House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 191

HOUSE BILL 2611

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 15-503, Arizona Revised Statutes, is amended to read:

15-503. Superintendents, principals, head teachers and school psychologists; term of employment; evaluation; contract delivery; nonretention notice

A. The governing board may:

1. Employ a superintendent or principal, or both. If the governing board employs a superintendent, the governing board shall determine the qualifications for the superintendent by action taken at a public meeting. The governing board shall require a superintendent to have a valid fingerprint clearance card that is issued pursuant to title 41, chapter 12, article 3.1.

2. Appoint a head teacher.

3. Jointly with another governing board employ a superintendent or a principal, or both. If the governing board jointly employs a superintendent, the governing boards shall jointly determine the qualifications for the superintendent by action taken at a public meeting. The governing boards shall require a superintendent to have a valid fingerprint clearance card that is issued pursuant to title 41, chapter 12, article 3.1.

B. The term of employment of superintendents may be for any period not exceeding three years, except that if the superintendent's contract with the school district is for multiple years pursuant to this subsection the school district shall not offer to extend or renegotiate the contract until ~~May of the year preceding the final year~~ NO EARLIER THAN FIFTEEN MONTHS BEFORE THE EXPIRATION of the contract. The term of employment of principals may be for any period not exceeding three years pursuant to section 15-341, subsection A, paragraph 42, except that if the principal's contract with the school district is for multiple years the school district shall not offer to extend or negotiate the contract until May of the year preceding the final year of the contract. The school district governing board or the governing body of the charter school shall communicate the superintendent's or principal's duties with respect to the classroom site fund established by section 15-977.

C. The governing board shall establish systems for the evaluation of the performance of principals that meet the requirements prescribed in section 15-203, subsection A, paragraph 38 and other school administrators and certificated school psychologists in the school district. In the development and adoption of these performance evaluation systems, the governing board shall avail itself of the advice of its administrators and certificated school psychologists. Each evaluation shall include recommendations as to areas of improvement in the performance of the certificated school psychologist if the performance of the certificated school psychologist warrants improvement. After transmittal of an assessment, a board designee shall confer with the certificated school psychologist to make specific recommendations as to areas of improvement in

the certificated school psychologist's performance. The board designee shall provide assistance and opportunities for the certificated school psychologist to improve his performance and shall follow up with the certificated school psychologist after a reasonable period of time for the purpose of ascertaining that the certificated school psychologist is demonstrating adequate performance. The evaluation process for certificated school psychologists shall include appeal procedures for certificated school psychologists who disagree with the evaluation of their performance, if the evaluation is for use as criteria for establishing compensation or dismissal.

D. On or before May 15 each year, the governing board shall offer a contract for the next school year to each certified administrator and certificated school psychologist who is in the last year of his contract unless, on or before April 15, the governing board, a member of the board acting on behalf of the board or the superintendent of the school district gives notice to the administrator or certificated school psychologist of the board's intention not to offer a new contract. If the governing board has called for an override election for the third Tuesday in May as provided in section 15-481, the governing board shall offer a contract for the next school year to each certified administrator or certificated school psychologist who is in the last year of his contract on or before June 15 unless, no later than five days after the override election excluding Saturday, Sunday and legal holidays, the governing board, a member of the board acting on behalf of the board or the superintendent of the school district gives notice to the administrator or the certificated school psychologist of the board's intention not to offer a new contract. The administrator's or the certificated school psychologist's acceptance of the contract shall be indicated within thirty days from the date of the written contract or the offer is revoked. The administrator or certificated school psychologist accepts the contract by signing the contract and returning it to the governing board or by making a written instrument that accepts the terms of the contract and delivering the written instrument to the governing board.

E. Notice of the board's intention not to reemploy the administrator or certificated school psychologist shall be made by delivering the notice personally to the administrator or the certificated school psychologist or by sending the notice by certified mail, postmarked on or before the applicable deadline prescribed in subsection D of this section, and directed to the administrator or the certificated school psychologist at his place of residence as recorded in the school district records.

F. The school district governing board shall make available the evaluation and performance classification pursuant to section 15-203, subsection A, paragraph 38 of each principal in the school district to school districts and charter schools that are inquiring about the performance of the principal for hiring purposes.

APPROVED BY THE GOVERNOR MAY 7, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 8, 2013.

Passed the House March 7, 2013

by the following vote: 57 Ayes,

1 Nays, 2 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate May 2, 2013

by the following vote: 20 Ayes,

4 Nays, 6 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

2 day of May, 2013

at 3:30 o'clock P M.

Lindsay Scornavacco
Secretary to the Governor

Approved this 7th day of

May

at 2:05 o'clock P. M.

Janice K. Brewer
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 8th day of May, 2013

at 9:01 o'clock a M.

Ken Bennett
Secretary of State

H.B. 2611