



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert R. Corbin

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ARIZONA ATTORNEY GENERAL

December 24, 1984

Mr. John Verkamp
Coconino County Attorney
Coconino County Courthouse
Flagstaff, Arizona 86001

Re: I84-178 (R84-205)

Dear Mr. Verkamp:

Pursuant to A.R.S. § 15-253.B, we concur with the opinion expressed in your November 13, 1984 letter to L. Dean Birch, Superintendent of the Fredonia-Moccasin Joint Unified School District No. 6, in which you conclude that a school district does not have the power to impose either a district or a state residency requirement for its teachers.

Sincerely,

Bob Corbin

BOB CORBIN
Attorney General

BC:TLM:lsp



OFFICE OF

County Attorney

COCONINO COUNTY
COCONINO COUNTY COURTHOUSE
FLAGSTAFF, ARIZONA 86001
779-6518

JOHN VERKAMP
COUNTY ATTORNEY

November 13, 1984

R84- 205

Mr. Robert Corbin
Arizona Attorney General
Department of Law Building
1275 West Washington
Phoenix, Arizona 85007

EDUCATION OPINION
ISSUE NO LATER THAN

1-14-87

Re: State Residency Requirements

Dear Mr. Corbin:

Pursuant to A.R.S. § 15-253.B, a copy of an opinion of this office relating to school matters is enclosed for your review.

Our opinion deals with state residency requirements for school district employees. We are aware of A.G. Op. No. 183-013 which says that a school district does not have the statutory authority to impose employee residency requirements. We want to point, however, that the situation in the Fredonia/Moccasin School District is somewhat special. The town of Fredonia, where the school is located, is very near to the Utah border, and apparently some employees prefer to live in the State of Utah rather than the State of Arizona. As we understand it, the district encourages, but does not require, that employees live in Arizona. The question then does not just involve district residency requirements, but state residency requirements as well.

Thank you for your cooperation.

Sincerely,

JOHN VERKAMP
Coconino County Attorney

JV:pc

Enclosure



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R84-205

EDUCATION OPINION
ISSUE NO LATER THAN

1-14-87

November 13, 1984

Mr. L. Dean Birch, Superintendent
Fredonia-Moccasin Joint Unified School District No. 6
P.O. Box 247
Fredonia, Arizona 86022

Dear Dean:

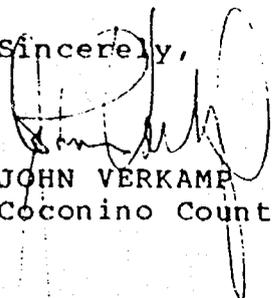
Some time ago, this office received a letter from a "concerned citizen" questioning certain residency requirements which the citizen claimed were imposed upon employees of the Fredonia-Moccasin School District.

However, when this office contacted you regarding this matter you informed us that there are no residency restrictions which apply to full-time school employees. It is our understanding that, although the district did, at one time, require employees to live within the district, this restriction was lifted after our office furnished you with a copy of A.G. Op. No. 183-013, which states that a school district has no authority to impose residency requirements.

A.G. Op. No. 183-013 was concerned with residency within the boundaries of a school district, but we believe it applies with equal force to any State residency requirement. In this regard, we would note that state residency is not necessary for teacher certification.

We have enclosed a copy of our letter from the "concerned citizen", as well as our previous opinion and A.G. Op. No. 183-013, for your information. Please call if you have any questions.

Sincerely,


JOHN VERKAMP
Coconino County Attorney

JV:pc

Enclosures

cc: Mr. Robert Corbin, Attorney General