

**APPOINTING SCHOOL SUPERINTENDENTS
AND BUSINESS ADMINISTRATORS**

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Judy Ann Buffmire

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING PROCEDURES FOR THE APPOINTMENT OF LOCAL SCHOOL SUPERINTENDENTS AND BUSINESS ADMINISTRATORS IN THE EVENT OF VACANCIES DURING THEIR TERMS OF APPOINTMENT; AND MAKING CERTAIN TECHNICAL CHANGES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

53A-3-301, as last amended by Chapter 78, Laws of Utah 1990

53A-3-302, as last amended by Chapter 78, Laws of Utah 1990

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

Section 1. Section **53A-3-301** is amended to read:

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

(1) A local school board shall appoint a district superintendent of schools who serves as the board's chief executive officer.

(2) [~~The appointment shall occur at the board's first meeting in June.~~] The superintendent's term of office begins July 1 and is for **h [up to] h** two years [~~or~~] and until a successor is appointed and qualified.

(3) If it becomes necessary to begin a term at a time other than as provided in Subsection (2) due to a vacancy in the office of superintendent, then the board shall make an appointment during a public meeting for a term not to exceed the remainder of the vacated term.

(4) The superintendent shall hold an administrative/supervisory certificate issued by the State Board of Education.

28 [~~(4)~~] (5) The board shall set the superintendent's compensation for services.

29 [~~(5)~~] (6) The superintendent qualifies for office by taking the constitutional oath of office.

30 Section 2. Section **53A-3-302** is amended to read:

31 **53A-3-302. Business administrator -- Term -- Oath and bond.**

32 (1) Each board shall appoint a business administrator [~~whose~~].

33 (2) The business administrator's term of office begins July 1, and is for \hat{h} [~~up to~~] \hat{h} two

33a years and

34 until a successor is appointed and qualified.

35 (3) If it becomes necessary to begin a term at a time other than as provided in Subsection

36 (2) due to a vacancy in the office of business administrator, then the board shall make an

37 appointment during a public meeting for a term not to exceed the remainder of the vacated term.

38 [~~(2)~~] (4) The business administrator qualifies for office by taking the constitutional oath

39 of office and by posting any required bond or undertaking.

Legislative Review Note
as of 1-6-99 8:28 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel