

Part 3
Superintendent of Schools, Business Administrator, and Other Officers

53A-3-301 Superintendent of schools -- Appointment -- Qualifications -- Term -- Compensation.

- (1) Subject to Subsection (8), a local school board shall appoint a district superintendent of schools who serves as the local school board's chief executive officer.
- (2) A local school board shall appoint the superintendent on the basis of outstanding professional qualifications.
- (3)
 - (a) A superintendent's term of office is for two years and until, subject to Subsection (8), a successor is appointed and qualified.
 - (b) A local school board that appoints a superintendent in accordance with this section may not, on or after May 10, 2011, enter into an employment contract that contains an automatic renewal provision with the superintendent.
- (4) Unless a vacancy occurs during an interim vacancy period subject to Subsection (8), if it becomes necessary to appoint an interim superintendent due to a vacancy in the office of superintendent, the local school board shall make an appointment during a public meeting for an indefinite term not to exceed one year, which term shall end upon the appointment and qualification of a new superintendent.
- (5)
 - (a) The superintendent shall hold an administrative/supervisory license issued by the State Board of Education, except as otherwise provided in Subsection (5)(b).
 - (b) At the request of a local school board, the State Board of Education shall grant a letter of authorization permitting a person with outstanding professional qualifications to serve as superintendent without holding an administrative/supervisory license.
- (6) A local school board shall set the superintendent's compensation for services.
- (7) A superintendent qualifies for office by taking the constitutional oath of office.
- (8)
 - (a) As used in this Subsection (8), "interim vacancy period" means the period of time that:
 - (i) begins on the day on which a general election described in Section 20A-1-202 is held to elect a member of a local school board; and
 - (ii) ends on the day on which the member-elect begins the member's term.
 - (b)
 - (i) The local school board may not appoint a superintendent during an interim vacancy period.
 - (ii) Notwithstanding Subsection (8)(b)(i):
 - (A) the local school board may appoint an interim superintendent during an interim vacancy period; and
 - (B) the interim superintendent's term shall expire once a new superintendent is appointed by the new local school board after the interim vacancy period has ended.
 - (c) Subsection (8)(b) does not apply if all the local school board members who held office on the day of the general election whose term of office was vacant for the election are re-elected to the local school board for the following term.

Amended by Chapter 209, 2011 General Session
Amended by Chapter 322, 2011 General Session

53A-3-302 Business administrator -- Term -- Oath.

- (1) Subject to Subsection (5), a local school board shall appoint a business administrator.
- (2)
 - (a) The business administrator's term of office is for two years and until, subject to Subsection (5), a successor is appointed and qualified.
 - (b) A local school board that appoints a business administrator in accordance with this section may not, on or after May 8, 2012, enter into an employment contract that contains an automatic renewal provision with the business administrator.
- (3) Unless a vacancy occurs during an interim vacancy period subject to Subsection (5), if it becomes necessary to appoint an interim business manager due to a vacancy in the office of business administrator, then the local school board shall make an appointment during a public meeting for an indefinite term not to exceed one year, which term shall end upon the appointment and qualification of a new business manager.
- (4) The business administrator qualifies for office by taking the constitutional oath of office.
- (5)
 - (a) As used in this Subsection (5), "interim vacancy period" means the period of time that:
 - (i) begins on the day on which a general election described in Section 20A-1-202 is held to elect a member of a local school board; and
 - (ii) ends on the day on which the member-elect begins the member's term.
 - (b)
 - (i) A local school board may not appoint a business administrator during an interim vacancy period.
 - (ii) Notwithstanding Subsection (5)(b)(i):
 - (A) the local school board may appoint an interim business administrator during an interim vacancy period; and
 - (B) the interim business administrator's term shall expire once a new business administrator is appointed by the new local school board after the interim vacancy period has ended.
 - (c) Subsection (5)(b) does not apply if all the local school board members who held office on the day of the general election whose term of office was vacant for the election are reelected to the local school board for the following term.

Amended by Chapter 46, 2012 General Session

53A-3-303 Duties of business administrator.

Subject to the direction of the district superintendent of schools, the district's business administrator shall:

- (1) attend all meetings of the board, keep an accurate record of its proceedings, and have custody of the seal and records;
- (2) be custodian of all district funds, be responsible and accountable for all money received and disbursed, and keep accurate records of all revenues received and their sources;
- (3) countersign with the president of the board all warrants and claims against the district as well as other legal documents approved by the board;
- (4) prepare and submit to the board each month a written report of the district's receipts and expenditures;
- (5) use uniform budgeting, accounting, and auditing procedures and forms approved by the State Board of Education, which shall be in accordance with generally accepted accounting principles or auditing standards and Title 63J, Chapter 1, Budgetary Procedures Act;

- (6) prepare and submit to the board a detailed annual statement for the period ending June 30, of the revenue and expenditures, including beginning and ending fund balances;
- (7) assist the superintendent in the preparation and submission of budget documents and statistical and fiscal reports required by law or the State Board of Education;
- (8) insure that adequate internal controls are in place to safeguard the district's funds; and
- (9) perform other duties as the superintendent may require.

Amended by Chapter 382, 2008 General Session

53A-3-304 Other board officers.

- (1) A board may appoint other necessary officers who serve at the pleasure of the board.
- (2) These officers shall qualify by taking the constitutional oath of office before assuming office.

Amended by Chapter 336, 2011 General Session