

1 **LOCAL SCHOOL BOARD BUSINESS ADMINISTRATOR**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Daniel McCay**

5 Senate Sponsor: Howard A. Stephenson

7 **LONG TITLE**

8 **General Description:**

9 This bill makes changes to certain procedures related to hiring a business administrator
10 of a school district.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ prohibits a local school board from:
 - 15 • appointing a business administrator during an interim vacancy period; and
 - 16 • entering into a contract on or after May 8, 2012, that contains an automatic
- 17 renewal provision with a business administrator; and
- 18 ▶ makes technical changes.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **53A-3-302**, as last amended by Laws of Utah 2011, Chapter 336

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

28 Section 1. Section **53A-3-302** is amended to read:

29 **53A-3-302. Business administrator -- Term -- Oath.**

30 (1) [~~Each~~] Subject to Subsection (5), a local school board shall appoint a business
31 administrator.

32 (2) (a) The business administrator's term of office is for two years and until, subject to
33 Subsection (5), a successor is appointed and qualified.

34 (b) A local school board that appoints a business administrator in accordance with this
35 section may not, on or after May 8, 2012, enter into an employment contract that contains an
36 automatic renewal provision with the business administrator.

37 (3) [~~H~~] Unless a vacancy occurs during an interim vacancy period subject to Subsection
38 (5), if it becomes necessary to appoint an interim business manager due to a vacancy in the
39 office of business administrator, then the local school board shall make an appointment during
40 a public meeting for an indefinite term not to exceed one year, which term shall end upon the
41 appointment and qualification of a new business manager.

42 (4) The business administrator qualifies for office by taking the constitutional oath of
43 office.

44 (5) (a) As used in this Subsection (5), "interim vacancy period" means the period of
45 time that:

46 (i) begins on the day on which a general election described in Section 20A-1-202 is
47 held to elect a member of a local school board; and

48 (ii) ends on the day on which the member-elect begins the member's term.

49 (b) (i) A local school board may not appoint a business administrator during an interim
50 vacancy period.

51 (ii) Notwithstanding Subsection (5)(b)(i):

52 (A) the local school board may appoint an interim business administrator during an
53 interim vacancy period; and

54 (B) the interim business administrator's term shall expire once a new business
55 administrator is appointed by the new local school board after the interim vacancy period has
56 ended.

57 (c) Subsection (5)(b) does not apply if all the local school board members who held

58 office on the day of the general election whose term of office was vacant for the election are
59 reelected to the local school board for the following term.