system of financial  
40 records. If not inconsistent with the terms of the gifts, grants and devises  
41 given, any balance remaining after expenditures for the intended purpose of  
42 the monies have been made shall be used for reduction of school district  
43 taxes for the budget year, except that in the case of accommodation schools

1 the county treasurer shall carry the balance forward for use by the county  
2 school superintendent for accommodation schools for the budget year.

3 15. Provide that, if a parent or legal guardian chooses not to accept a  
4 decision of the teacher as provided in section 15-521, paragraph 2, the  
5 parent or legal guardian may request in writing that the governing board  
6 review the teacher's decision. Nothing in this paragraph shall be construed  
7 to release school districts from any liability relating to a child's  
8 promotion or retention.

9 16. Provide for adequate supervision over pupils in instructional and  
10 noninstructional activities by certificated or noncertificated personnel.

11 17. Use school monies received from the state and county school  
12 apportionment exclusively for payment of salaries of teachers and other  
13 employees and contingent expenses of the district.

14 18. Make an annual report to the county school superintendent on or  
15 before October 1 in the manner and form and on the blanks prescribed by the  
16 superintendent of public instruction or county school superintendent. The  
17 board shall also make reports directly to the county school superintendent or  
18 the superintendent of public instruction whenever required.

19 19. Deposit all monies received by school districts other than student  
20 activities monies or monies from auxiliary operations as provided in sections  
21 15-1125 and 15-1126 with the county treasurer to the credit of the school  
22 district except as provided in paragraph 20 of this subsection and sections  
23 15-1223 and 15-1224, and the board shall expend the monies as provided by law  
24 for other school funds.

25 20. Establish bank accounts in which the board during a month may  
26 deposit miscellaneous monies received directly by the district. The board  
27 shall remit monies deposited in the bank accounts at least monthly to the  
28 county treasurer for deposit as provided in paragraph 19 of this subsection  
29 and in accordance with the uniform system of financial records.

30 21. Prescribe and enforce policies and procedures for disciplinary  
31 action against a teacher who engages in conduct that is a violation of the  
32 policies of the governing board but that is not cause for dismissal of the  
33 teacher or for revocation of the certificate of the teacher. Disciplinary  
34 action may include suspension without pay for a period of time not to exceed  
35 ten school days. Disciplinary action shall not include suspension with pay  
36 or suspension without pay for a period of time longer than ten school days.  
37 The procedures shall include notice, hearing and appeal provisions for  
38 violations that are cause for disciplinary action. The governing board may  
39 designate a person or persons to act on behalf of the board on these matters.

40 22. Prescribe and enforce policies and procedures for disciplinary  
41 action against an administrator who engages in conduct that is a violation of  
42 the policies of the governing board regarding duties of administrators but  
43 that is not cause for dismissal of the administrator or for revocation of the  
44 certificate of the administrator. Disciplinary action may include suspension

1 without pay for a period of time not to exceed ten school days. Disciplinary  
2 action shall not include suspension with pay or suspension without pay for a  
3 period of time longer than ten school days. The procedures shall include  
4 notice, hearing and appeal provisions for violations that are cause for  
5 disciplinary action. The governing board may designate a person or persons  
6 to act on behalf of the board on these matters. For violations that are  
7 cause for dismissal, the provisions of notice, hearing and appeal in chapter  
8 5, article 3 of this title shall apply. The filing of a timely request for a  
9 hearing suspends the imposition of a suspension without pay or a dismissal  
10 pending completion of the hearing.

11 23. Notwithstanding sections 13-3108 and 13-3120, prescribe and enforce  
12 policies and procedures that prohibit a person from carrying or possessing a  
13 weapon on school grounds unless the person is a peace officer or has obtained  
14 specific authorization from the school administrator.

15 24. Prescribe and enforce policies and procedures relating to the  
16 health and safety of all pupils participating in district sponsored practice  
17 sessions, ~~OR~~ games or other interscholastic athletic activities, including:

18 (a) The provision of water.

19 (b) GUIDELINES, INFORMATION AND FORMS, DEVELOPED IN CONSULTATION WITH  
20 A STATEWIDE PRIVATE ENTITY THAT SUPERVISES INTERSCHOLASTIC ACTIVITIES, TO  
21 INFORM AND EDUCATE COACHES, PUPILS AND PARENTS OF THE DANGERS OF CONCUSSIONS  
22 AND HEAD INJURIES AND THE RISKS OF CONTINUED PARTICIPATION IN ATHLETIC  
23 ACTIVITY AFTER A CONCUSSION. THE POLICIES AND PROCEDURES SHALL REQUIRE THAT,  
24 BEFORE A PUPIL PARTICIPATES IN AN ATHLETIC ACTIVITY, THE PUPIL AND THE  
25 PUPIL'S PARENT MUST SIGN AN INFORMATION FORM AT LEAST ONCE EACH SCHOOL YEAR  
26 THAT STATES THAT THE PARENT IS AWARE OF THE NATURE AND RISK OF CONCUSSION.  
27 THE POLICIES AND PROCEDURES SHALL REQUIRE THAT A PUPIL WHO IS SUSPECTED OF  
28 SUSTAINING A CONCUSSION IN A PRACTICE SESSION, GAME OR OTHER INTERSCHOLASTIC  
29 ATHLETIC ACTIVITY BE IMMEDIATELY REMOVED FROM THE ATHLETIC ACTIVITY. A COACH  
30 FROM THE PUPIL'S TEAM OR AN OFFICIAL OR A LICENSED HEALTH CARE PROVIDER MAY  
31 REMOVE A PUPIL FROM PLAY. A TEAM PARENT MAY ALSO REMOVE HIS OR HER OWN CHILD  
32 FROM PLAY. A PUPIL MAY RETURN TO PLAY ON THE SAME DAY IF A HEALTH CARE  
33 PROVIDER RULES OUT A SUSPECTED CONCUSSION AT THE TIME THE PUPIL IS REMOVED  
34 FROM PLAY. ON A SUBSEQUENT DAY, THE PUPIL MAY RETURN TO PLAY IF THE PUPIL  
35 HAS BEEN EVALUATED BY AND RECEIVED WRITTEN CLEARANCE TO RESUME PARTICIPATION  
36 IN ATHLETIC ACTIVITY FROM A HEALTH CARE PROVIDER WHO HAS BEEN TRAINED IN THE  
37 EVALUATION AND MANAGEMENT OF CONCUSSIONS AND HEAD INJURIES. FOR THE PURPOSES  
38 OF THIS SUBDIVISION, "A HEALTH CARE PROVIDER" MEANS A PHYSICIAN WHO IS  
39 LICENSED PURSUANT TO TITLE 32, CHAPTER 13 OR 17, AN ATHLETIC TRAINER WHO IS  
40 LICENSED PURSUANT TO TITLE 32, CHAPTER 41, A NURSE PRACTITIONER WHO IS  
41 LICENSED PURSUANT TO TITLE 32, CHAPTER 15, AND A PHYSICIAN ASSISTANT WHO IS  
42 LICENSED PURSUANT TO TITLE 32, CHAPTER 25. A HEALTH CARE PROVIDER WHO IS A  
43 VOLUNTEER AND WHO PROVIDES CLEARANCE TO PARTICIPATE IN ATHLETIC ACTIVITY ON  
44 THE DAY OF THE SUSPECTED INJURY OR ON A SUBSEQUENT DAY IS IMMUNE FROM CIVIL

1 LIABILITY WITH RESPECT TO ALL DECISIONS MADE AND ACTIONS TAKEN THAT ARE BASED  
2 ON GOOD FAITH IMPLEMENTATION OF THE REQUIREMENTS OF THIS SUBDIVISION, EXCEPT  
3 IN CASES OF GROSS NEGLIGENCE OR WANTON OR WILFUL NEGLIGENCE. A SCHOOL DISTRICT,  
4 SCHOOL DISTRICT EMPLOYEE, TEAM COACH, OFFICIAL, TEAM VOLUNTEER OR A PARENT OR  
5 GUARDIAN OF A TEAM MEMBER IS NOT SUBJECT TO CIVIL LIABILITY FOR ANY ACT,  
6 OMISSION OR POLICY UNDERTAKEN IN GOOD FAITH TO COMPLY WITH THE REQUIREMENTS  
7 OF THIS SUBDIVISION OR FOR A DECISION MADE OR AN ACTION TAKEN BY A HEALTH  
8 CARE PROVIDER. A GROUP OR ORGANIZATION THAT USES PROPERTY OR FACILITIES  
9 OWNED OR OPERATED BY A SCHOOL DISTRICT FOR ATHLETIC ACTIVITIES SHALL COMPLY  
10 WITH THE REQUIREMENTS OF THIS SUBDIVISION. A SCHOOL DISTRICT AND ITS  
11 EMPLOYEES AND VOLUNTEERS ARE NOT SUBJECT TO CIVIL LIABILITY FOR ANY OTHER  
12 PERSON OR ORGANIZATION'S FAILURE OR ALLEGED FAILURE TO COMPLY WITH THE  
13 REQUIREMENTS OF THIS SUBDIVISION. THIS SUBDIVISION DOES NOT APPLY TO TEAMS  
14 THAT ARE BASED IN ANOTHER STATE AND THAT PARTICIPATE IN AN ATHLETIC ACTIVITY  
15 IN THIS STATE. FOR THE PURPOSES OF THIS SUBDIVISION, ATHLETIC ACTIVITY DOES  
16 NOT INCLUDE DANCE, RHYTHMIC GYMNASTICS, COMPETITIONS OR EXHIBITIONS OF  
17 ACADEMIC SKILLS OR KNOWLEDGE OR OTHER SIMILAR FORMS OF PHYSICAL NONCONTACT  
18 ACTIVITIES, CIVIC ACTIVITIES OR ACADEMIC ACTIVITIES, WHETHER ENGAGED IN FOR  
19 THE PURPOSES OF COMPETITION OR RECREATION.

20 25. Prescribe and enforce policies and procedures regarding the smoking  
21 of tobacco within school buildings. The policies and procedures shall be  
22 adopted in consultation with school district personnel and members of the  
23 community and shall state whether smoking is prohibited in school buildings.  
24 If smoking in school buildings is not prohibited, the policies and procedures  
25 shall clearly state the conditions and circumstances under which smoking is  
26 permitted, those areas in a school building that may be designated as smoking  
27 areas and those areas in a school building that may not be designated as  
28 smoking areas.

29 26. Establish an assessment, data gathering and reporting system as  
30 prescribed in chapter 7, article 3 of this title.

31 27. Provide special education programs and related services pursuant to  
32 section 15-764, subsection A to all children with disabilities as defined in  
33 section 15-761.

34 28. Administer competency tests prescribed by the state board of  
35 education for the graduation of pupils from high school.

36 29. Ensure that insurance coverage is secured for all construction  
37 projects for purposes of general liability, property damage and workers'  
38 compensation and secure performance and payment bonds for all construction  
39 projects.

40 30. Keep on file the resumes of all current and former employees who  
41 provide instruction to pupils at a school. Resumes shall include an  
42 individual's educational and teaching background and experience in a  
43 particular academic content subject area. A school district shall inform  
44 parents and guardians of the availability of the resume information and shall

1 make the resume information available for inspection on request of parents  
2 and guardians of pupils enrolled at a school. Nothing in this paragraph  
3 shall be construed to require any school to release personally identifiable  
4 information in relation to any teacher or employee, including the teacher's  
5 or employee's address, salary, social security number or telephone number.

6 31. Report to local law enforcement agencies any suspected crime  
7 against a person or property that is a serious offense as defined in section  
8 13-706 or that involves a deadly weapon or dangerous instrument or serious  
9 physical injury and any conduct that poses a threat of death or serious  
10 physical injury to employees, students or anyone on the property of the  
11 school. This paragraph does not limit or preclude the reporting by a school  
12 district or an employee of a school district of suspected crimes other than  
13 those required to be reported by this paragraph. For the purposes of this  
14 paragraph, "dangerous instrument", "deadly weapon" and "serious physical  
15 injury" have the same meanings prescribed in section 13-105.

16 32. In conjunction with local law enforcement agencies and local  
17 medical facilities, develop an emergency response plan for each school in the  
18 school district in accordance with minimum standards developed jointly by the  
19 department of education and the division of emergency management within the  
20 department of emergency and military affairs.

21 33. Provide written notice to the parents or guardians of all students  
22 affected in the school district at least thirty days prior to a public  
23 meeting to discuss closing a school within the school district. The notice  
24 shall include the reasons for the proposed closure and the time and place of  
25 the meeting. The governing board shall fix a time for a public meeting on  
26 the proposed closure no less than thirty days before voting in a public  
27 meeting to close the school. The school district governing board shall give  
28 notice of the time and place of the meeting. At the time and place  
29 designated in the notice, the school district governing board shall hear  
30 reasons for or against closing the school. The school district governing  
31 board is exempt from this paragraph if it is determined by the governing  
32 board that the school shall be closed because it poses a danger to the health  
33 or safety of the pupils or employees of the school.

34 34. Incorporate instruction on Native American history into appropriate  
35 existing curricula.

36 35. Prescribe and enforce policies and procedures allowing pupils who  
37 have been diagnosed with anaphylaxis by a health care provider licensed  
38 pursuant to title 32, chapter 13, 14, 17 or 25 or by a registered nurse  
39 practitioner licensed and certified pursuant to title 32, chapter 15 to carry  
40 and self-administer emergency medications, including auto-injectable  
41 epinephrine, while at school and at school sponsored activities. The pupil's  
42 name on the prescription label on the medication container or on the  
43 medication device and annual written documentation from the pupil's parent or  
44 guardian to the school that authorizes possession and self-administration is

1 sufficient proof that the pupil is entitled to the possession and  
2 self-administration of the medication. The policies shall require a pupil  
3 who uses auto-injectable epinephrine while at school and at school sponsored  
4 activities to notify the nurse or the designated school staff person of the  
5 use of the medication as soon as practicable. A school district and its  
6 employees are immune from civil liability with respect to all decisions made  
7 and actions taken that are based on good faith implementation of the  
8 requirements of this paragraph, except in cases of wanton or wilful neglect.

9 36. Allow the possession and self-administration of prescription  
10 medication for breathing disorders in handheld inhaler devices by pupils who  
11 have been prescribed that medication by a health care professional licensed  
12 pursuant to title 32. The pupil's name on the prescription label on the  
13 medication container or on the handheld inhaler device and annual written  
14 documentation from the pupil's parent or guardian to the school that  
15 authorizes possession and self-administration shall be sufficient proof that  
16 the pupil is entitled to the possession and self-administration of the  
17 medication. A school district and its employees are immune from civil  
18 liability with respect to all decisions made and actions taken that are based  
19 on a good faith implementation of the requirements of this paragraph.

20 37. Prescribe and enforce policies and procedures to prohibit pupils  
21 from harassing, intimidating and bullying other pupils on school grounds, on  
22 school property, on school buses, at school bus stops and at school sponsored  
23 events and activities that include the following components:

24 (a) A procedure for pupils to confidentially report to school  
25 officials incidents of harassment, intimidation or bullying.

26 (b) A procedure for parents and guardians of pupils to submit written  
27 reports to school officials of suspected incidents of harassment,  
28 intimidation or bullying.

29 (c) A requirement that school district employees report suspected  
30 incidents of harassment, intimidation or bullying to the appropriate school  
31 official.

32 (d) A formal process for the documentation of reported incidents of  
33 harassment, intimidation or bullying and for the confidentiality, maintenance  
34 and disposition of this documentation. If a school maintains documentation  
35 of reported incidents of harassment, intimidation or bullying, the school  
36 shall not use that documentation to impose disciplinary action unless the  
37 appropriate school official has investigated and determined that the reported  
38 incidents of harassment, intimidation or bullying occurred.

39 (e) A formal process for the investigation by the appropriate school  
40 officials of suspected incidents of harassment, intimidation or bullying.

41 (f) Disciplinary procedures for pupils who have admitted or been found  
42 to have committed incidents of harassment, intimidation or bullying.

43 (g) A procedure that sets forth consequences for submitting false  
44 reports of incidents of harassment, intimidation or bullying.

1           38. Prescribe and enforce policies and procedures regarding changing or  
2 adopting attendance boundaries that include the following components:

3           (a) A procedure for holding public meetings to discuss attendance  
4 boundary changes or adoptions that allows public comments.

5           (b) A procedure to notify the parents or guardians of the students  
6 affected.

7           (c) A procedure to notify the residents of the households affected by  
8 the attendance boundary changes.

9           (d) A process for placing public meeting notices and proposed maps on  
10 the school district's website for public review, if the school district  
11 maintains a website.

12           (e) A formal process for presenting the attendance boundaries of the  
13 affected area in public meetings that allows public comments.

14           (f) A formal process for notifying the residents and parents or  
15 guardians of the affected area as to the decision of the governing board on  
16 the school district's website, if the school district maintains a website.

17           (g) A formal process for updating attendance boundaries on the school  
18 district's website within ninety days of an adopted boundary change. The  
19 school district shall send a direct link to the school district's attendance  
20 boundaries website to the department of real estate.

21           (h) If the land that a school was built on was donated within the past  
22 five years, a formal process to notify the entity that donated the land  
23 affected by the decision of the governing board.

24           39. If the state board of education determines that the school district  
25 has committed an overexpenditure as defined in section 15-107, provide a copy  
26 of the fiscal management report submitted pursuant to section 15-107,  
27 subsection H on its website and make copies available to the public on  
28 request. The school district shall comply with a request within five  
29 business days after receipt.

30           40. Ensure that the contract for the superintendent is structured in a  
31 manner where at least twenty per cent of the total annual compensation and  
32 benefits included for the superintendent in the contract is classified as  
33 performance pay. Nothing in this paragraph shall be construed to require  
34 school districts to increase total compensation for superintendents. Unless  
35 the school district governing board votes to implement an alternative  
36 procedure at a public meeting called for this purpose, the performance pay  
37 portion of the superintendent's total annual compensation shall be determined  
38 as follows:

39           (a) Twenty-five per cent of the performance pay shall be determined  
40 based on the percentage of academic gain determined by the department of  
41 education of pupils who are enrolled in the school district compared to the  
42 academic gain achieved by the highest ranking of the fifty largest school  
43 districts in this state. For the purposes of this subdivision, the  
44 department of education shall determine academic gain by the academic growth

1 achieved by each pupil who has been enrolled at the same school in a school  
2 district for at least five consecutive months measured against that pupil's  
3 academic results in the 2008-2009 school year. For the purposes of this  
4 subdivision, of the fifty largest school districts in this state, the school  
5 district with pupils who demonstrate the highest statewide percentage of  
6 overall academic gain measured against academic results for the 2008-2009  
7 school year shall be assigned a score of 100 and the school district with  
8 pupils who demonstrate the lowest statewide percentage of overall academic  
9 gain measured against academic results for the 2008-2009 school year shall be  
10 assigned a score of 0.

11 (b) Twenty-five per cent of the performance pay shall be determined by  
12 the percentage of parents of pupils who are enrolled at the school district  
13 who assign a letter grade of "A" to the school on a survey of parental  
14 satisfaction with the school district. The parental satisfaction survey  
15 shall be administered and scored by an independent entity that is selected by  
16 the governing board and that demonstrates sufficient expertise and experience  
17 to accurately measure the results of the survey. The parental satisfaction  
18 survey shall use standard random sampling procedures and provide anonymity  
19 and confidentiality to each parent who participates in the survey. The  
20 letter grade scale used on the parental satisfaction survey shall direct  
21 parents to assign one of the following letter grades:

- 22 (i) A letter grade of "A" if the school district is excellent.
- 23 (ii) A letter grade of "B" if the school district is above average.
- 24 (iii) A letter grade of "C" if the school district is average.
- 25 (iv) A letter grade of "D" if the school district is below average.
- 26 (v) A letter grade of "F" if the school district is a failure.

27 (c) Twenty-five per cent of the performance pay shall be determined by  
28 the percentage of teachers who are employed at the school district and who  
29 assign a letter grade of "A" to the school on a survey of teacher  
30 satisfaction with the school. The teacher satisfaction survey shall be  
31 administered and scored by an independent entity that is selected by the  
32 governing board and that demonstrates sufficient expertise and experience to  
33 accurately measure the results of the survey. The teacher satisfaction  
34 survey shall use standard random sampling procedures and provide anonymity  
35 and confidentiality to each teacher who participates in the survey. The  
36 letter grade scale used on the teacher satisfaction survey shall direct  
37 teachers to assign one of the following letter grades:

- 38 (i) A letter grade of "A" if the school district is excellent.
- 39 (ii) A letter grade of "B" if the school district is above average.
- 40 (iii) A letter grade of "C" if the school district is average.
- 41 (iv) A letter grade of "D" if the school district is below average.
- 42 (v) A letter grade of "F" if the school district is a failure.

43 (d) Twenty-five per cent of the performance pay shall be determined by  
44 other criteria selected by the governing board.

1           B. Notwithstanding subsection A, paragraphs 7, 9 and 11 of this  
2 section, the county school superintendent may construct, improve and furnish  
3 school buildings or purchase or sell school sites in the conduct of an  
4 accommodation school.

5           C. If any school district acquires real or personal property, whether  
6 by purchase, exchange, condemnation, gift or otherwise, the governing board  
7 shall pay to the county treasurer any taxes on the property that were unpaid  
8 as of the date of acquisition, including penalties and interest. The lien  
9 for unpaid delinquent taxes, penalties and interest on property acquired by a  
10 school district:

11           1. Is not abated, extinguished, discharged or merged in the title to  
12 the property.

13           2. Is enforceable in the same manner as other delinquent tax liens.

14           D. The governing board may not locate a school on property that is  
15 less than one-fourth mile from agricultural land regulated pursuant to  
16 section 3-365, except that the owner of the agricultural land may agree to  
17 comply with the buffer zone requirements of section 3-365. If the owner  
18 agrees in writing to comply with the buffer zone requirements and records the  
19 agreement in the office of the county recorder as a restrictive covenant  
20 running with the title to the land, the school district may locate a school  
21 within the affected buffer zone. The agreement may include any stipulations  
22 regarding the school, including conditions for future expansion of the school  
23 and changes in the operational status of the school that will result in a  
24 breach of the agreement.

25           E. A school district, its governing board members, its school council  
26 members and its employees are immune from civil liability for the  
27 consequences of adoption and implementation of policies and procedures  
28 pursuant to subsection A of this section and section 15-342. This waiver  
29 does not apply if the school district, its governing board members, its  
30 school council members or its employees are guilty of gross negligence or  
31 intentional misconduct.

32           F. A governing board may delegate in writing to a superintendent,  
33 principal or head teacher the authority to prescribe procedures that are  
34 consistent with the governing board's policies.

35           G. Notwithstanding any other provision of this title, a school  
36 district governing board shall not take any action that would result in a  
37 reduction of pupil square footage unless the governing board notifies the  
38 school facilities board established by section 15-2001 of the proposed action  
39 and receives written approval from the school facilities board to take the  
40 action. A reduction includes an increase in administrative space that  
41 results in a reduction of pupil square footage or sale of school sites or  
42 buildings, or both. A reduction includes a reconfiguration of grades that  
43 results in a reduction of pupil square footage of any grade level. This  
44 subsection does not apply to temporary reconfiguration of grades to

1 accommodate new school construction if the temporary reconfiguration does not  
2 exceed one year. The sale of equipment that results in a reduction that  
3 falls below the equipment requirements prescribed in section 15-2011,  
4 subsection B is subject to commensurate withholding of school district  
5 capital outlay revenue limit monies pursuant to the direction of the school  
6 facilities board. Except as provided in section 15-342, paragraph 10,  
7 proceeds from the sale of school sites, buildings or other equipment shall be  
8 deposited in the school plant fund as provided in section 15-1102.

9 H. Subsections C through G of this section apply to a county board of  
10 supervisors and a county school superintendent when operating and  
11 administering an accommodation school.