

Candice B. Pierucci proposes the following substitute bill:

School District Administrator Authority

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor:

LONG TITLE

General Description:

This bill amends the definition of an employee.

Highlighted Provisions:

This bill:

- amends the definition of an employee; and
- makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53G-11-501, as last amended by Laws of Utah 2024, Chapter 484

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53G-11-501** is amended to read:

53G-11-501 . Definitions.

As used in this part:

- (1) "Administrator" means an individual who supervises educators and holds an appropriate license.
- (2) "Career educator" means a licensed employee who has a reasonable expectation of continued employment under the policies of a local school board.
- (3) "Career employee" means an employee of a school district who has obtained a reasonable expectation of continued employment based upon Section 53G-11-503 and an agreement with the employee or the employee's association, district practice, or policy.

- 30 (4) "Chronically absent" means a student who:
- 31 (a) was enrolled in an LEA for at least 60 calendar days; and
- 32 (b) missed 10% or more days of instruction, whether the absence was excused or not.
- 33 (5) "Contract term" or "term of employment" means the period of time during which an
- 34 employee is engaged by the school district under a contract of employment, whether oral
- 35 or written.
- 36 (6) "Dismissal" or "termination" means:
- 37 (a) termination of the status of employment of an employee;
- 38 (b) failure to renew or continue the employment contract of a career employee beyond
- 39 the then-current school year;
- 40 (c) reduction in salary of an employee not generally applied to all employees of the same
- 41 category employed by the school district during the employee's contract term; or
- 42 (d) change of assignment of an employee with an accompanying reduction in pay, unless
- 43 the assignment change and salary reduction are agreed to in writing.
- 44 (7) "Educator" means an individual employed by a school district who is required to hold a
- 45 professional license issued by the state board, except:
- 46 (a) a superintendent; or
- 47 (b) an individual who works less than three hours per day or is hired for less than half of
- 48 a school year.
- 49 (8)(a) "Employee" means a career or provisional employee of a school district, except as
- 50 provided in Subsection [~~(7)(b)~~] (8)(b).
- 51 (b) Excluding Section 53G-11-518, for purposes of this part, "employee" does not
- 52 include:
- 53 (i) a district superintendent or the equivalent at the Utah Schools for the Deaf and the
- 54 Blind;
- 55 (ii) a district business administrator or the equivalent at the Utah Schools for the Deaf
- 56 and the Blind; ~~or~~
- 57 (iii) excluding a school level administrator, a member of a school district's executive
- 58 leadership team or cabinet who:
- 59 (A) the school district's superintendent supervises, or the equivalent at the Utah
- 60 Schools for the Deaf and the Blind; and
- 61 (B) is hired after July 1, 2025; or
- 62 ~~(iii)~~ (iv) a temporary employee.
- 63 (9) "Formative evaluation" means a planned, ongoing process which allows educators to

- 64 engage in reflection and growth of professional skills as related to the Utah Effective
65 Teaching Standards.
- 66 (10) "Last-hired, first-fired layoff policy" means a staff reduction policy that mandates the
67 termination of an employee who started to work for a district most recently before
68 terminating a more senior employee.
- 69 (11) "Provisional educator" means an educator employed by a school district who has not
70 achieved status as a career educator within the school district.
- 71 (12) "Provisional employee" means an individual, other than a career employee or a
72 temporary employee, who is employed by a school district.
- 73 (13) "School board" means a local school board or, for the Utah Schools for the Deaf and
74 the Blind, the state board.
- 75 (14) "School district" or "district" means:
76 (a) a public school district; or
77 (b) the Utah Schools for the Deaf and the Blind.
- 78 (15) "Summative evaluation" means an evaluation that:
79 (a) a supervisor conducts;
80 (b) summarizes an educator's performance during an evaluation cycle; and
81 (c) a supervisor or school district may use to make decisions related to an educator's
82 employment.
- 83 (16) "Temporary employee" means an individual who is employed on a temporary basis as
84 defined by policies adopted by the school board. If the class of employees in question is
85 represented by an employee organization recognized by the school board, the school
86 board shall adopt the school board's policies based upon an agreement with that
87 organization. Temporary employees serve at will and have no expectation of continued
88 employment.
- 89 (17)(a) "Unsatisfactory performance" means a deficiency in performing work tasks that
90 may be:
91 (i) due to insufficient or undeveloped skills or a lack of knowledge or aptitude; and
92 (ii) remediated through training, study, mentoring, or practice.
- 93 (b) "Unsatisfactory performance" does not include the following conduct that is
94 designated as a cause for termination under Section 53G-11-512 or a reason for
95 license discipline by the state board or Utah Professional Practices Advisory
96 Commission:
97 (i) a violation of work policies;

- 98 (ii) a violation of school board policies, state board rules, or law;
- 99 (iii) a violation of standards of ethical, moral, or professional conduct; or
- 100 (iv) insubordination.

101 Section 2. **Effective Date.**

102 This bill takes effect on May 7, 2025.