



**GOVERNING BOARD AGENDA ITEM  
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

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**DATE OF MEETING:** August 21, 2012

**TITLE:** Approval of Action to Cancel the November 6, 2012 Governing Board Election, Pursuant to A.R.S. §15-424(D)

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**BACKGROUND:** At the end of the current calendar year, the four-year term of office will expire for three current Board members: President Diana L. Boros, and Board Members Dr. Linda Loomis and Dr. Kent Paul Barrabee.

Arizona law requires potential candidates for vacant Board seats to file nomination petitions and affidavits with the Office of the Pima County School Superintendent. For the three seats to be open in January, only three candidates filed the required nomination petitions and affidavits prior to the August 8, 2012 filing deadline. Because this leaves a lack of contest for the vacant seats, it is possible for the District's election (to be held at the same time as the General Election in November 2012) to be cancelled pursuant to A.R.S. §15-424(D), a provision of law that allows the very same. Cancellation of an unnecessary election would save the District election costs estimated at \$54,973.00.

The Pima County School Superintendent is permitted to request that the Pima County Board of Supervisors cancel the governing board election and appoint the three candidates who successfully filed their nomination petitions and affidavit by the deadline. Those individuals, Kent Paul Barrabee, Julie Cozad and Deanna Day, are then appointed to the Governing Board. Although appointed to the office, they will be fully vested with the powers and duties of the office as if elected.

Before initiating the election cancellation, the Pima County School Superintendent's Office solicits input from the District and has requested that Mr. Nelson advise on the District's desire in this respect. A form of letter requesting cancellation of the election is attached for the Board's review.

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**RECOMMENDATION:**

This Item is presented to the Board for its approval request cancelation of the November 2012 Governing Board election pursuant to the provisions of A.R.S. §15-424(D), which the administration recommends.

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**INITIATED BY:**

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Todd A. Jaeger, Associate to the Superintendent

Date: August 14, 2012

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Patrick Nelson, Superintendent

-DATE-

Dr. Linda Arzoumanian  
Pima County School Superintendent  
130 W Congress, Mailstop: DT-200NSTONE-1  
Tucson, AZ 85701

SUBJECT: ***Cancelling the Governing Board Election for Amphitheater School District***

Dear Dr. Arzoumanian:

Provided by the provisions set forth in Arizona Revised Statutes 15-424(D):

If only one person files or no person files a nominating petition or nomination paper for a write-in candidate for an election to fill a district office, the board of supervisors no earlier than seventy-five days before the election may cancel the election for the position and appoint the person who filed the nominating petition or nomination paper to fill the position. If no person files a nominating petition or nomination paper for an election to fill a district office, the board of supervisors no earlier than seventy-five days before the election may cancel the election for that office and that office is deemed vacant and shall be filled as provided in section 15-302. A person who is appointed pursuant to this subsection is fully vested with the powers and duties of the office as if elected to that office.

There are three (3) Governing Board openings and three (3) Governing Board candidates. The district wishes to cancel this uncontested governing board election scheduled for Tuesday, November 6, 2012. These candidates will then be appointed by the Pima County Board of Supervisors pursuant to A.R.S. § 15-424(D) and will be fully vested with the powers and duties of the office as if elected to that office.

The candidates are: Kent Paul Barrabee, Julie Cozad and Deanna Day.

Thank you for your assistance in cancelling the November 6, 2012 Governing Board elections.

Sincerely,

Patrick Nelson  
Superintendent  
Amphitheater Unified School District