

REFERENCE TITLE: school boards; employment decisions; delegation.

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1179

Introduced by
Senator Johnson

AN ACT

AMENDING SECTION 15-502, ARIZONA REVISED STATUTES; RELATING TO SCHOOL
EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-502, Arizona Revised Statutes, is amended to
3 read:

4 15-502. Employment of school district personnel: payment of
5 wages of discharged employee

6 A. The governing board may at any time employ and fix the salaries and
7 benefits of employees necessary for the succeeding year. The contracts of
8 all certificated employees shall be in writing, and all employees shall be
9 employed subject to ~~the provisions of~~ section 38-481. The governing board
10 may obtain the services of any employee, including teachers, substitute
11 teachers and administrators, by contracting with a private entity that
12 employs personnel required by the school district.

13 B. A teacher shall not be employed if the teacher has not received a
14 certificate for teaching granted by the proper authorities. If a teacher has
15 filed an application and completed all of the requirements for a certificate
16 but time does not allow a teacher to receive a certificate before the
17 commencement of employment, the conditional certificate shall serve as a
18 certificate for the payment of wages, provided that the teacher files the
19 conditional certificate with the county school superintendent and the
20 certificate is issued within three months of the date of commencing
21 employment. In order to be paid wages beyond the three month period
22 prescribed in this subsection, the teacher shall file the certificate with
23 the county school superintendent. Any contract issued to a teacher who has
24 completed certificate requirements but has not received a certificate shall
25 be specifically contingent upon receipt of such a certificate. The governing
26 board of a school district that is subject to section 15-914.01 shall adhere
27 to the duties described in section 15-302, subsection A, paragraph 9 for
28 purposes of this subsection.

29 C. No dependent, as defined in section 43-1001, of a governing board
30 member may be employed in the school district in which the person to whom
31 such dependent is so related is a governing board member, except by consent
32 of the board.

33 D. The governing board may employ certificated teachers under contract
34 as part-time classroom teachers. Notwithstanding any other statute, a
35 certificated teacher who has been employed by the school district for more
36 than the major portion of three consecutive school years does not lose the
37 entitlement to the procedures prescribed in sections 15-538.01, 15-539
38 through 15-544 and 15-547 if the teacher is employed under contract on a
39 part-time basis for at least forty per cent time. ~~As used in~~ **FOR THE**
40 **PURPOSES OF** this subsection, "forty per cent time" means employed for at
41 least forty per cent of the school day required of full-time teachers of the
42 same grade level or for at least forty per cent of the class load assigned to
43 full-time teachers of the same grade level, as determined by the governing
44 board.

1 E. Notwithstanding sections 23-351 and 23-353, if an employee is
2 discharged from the service of a school district, the school district shall
3 pay the wages due to the employee within ten calendar days from the date of
4 discharge.

5 F. Each school district shall establish policies and procedures to
6 provide teachers with personal liability insurance.

7 G. THE GOVERNING BOARD MAY DELEGATE ANY OF THE POWERS AND DUTIES
8 PRESCRIBED IN THIS SECTION TO THE SUPERINTENDENT OF THE SCHOOL DISTRICT.

9 Sec. 2. Purpose

10 The amendment to section 15-502, Arizona Revised Statutes, by this act
11 is a clarification of existing law and is not intended to be a substantive
12 change.