

REFERENCE TITLE: school districts; superintendents; contracts

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2291

Introduced by
Representatives Cook: Hendrix, Hernandez A, Hernandez L, Peña

AN ACT

AMENDING SECTION 15-503, ARIZONA REVISED STATUTES; RELATING TO SCHOOL EMPLOYEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-503, Arizona Revised Statutes, is amended to
3 read:
4 15-503. Superintendents, principals, head teachers and school
5 psychologists; term of employment; early
6 termination; evaluation; contract delivery;
7 nonretention notice
8 A. The governing board may:
9 1. Employ a superintendent or principal, or both. If the governing
10 board employs a superintendent, the governing board shall determine the
11 qualifications for the superintendent by action taken at a public meeting.
12 The governing board shall require a superintendent to have a valid
13 fingerprint clearance card that is issued pursuant to title 41, chapter
14 12, article 3.1.
15 2. Appoint a head teacher.
16 3. Jointly with another governing board employ a superintendent or
17 a principal, or both. If the governing board jointly employs a
18 superintendent, the governing boards shall jointly determine the
19 qualifications for the superintendent by action taken at a public meeting.
20 The governing boards shall require a superintendent to have a valid
21 fingerprint clearance card that is issued pursuant to title 41, chapter
22 12, article 3.1.
23 B. The term of employment of superintendents may be for any period
24 not exceeding three years, except that:
25 1. If the superintendent's contract with the school district is for
26 multiple years pursuant to this subsection, the school district shall not
27 offer to extend or renegotiate the contract ~~until no~~ earlier than fifteen
28 months before the ~~expiration of the~~ contract EXPIRES.
29 2. THE GOVERNING BOARD MAY RESCIND OR TERMINATE ANY EMPLOYMENT
30 CONTRACT BETWEEN A SUPERINTENDENT AND A SCHOOL DISTRICT IF EITHER OF THE
31 FOLLOWING OCCURS:
32 (a) THE GOVERNING BOARD DETERMINES THAT THE SUPERINTENDENT HAS
33 VIOLATED A POLICY PRESCRIBED BY THE GOVERNING BOARD PURSUANT TO SECTION
34 15-341.
35 (b) ONE OR MORE SCHOOLS OPERATED BY THE SCHOOL DISTRICT HAVE BEEN
36 ASSIGNED A LETTER GRADE OF D OR F PURSUANT TO SECTION 15-241 FOR AT LEAST
37 THREE YEARS.
38 C. IF A GOVERNING BOARD TERMINATES AN EMPLOYMENT CONTRACT PURSUANT
39 TO SUBSECTION B, PARAGRAPH 2 OF THIS SECTION, THE SUPERINTENDENT IS NOT
40 ENTITLED TO RECOVER DAMAGES FOR THE EARLY TERMINATION OF THE CONTRACT OR
41 COMPENSATION FOR THE REMAINDER OF THE TERM OF EMPLOYMENT UNDER THE
42 CONTRACT.
43 D. The term of employment of principals may be for any period not
44 exceeding three years, except that if the principal's contract with the
45 school district is for multiple years, the school district shall not offer

1 to extend or negotiate the contract until May of the year preceding the
 2 final year of the contract. The school district governing board or the
 3 governing body of the charter school shall communicate the
 4 superintendent's or principal's duties with respect to the classroom site
 5 fund established by section 15-977.

6 ~~E.~~ E. The governing board shall establish systems for ~~the~~
 7 ~~evaluation of~~ EVALUATING the performance of principals and other school
 8 administrators and certificated school psychologists in the school
 9 district. In ~~the development~~ DEVELOPING and ~~adoption of~~ ADOPTING these
 10 performance evaluation systems, the governing board shall avail itself of
 11 the advice of its administrators and certificated school psychologists.
 12 Each evaluation shall include recommendations as to areas of improvement
 13 in the performance of the certificated school psychologist if the
 14 performance of the certificated school psychologist warrants improvement.
 15 After ~~transmittal of~~ TRANSMITTING an assessment, a governing board
 16 designee shall confer with the certificated school psychologist to make
 17 specific recommendations as to areas of improvement in the certificated
 18 school psychologist's performance. The governing board designee shall
 19 provide assistance and opportunities for the certificated school
 20 psychologist to improve performance and shall follow up with the
 21 certificated school psychologist after a reasonable period of time for the
 22 purpose of ascertaining that the certificated school psychologist is
 23 demonstrating adequate performance. The evaluation process for
 24 certificated school psychologists shall include appeal procedures for
 25 certificated school psychologists who disagree with the evaluation of
 26 their performance, if the evaluation is ~~for use~~ USED as criteria for
 27 establishing compensation or dismissal.

28 ~~F.~~ F. On or before May 15 each year, the governing board shall
 29 offer a contract for the next school year to each certified administrator
 30 and certificated school psychologist who is in the last year of the
 31 person's contract unless, on or before April 15, the governing board, a
 32 member of the board acting on behalf of the governing board or the
 33 superintendent of the school district ~~gives notice to~~ NOTIFIES the
 34 administrator or certificated school psychologist of the governing board's
 35 intention not to offer a new contract. If the governing board has called
 36 for an override election for the third Tuesday in May as provided in
 37 section 15-481, the governing board shall offer a contract for the next
 38 school year to each certified administrator or certificated school
 39 psychologist who is in the last year of the person's contract on or before
 40 June 15 unless, ~~no~~ NOT later than five days after the override election
 41 excluding Saturday, Sunday and legal holidays, the governing board, a
 42 member of the governing board acting on behalf of the governing board or
 43 the superintendent of the school district ~~gives notice to~~ NOTIFIES the
 44 administrator or the certificated school psychologist of the governing
 45 board's intention not to offer a new contract. The administrator's or the

1 certificated school psychologist's acceptance of the contract shall be
2 indicated within thirty days after the date of the written contract or the
3 offer is revoked. The administrator or certificated school psychologist
4 accepts the contract by signing the contract and returning it to the
5 governing board or by making a written instrument that accepts the terms
6 of the contract and delivering the written instrument to the governing
7 board.

8 ~~F.~~ G. Notice of the governing board's intention not to reemploy
9 the administrator or certificated school psychologist shall be made by
10 delivering the notice personally to the administrator or the certificated
11 school psychologist or by sending the notice by certified mail, postmarked
12 on or before the applicable deadline prescribed in subsection ~~F~~ of this
13 section, and directed to the administrator or the certificated school
14 psychologist at the person's place of residence as recorded in the school
15 district records.

16 ~~F.~~ H. The governing board shall make available the evaluation and
17 performance classification of each principal in the school district to
18 school districts and charter schools that are inquiring about the
19 performance of the principal for hiring purposes.

20 Sec. 2. Existing contracts; applicability

21 Notwithstanding section 15-503, Arizona Revised Statutes, as amended
22 by this act, this act applies to all new employment contracts entered into
23 after the effective date of this act.