



OFFICE OF THE  
**Attorney General**  
STATE CAPITOL  
Phoenix, Arizona 85007

(R75-152)  
75-152  
BRUCE E. BABBITT  
ATTORNEY GENERAL

June 18, 1975

Mr. J. William Brammer  
DeConcini, McDonald & Brammer, P.C.  
Attorneys at Law  
199 North Stone Avenue  
Tucson, Arizona 85701

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**ARIZONA ATTORNEY GENERAL**

Dear Mr. Brammer:

This letter acknowledges receipt of a copy of your letter opinion dated March 10, 1975, addressed to Dr. Thomas L. Lee, Superintendent, Tucson Public Schools, concerning the propriety of the appointment of an elementary school teacher to assume the duties of the principal of the elementary school in the principal's absence.

This office is unable to concur in your opinion without being advised concerning the following matters:

1. We cannot ascertain from your opinion whether the same person can adequately carry out, at the same time, the duties of the offices of teacher and principal. If the person cannot simultaneously and adequately perform the duties of both such offices, then the person cannot concurrently hold both offices. This is so, since the law is well settled in Arizona that an office-holder may not, by accepting another office, place himself in such a position that it is physically impossible or practically infeasible for him to adequately perform the duties of both offices. Perkins v. Manning, 59 Ariz. 60, 122 P.2d 857 (1942); Attorney General Opinion No. 70-7-L.

2. We cannot ascertain whether the person involved meets the requirements for school principals set forth in the Arizona Rules and Regulations Governing the Certification of Teachers and Administrators in Arizona, as promulgated by the State Department of Education. A copy of Section 6.02 of those Rules and Regulations, which sets forth the requirements for principals, is attached hereto. If the person does not meet these requirements, there may be some question whether he can serve as principal.

At such time as we are advised concerning the foregoing, we will again consider your opinion.

Sincerely,

BRUCE E. BABBITT  
Attorney General

*Alan S. Kamin*

ALAN S. KAMIN  
Assistant Attorney General

ASK:lc  
Enclosure

