

1 **Public Education Financial Officers**

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: R. Neil Walter

Senate Sponsor:

2 **LONG TITLE**

3 **General Description:**

4 This bill amends provisions regarding state and local financial officers in the public
5 education system.

6 **Highlighted Provisions:**

7 This bill:

- 8
- 9 ▶ provides that a school district business administrator:
 - 10 • ~~is~~ **→ [is-] serves under an employment contract or as** ~~←~~ ~~is~~ an at-will employee; and
 - 11 • reports directly to the school district superintendent;
 - 12 ▶ provides that the Deputy Superintendent of Operations reports directly to the State
13 Superintendent of Public Instruction; and
 - 14 ▶ makes technical and conforming changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **53E-3-301**, as last amended by Laws of Utah 2025, Chapter 277

22 **53G-4-302**, as renumbered and amended by Laws of Utah 2018, Chapter 3

23 **53G-4-303**, as last amended by Laws of Utah 2019, Chapter 293

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

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

26 **53E-3-301 . Appointment -- Qualifications -- Duties.**

27 (1)(a) The state board shall appoint a state superintendent of public instruction, who is
28 the executive officer of the state board and serves at the pleasure of the state board.

29 (b) The state board shall appoint the state superintendent on the basis of outstanding
30

- 31 professional qualifications.
- 32 (c) The state superintendent shall administer all programs assigned to the state board in
33 accordance with the policies and the standards established by the state board.
- 34 (2) The state board shall, with the state superintendent, develop a statewide education
35 strategy focusing on core academics, including the development of:
- 36 (a) core standards for Utah public schools and graduation requirements;
- 37 (b) a process to select model instructional materials that best correlate with the core
38 standards for Utah public schools and graduation requirements that are supported by
39 generally accepted scientific standards of evidence;
- 40 (c) professional development programs for teachers, superintendents, and principals;
- 41 (d) model remediation programs;
- 42 (e) a model method for creating individual student learning targets, and a method of
43 measuring an individual student's performance toward those targets;
- 44 (f) progress-based assessments for ongoing performance evaluations of school districts
45 and schools;
- 46 (g) incentives to achieve the desired outcome of individual student progress in core
47 academics that do not create disincentives for setting high goals for the students;
- 48 (h) an annual report card for school and school district performance, measuring learning
49 and reporting progress-based assessments;
- 50 (i) a systematic method to encourage innovation in schools and school districts as each
51 strives to achieve improvement in performance; and
- 52 (j) a method for identifying and sharing best demonstrated practices across school
53 districts and schools.
- 54 (3) The state superintendent shall perform duties assigned by the state board, including:
- 55 (a) investigating all matters pertaining to the public schools;
- 56 (b) adopting and keeping an official seal to authenticate the state superintendent's
57 official acts;
- 58 (c) holding and conducting meetings, seminars, and conferences on educational topics;
- 59 (d) collecting and organizing education data into an automated decision support system
60 to facilitate school district and school improvement planning, accountability
61 reporting, performance recognition, and the evaluation of educational policy and
62 program effectiveness to include:
- 63 (i) data that are:
- 64 (A) comparable across schools and school districts;

- 65 (B) appropriate for use in longitudinal studies; and
 66 (C) comprehensive with regard to the data elements required under applicable
 67 state or federal law or state board rule;
- 68 (ii) features that enable users, most particularly school administrators, teachers, and
 69 parents, to:
- 70 (A) retrieve school and school district level data electronically;
 71 (B) interpret the data visually; and
 72 (C) draw conclusions that are statistically valid; and
- 73 (iii) procedures for the collection and management of education data that:
- 74 (A) require the state superintendent to:
- 75 (I) collaborate with school districts and charter schools in designing and
 76 implementing uniform data standards and definitions;
 77 (II) undertake or sponsor research to implement improved methods for
 78 analyzing education data;
 79 (III) provide for data security to prevent unauthorized access to or
 80 contamination of the data; and
 81 (IV) protect the confidentiality of data under state and federal privacy laws; and
 82 (B) require all school districts and schools to comply with the data collection and
 83 management procedures established under this Subsection (3)(d);
- 84 (e) administering and implementing federal educational programs in accordance with
 85 Part 8, Implementing Federal or National Education Programs; and
 86 (f) with the approval of the state board, preparing and submitting to the governor a
 87 budget for the state board to be included in the budget that the governor submits to
 88 the Legislature.

89 (4) The Deputy Superintendent of Operations shall report directly to the state
 90 superintendent.

91 ~~[(4)]~~ (5) Upon leaving office, the state superintendent shall deliver to the state
 92 superintendent's successor all books, records, documents, maps, reports, papers, and
 93 other articles pertaining to the state superintendent's office.

94 Section 2. Section **53G-4-302** is amended to read:

95 **53G-4-302 . Business administrator -- Term -- Oath.**

96 (1) Subject to Subsection (5), a local school board shall appoint a business administrator.

97 (2)~~[(a)]~~ The business ~~[administrator's term of office is for two years and until, subject to~~
 98 ~~Subsection (5), a successor is appointed and qualified]~~ administrator ~~is~~ → [is] shall

98a serve under an employment contract or as ← ~~an~~ an at-will
 99 employee who serves at the will of the local school board.

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

103 (3) Unless a vacancy occurs during an interim vacancy period subject to Subsection (5), if it
 104 becomes necessary to appoint an interim business manager due to a vacancy in the office
 105 of business administrator, then the local school board shall make an appointment during
 106 a public meeting for an indefinite term not to exceed one year, which term shall end
 107 upon the appointment and qualification of a new business manager.

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

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

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

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

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

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

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

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

122 (c) Subsection (5)(b) does not apply if all the local school board members who held
 123 office on the day of the general election whose term of office was vacant for the
 124 election are reelected to the local school board for the following term.

125 Section 3. Section **53G-4-303** is amended to read:

126 **53G-4-303 . Duties of business administrator.**

127 (1) A district's business administrator shall report directly to the district superintendent of
 128 schools.

129 (2) Subject to the direction of the district superintendent of schools, the district's
 130 business administrator shall:

131 [~~(1)~~] (a) attend all meetings of the local school board, keep an accurate record of its

- 132 proceedings, and have custody of the seal and records;
- 133 ~~[(2)]~~ (b) be custodian of all district funds, be responsible and accountable for all money
- 134 received and disbursed, and keep accurate records of all revenues received and their
- 135 sources;
- 136 ~~[(3)]~~ (c) countersign with the president of the local school board all warrants and claims
- 137 against the district as well as other legal documents approved by the local school
- 138 board;
- 139 ~~[(4)]~~ (d) prepare and submit to the local school board each month a written report of the
- 140 district's receipts and expenditures;
- 141 ~~[(5)]~~ (e) use uniform budgeting, accounting, and auditing procedures and forms approved
- 142 by the state board, which shall be in accordance with generally accepted accounting
- 143 principles or auditing standards and Title 63J, Chapter 1, Budgetary Procedures Act;
- 144 ~~[(6)]~~ (f) prepare and submit to the local school board a detailed annual statement for the
- 145 period ending June 30, of the revenue and expenditures, including beginning and
- 146 ending fund balances;
- 147 ~~[(7)]~~ (g) assist the superintendent in the preparation and submission of budget documents
- 148 and statistical and fiscal reports required by law or the state board;
- 149 ~~[(8)]~~ (h) insure that adequate internal controls are in place to safeguard the district's
- 150 funds; and
- 151 ~~[(9)]~~ (i) perform other duties as the superintendent may require.

152 Section 4. **Effective Date.**

153 This bill takes effect on May 6, 2026.