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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 2533

03/02/2023 Authored by Pryor
The bill was read for the first time and referred to the Committee on Education Policy

1.1 A bill for an act
1.2 relating to education; superintendents; making various nonsubstantive style and
1.3 form changes; amending Minnesota Statutes 2022, section 123B.143, subdivision
1.4 1.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2022, section 123B.143, subdivision 1, is amended to read:

1.7 Subdivision 1. Contract; duties. (a) All districts maintaining a classified secondary
1.8 school must employ a superintendent who shall be must serve as an ex officio nonvoting
1.9 member of the school board. The authority for selection and employment of a superintendent
1.10 must be vested in the board in all cases.

1.11 (b) An individual employed by a board as a superintendent shall must have an initial
1.12 employment contract for a period of time no longer than three years from the date of
1.13 employment. Any subsequent employment contract must not exceed a period of three years.
1.14 A board, at its discretion, may or may not renew an employment contract. A board must
1.15 not, by action or inaction, extend the duration of an existing employment contract. Beginning
1.16 365 days prior to the expiration date of an existing employment contract, a board may
1.17 negotiate and enter into a subsequent employment contract to take effect upon the expiration
1.18 of the existing contract. A subsequent contract must be contingent upon the employee
1.19 completing the terms of an existing contract. If a contract between a board and a
1.20 superintendent is terminated prior to the date specified in the contract, the board may not
1.21 enter into another superintendent contract with that same individual that has a term that
1.22 extends beyond the date specified in the terminated contract.

2.1 (c) A board may terminate a superintendent during the term of an employment contract  
2.2 for any of the grounds specified in section 122A.40, subdivision 9 or 13. A superintendent  
2.3 ~~shall~~ must not rely upon an employment contract with a board to assert any other continuing  
2.4 contract rights in the position of superintendent under section 122A.40. Notwithstanding  
2.5 the provisions of sections 122A.40, subdivision 10 or 11, 123A.32, 123A.75, or any other  
2.6 law to the contrary, no individual ~~shall have~~ has a right to employment as a superintendent  
2.7 based on order of employment in any district.

2.8 (d) If two or more districts enter into an agreement for the purchase or sharing of the  
2.9 services of a superintendent, the contracting districts have the absolute right to select one  
2.10 of the individuals employed to serve as superintendent in one of the contracting districts  
2.11 and no individual has a right to employment as the superintendent to provide all or part of  
2.12 the services based on order of employment in a contracting district.

2.13 (e) The superintendent of a district ~~shall~~ must perform the following:

2.14 (1) visit and supervise the schools in the district, report and make recommendations  
2.15 about their condition when advisable or on request by the board;

2.16 (2) recommend to the board employment and dismissal of teachers;

2.17 (3) annually evaluate each school principal assigned responsibility for supervising a  
2.18 school building within the district, consistent with section 123B.147, subdivision 3, paragraph  
2.19 (b);

2.20 (4) superintend school grading practices and examinations for promotions;

2.21 (5) make reports required by the commissioner; and

2.22 (6) perform other duties prescribed by the board.