



## Definitions of Teacher

School boards would meet the Legislature's intent by using any of these three according to the office of the Arizona Auditor General.

ASBA/AASBO/ASA believe the Classroom Site Fund definition of teacher is the most defensible position and is most consistent with the legislative intent language.

That definition, as interpreted by the courts and the Arizona Attorney General's Office, requires certification and employment as a teacher and devoting at least 50% of an individual's time to instruction central to the school's educational mission.

- Three definitions of "teacher":
  - **FY2018 Budget Definition** - Any person eligible to be included as a teacher on a district's FTE count submitted with its annual financial report, whose salary was paid under function code 1000 (Instruction)
  - **Statutory Definition in A.R.S. 15-901(B)(5)** - "Certified teacher" means a person who is certified as a teacher pursuant to the rules adopted by the state board of education, who renders **direct and personal services to schoolchildren in the form of instruction** related to the school district's educational course of study and who is paid from the maintenance and operation section of the budget.
  - **Classroom Site Fund Definition** [A.G. Opinion I01-014](#) -"teacher" not limited to traditional classroom teachers. "School districts and charter schools may use such funds for compensation increases for certified or certificated teachers and others employed to provide instruction to students related to the school's educational mission." An employee who receives base compensation from Prop. 301 monies would also be eligible to receive a salary increase as a teacher. It should be noted, however, that subsequent court rulings and attorney general opinions have narrowed this definition to those possessing a teaching certificate and who spend at least 50% of their time devoted to instruction central to the school's educational mission. (*Reeves v. Barlow*, A.G. Opinion I13-005)



### **Legislative Intent**

We encourage your district to reaffirm the intent of these funds are to be used for classroom spending and teacher compensation which keeps with the intent of the Legislature.

#### **Legislative Intent**

- “The basic state aid appropriation for fiscal year 2018-2019 includes \$273,706,100, which the Legislature and Governor intend to be used for **teacher salary increases.**”
- “It is the intent of the Governor and the Legislature that school districts should increase the total percentage of **classroom spending** over the previous year’s percentages in the combined categories of **instruction, student support and instructional support** as prescribed by the Auditor General.”
- “A school district or other entity that receives additional funding in fiscal years 2018-2019, 2019-2020, and 2020-2021 as a result of this act may use the additional monies for increased **teacher compensation** in fiscal years 2018-2019, 2019-2020, and 2020-2021.”



## Website Content

All districts and charters are required to post on their websites the following information:

- Average salary of all teachers employed for the current year
- Average salary of all teachers employed for the previous year
- The dollar increase in the average salary of all teachers
- The percentage increase in the average salary of all teachers

ADE will report teacher salary information to the Legislature (JLBC) and the Governor's Office by **November 30, 2018**.

We highly encourage your district to also post on the website the following key items for all stakeholders to view:

- Identify the **definition** of teacher you are using
- Identify the **reason** for your decision regarding salary distributions
- Identify the **funding streams** you are using for **teacher** compensation
- Identify the **funding streams** you are using for **classified** compensation (if applicable)
- Identify **other factors** impacting your classrooms
- Identify the "**why**" in your statement to help people understand your district's motives and the factors you considered when making your decision (see various factors below)

## Factors Considered

School boards will need to balance various factors when determining how to increase teacher compensation. We encourage you to include your key factors once a decision has been made in your communications.

- Existing class sizes and the possible need to hire more teachers
- Teacher turnover, especially among new teachers
- Increase by a percentage or a specific amount
- Increasing costs of health care benefits
- Increase to classified staff