

31 Section 1. Section **53G-4-301** is amended to read:

32 **53G-4-301 . Local superintendent of schools -- Appointment -- Qualifications --**
33 **Term -- Compensation.**

34 (1) Subject to Subsection (7), a local school board shall appoint a district superintendent of
35 schools who serves as the local school board's chief executive officer.

36 (2) A local school board shall appoint the superintendent on the basis of outstanding
37 professional qualifications.

38 (3)(a) A superintendent's term of office is for two years and until, subject to Subsection
39 (7), a successor is appointed and qualified.

40 (b) A local school board that appoints a superintendent in accordance with this section
41 may not, on or after May 10, 2011, enter into an employment contract that contains
42 an automatic renewal provision with the superintendent.

43 (4) Unless a vacancy occurs during an interim vacancy period subject to Subsection (7), if it
44 becomes necessary to appoint an interim superintendent due to a vacancy in the office of
45 superintendent, the local school board shall make an appointment during a public
46 meeting for an indefinite term not to exceed one year, which term shall end upon the
47 appointment and qualification of a new superintendent.

48 (5) ~~[A] In accordance with Section 53G-4-305, a~~ local school board shall set the
49 superintendent's compensation for services.

50 (6) A superintendent qualifies for office by taking the constitutional oath of office.

51 (7)(a) As used in this Subsection (7), "interim vacancy period" means the period of time
52 that:

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

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

56 (b)(i) The local school board may not appoint a superintendent during an interim
57 vacancy period.

58 (ii) Notwithstanding Subsection (7)(b)(i):

59 (A) the local school board may appoint an interim superintendent during an
60 interim vacancy period; and

61 (B) the interim superintendent's term shall expire once a new superintendent is
62 appointed by the new local school board after the interim vacancy period has
63 ended.

64 (c) Subsection (7)(b) does not apply if all the local school board members who held

65 office on the day of the general election whose term of office was vacant for the
66 election are re-elected to the local school board for the following term.

67 Section 2. Section **53G-4-305** is enacted to read:

68 **53G-4-305 . District administrator compensation.**

69 (1) As used in this section:

70 (a) "Covered administrator" means:

71 (i) a school district superintendent;

72 (ii) a school district business administrator;

73 (iii) a deputy superintendent or equivalent; or

74 (iv) a member of a school district's administrative team or cabinet whom the district
75 superintendent directly supervises.

76 (b) "Limited benefit" means a benefit other than:

77 (i) health insurance;

78 (ii) dental insurance;

79 (iii) a retirement contribution required under Title 49, Utah State Retirement and
80 Insurance Benefit Act; or

81 (iv) a workers' compensation benefit required under Title 34A, Chapter 2, Workers'
82 Compensation Act.

83 (c) "Total compensation" means the sum of:

84 (i) the base salary; and

85 (ii) the total value of all limited benefits provided to the covered administrator.

86 (d) "WPU inflationary factor" means the percentage increase in the weighted pupil unit
87 value, as defined in Section 53F-2-102, from one fiscal year to the next fiscal year, as
88 determined by the Legislature in accordance with Section 53F-2-208.

89 (2) A local school board may not approve an annual increase in total compensation for a
90 covered administrator that exceeds the WPU inflationary factor for the applicable fiscal
91 year unless:

92 (a) the local school board holds a public hearing in accordance with Subsection (3);

93 (b) the compensation increase is tied to measurable performance outcomes in accordance
94 with Subsection (4); and

95 (c) the compensation increase is approved by a majority vote of the local school board at
96 a public meeting following the public hearing described in Subsection (3).

97 (3)(a) Before a local school board may approve an increase in total compensation for a
98 covered administrator that exceeds the WPU inflationary factor, the local school

99 board shall hold a public hearing.

100 (b) The local school board shall:

101 (i) conduct the public hearing during a regularly scheduled or specially called
102 meeting;

103 (ii) post the notice of the public hearing in accordance with Section 52-4-202;

104 (iii) include an opportunity for public comment; and

105 (iv) include a presentation of:

106 (A) the proposed total compensation increase amount and percentage;

107 (B) the WPU inflationary factor for the applicable fiscal year;

108 (C) the performance metrics described in Subsection (4) that justify the proposed
109 increase; and

110 (D) the covered administrator's demonstrated achievement of the performance
111 metrics.

112 (4)(a) A local school board shall base an increase in total compensation that exceeds the
113 WPU inflationary factor on the covered administrator's demonstrated achievement of
114 measurable performance outcomes over at least two consecutive fiscal years.

115 (b) Performance outcomes under Subsection (4)(a) shall include at least three of the
116 following metrics:

117 (i) improvement in the school district's teacher retention rate;

118 (ii) improvement in student literacy outcomes as measured by statewide assessments;

119 (iii) improvement in student mathematics proficiency as measured by statewide
120 assessments;

121 (iv) improvement in the school district's high school graduation rate;

122 (v) improvement in the school district's chronic absenteeism rate;

123 (vi) improvement in the school district's college and career readiness indicators;

124 (vii) successful implementation of strategic initiatives approved by the local school
125 board; or

126 (viii) other measurable outcomes approved by the local school board that demonstrate
127 improved student achievement or operational efficiency.

128 (c) A local school board may select no more than one performance outcome under
129 Subsection (4)(b)(viii).

130 (d) Before the beginning of the fiscal year in which performance is measured, the local
131 school board shall:

132 (i) establish specific, measurable targets for each performance outcome selected

- 133 under Subsection (4)(b);
- 134 (ii) prepare a written justification demonstrating how the local targets align with and
135 support the state board's strategic goals and statewide education priorities;
- 136 (iii) publish the performance targets and written justification described in Subsections
137 (4)(d)(i) and (4)(d)(ii) on the school district's publicly accessible website; and
- 138 (iv) provide the performance targets and written justification to the state board.
- 139 (e) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
140 state board shall make rules to establish:
- 141 (i) guidance on setting appropriate performance targets that align with statewide
142 education goals;
- 143 (ii) standards for demonstrating meaningful improvement; and
- 144 (iii) requirements for local school boards to justify performance targets.
- 145 (f) Following the completion of each fiscal year during which performance is measured,
146 the local school board shall publish on the school district's publicly accessible
147 website a report demonstrating the covered administrator's achievement of the
148 established performance targets.
- 149 (5)(a) A local school board may not approve limited benefits for a covered administrator
150 with a total value that exceeds 10% of the covered administrator's base salary.
- 151 (b) A local school board may not circumvent the limitation described in Subsection (5)(a)
152 or the total compensation cap described in Subsection (2) through the use of
153 excessive benefits in lieu of salary increases.
- 154 (c) For purposes of calculating the limitation described in Subsection (5)(a), limited
155 benefits include:
- 156 (i) an automobile allowance or use of a district-owned vehicle for personal use;
157 (ii) a housing allowance;
- 158 (iii) a cell phone allowance that exceeds the actual cost of the cell phone used for
159 district business;
- 160 (iv) club memberships;
- 161 (v) professional development expenses that exceed \$10,000 annually; and
- 162 (vi) other similar benefits that provide personal value to the covered administrator.
- 163 (6)(a) Except as provided in Subsection (6)(c), a local school board may not approve a
164 maximum salary for a deputy superintendent or other covered administrator
165 described in Subsection (1)(a)(iv) that exceeds 110% of the initial salary established
166 for:

- 167 (i) the school district superintendent; or
168 (ii) the school district business administrator, if the deputy superintendent or covered
169 administrator reports to the business administrator.
- 170 (b) The limitation described in Subsection (6)(a) applies to the total compensation
171 package, including base salary and the value of limited benefits.
- 172 (c) The limitation described in Subsection (6)(a) does not apply if the deputy
173 superintendent or covered administrator described in Subsection (1)(a)(iv):
174 (i) was employed by the school district in the position before July 1, 2026; and
175 (ii) received a salary that exceeded the limitation.
- 176 (7)(a) Except as provided in Subsection (7)(b), when a local school board appoints a
177 new school district superintendent, the local school board may not approve an initial
178 salary for the new superintendent that equals or exceeds the salary of the outgoing
179 superintendent at the time the outgoing superintendent left the position.
- 180 (b) Subsection (7)(a) does not apply if the new superintendent has:
- 181 (i) at least five years of experience as a school district superintendent in a school
182 district of comparable size; or
183 (ii) at least 10 years of experience in school district-level educational administration.
- 184 (c) For purposes of Subsection (7)(b)(i), a school district is of comparable size if the
185 school district's pupil in average daily membership, as defined in Section 53F-2-102,
186 is within 25% of the appointing school district's pupil in average daily membership.
- 187 (8) This section does not apply to the Utah Schools for the Deaf and the Blind.
- 188 Section 3. **Effective Date.**
- 189 This bill takes effect on July 1, 2026.