

Senate Engrossed House Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 189

HOUSE BILL 2403

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 at any time may 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 section 38-481. THE GOVERNING BOARD MAY TRANSMIT AND
10 RECEIVE CONTRACTS OF CERTIFICATED EMPLOYEES IN AN ELECTRONIC FORMAT AND MAY
11 ACCEPT ELECTRONIC SIGNATURES ON THOSE CONTRACTS. IF A CONTRACT HAS NOT BEEN
12 TRANSMITTED TO THE CERTIFICATED EMPLOYEE BY THE END OF THE CURRENT SCHOOL
13 YEAR, THE TRANSMITTAL OF AN ELECTRONIC CONTRACT TO THAT CERTIFICATED EMPLOYEE
14 PRIOR TO THE START OF THE NEXT SCHOOL YEAR SHALL BE SUBMITTED TO BOTH THE
15 CERTIFICATED EMPLOYEE'S SCHOOL DISTRICT E-MAIL AS WELL AS THE CERTIFICATED
16 EMPLOYEE'S PERSONAL E-MAIL IN ORDER TO NOTIFY THEM OF THE OFFER OF
17 CONTRACT. EACH CERTIFICATED EMPLOYEE SHALL BE RESPONSIBLE FOR SUBMITTING HIS
18 OR HER PERSONAL E-MAIL TO HUMAN RESOURCES PERSONNEL AT THE SCHOOL DISTRICT
19 FOR THIS PURPOSE. DOCUMENTS TRANSMITTED IN AN ELECTRONIC FORMAT PURSUANT TO
20 THIS SUBSECTION SHALL BE CONSIDERED WRITTEN DOCUMENTS FOR THE PURPOSES OF
21 SECTIONS 15-536 AND 15-538.01. THE GOVERNING BOARD MAY ADOPT REQUIREMENTS
22 THAT REQUIRE ELECTRONIC SIGNATURES TO BE FOLLOWED BY ORIGINAL SIGNATURES
23 WITHIN A SPECIFIED TIME PERIOD. A GOVERNING BOARD THAT ACCEPTS AN ELECTRONIC
24 SIGNATURE FOR A CERTIFICATED EMPLOYEE'S CONTRACT SHALL PROVIDE VALIDATION TO
25 THE CERTIFICATED EMPLOYEE THAT THE CONTRACT HAS BEEN TRANSMITTED. The
26 governing board may obtain the services of any employee, including teachers,
27 substitute teachers and administrators, by contracting with a private entity
28 that employs personnel required by the school district.

29 B. A teacher shall not be employed if the teacher has not received a
30 certificate for teaching granted by the proper authorities. If a teacher has
31 filed an application and completed all of the requirements for a certificate
32 but time does not allow a teacher to receive a certificate before the
33 commencement of employment, the conditional certificate shall serve as a
34 certificate for the payment of wages, provided that the teacher files the
35 conditional certificate with the county school superintendent and the
36 certificate is issued within three months of the date of commencing
37 employment. In order to be paid wages beyond the three-month period
38 prescribed in this subsection, the teacher shall file the certificate with
39 the county school superintendent. Any contract issued to a teacher who has
40 completed certificate requirements but has not received a certificate shall
41 be specifically contingent upon ON receipt of such a certificate. The
42 governing board of a school district that is subject to section 15-914.01
43 shall adhere to the duties described in section 15-302, subsection A,
44 paragraph 9 for purposes of this subsection.

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

5 D. The governing board may employ certificated teachers under contract
6 as part-time classroom teachers. Notwithstanding any other statute, a
7 certificated teacher who has been employed by the school district for more
8 than the major portion of three consecutive school years does not lose the
9 entitlement to the procedures prescribed in sections 15-538.01, 15-539
10 through 15-544 and 15-547 if the teacher is employed under contract on a
11 part-time basis for at least forty per cent time. For the purposes of this
12 subsection, "forty per cent time" means employed for at least forty per cent
13 of the school day required of full-time teachers of the same grade level or
14 for at least forty per cent of the class load assigned to full-time teachers
15 of the same grade level, as determined by the governing board.

16 E. The governing board may employ a business manager who has expertise
17 in finance. For the purposes of this subsection, "expertise in finance"
18 means one or more of the following:

19 1. A baccalaureate degree in accounting, finance, school finance or
20 public finance.

21 2. A graduate degree in accounting, finance, school finance or public
22 finance.

23 3. Other finance training or finance experience that the governing
24 board determines is sufficient to qualify the person to administer the
25 business operations of the school district.

26 F. Notwithstanding sections 23-351 and 23-353, if an employee is
27 discharged from the service of a school district, the school district shall
28 pay the wages due to the employee within ten calendar days from the date of
29 discharge.

30 G. Each school district shall establish policies and procedures to
31 provide teachers with personal liability insurance.

32 H. Notwithstanding any other law, a school district shall not adopt
33 policies that provide employment retention priority for teachers based on
34 tenure or seniority.

APPROVED BY THE GOVERNOR MAY 7, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 8, 2013.

Passed the House February 12, 2013

Passed the Senate April 23, 2013

by the following vote: 59 Ayes,

by the following vote: 28 Ayes,

0 Nays, 1 Not Voting

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

 day of , 20

at o'clock M.

Secretary to the Governor

Approved this day of

at o'clock M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this day of , 20

at o'clock M.

Secretary of State

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

May 2, 2013,

by the following vote: 57 Ayes,

1 Nays, 2 Not Voting



Speaker of the House


Cheryl Laube
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

2 day of May, 2013,

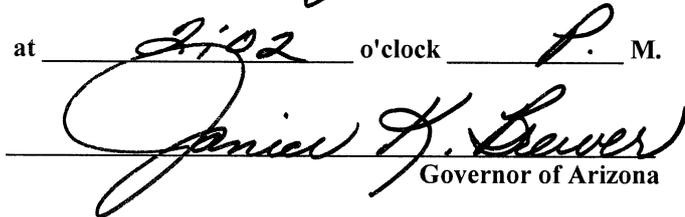
at 3:30 o'clock P M.


Secretary to the Governor

Approved this 17th day of

May, 2013

at 11:02 o'clock P M.


Governor of Arizona

H.B. 2403

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 8th day of May, 2013,

at 9:01 o'clock A M.


Secretary of State