



OFFICE OF THE  
**Attorney General**  
STATE CAPITOL  
Phoenix, Arizona 85007  
July 21, 1975

R75-333  
BRUCE E. BABBITT  
ATTORNEY GENERAL  
75-199

Richard N. Groves, Esq.  
Deputy County Attorney  
Office of Santa Cruz County Attorney  
513 Morley Avenue  
Drawer 939  
Nogales, Arizona 85621

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**ARIZONA ATTORNEY GENERAL**

Dear Mr. Groves:

In your letter of May 22, 1975, you requested this office's opinion concerning whether or not a school district located within Santa Cruz County could validly enter into a contract to employ a business manager for a two-year period.

You refer in your letter to A.R.S. § 15-444.B, which permits school districts to hire superintendents or principals for a term of employment of up to four years. You then ask whether that statutory provision may be extended, by interpretation, to also cover the employment of a school district business manager.

In our opinion, the statute may not be so interpreted. The four-year provision for superintendents and principals was enacted in order to reduce the impact of cases such as School District Number 69 of Maricopa County v. Altherr, 10 Ariz.App. 333, 458 P.2d 537 (1969). Those cases hold, as a general matter, that where a school board consists of several members whose terms expire at different times, the school board is considered noncontinuous and may not legally enter into contracts, the terms of which exceed the term for which that particular school board is constituted; that is, the time during which all of the board members then holding office continue to hold office.

Since the Legislature has specifically addressed itself to this question and has specifically covered only superintendents and principals, we cannot see fit to extend the class of covered persons to business managers as well. Consequently, because A.R.S. § 15-444.B is not applicable, the Board of Trustees of the Santa Cruz County School District may only enter into an employment agreement with a business manager for a term not extending beyond the period for which that board is constituted; that is, the period which ends at such time as newly elected members of that board assume their positions.

Sincerely,

BRUCE E. BABBITT  
Attorney General

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