

1 TO THE HONORABLE SENATE:

2 The Committee on Education to which was referred Senate Bill No. 304
3 entitled “An act relating to public school principals and nonrenewal of
4 contracts” respectfully reports that it has considered the same and recommends
5 that the bill be amended by striking out all after the enacting clause and
6 inserting in lieu thereof the following:

7 Sec. 1. 16 V.S.A. § 243 is amended to read:

8 § 243. APPOINTMENT; SUPERVISION; RENEWAL; DISMISSAL

9 (a) Appointment and supervision. The school board of each school district
10 operating a school, after recommendation by the superintendent, may designate
11 a person as principal for each public school within the district, except that a
12 principal may be selected to serve more than one school. In the case of a
13 career technical education center, only the school board ~~which~~ that operates the
14 center may designate a person as director. For purposes of this section the
15 word “principal” shall include a principal and the director of career technical
16 education, and the term “public school” shall include a career technical
17 education center. The superintendent shall supervise each principal within the
18 supervisory union and shall support him or her in the performance of duties
19 and the implementation of school-based initiatives.

20 (b) Length of contract. ~~The~~ A principal shall be employed by written
21 contract for a term of not less than one year nor more than three years. Based

1 upon the superintendent's written evaluation of the principal, a superintendent
2 shall recommend to the school board whether to renew or not to renew the
3 initial and any subsequent contract with a principal.

4 (c) Renewal and nonrenewal.

5 (1) ~~A principal who has been continuously employed for more than two~~
6 ~~years in the same position~~ has the right either to have his or her contract
7 renewed, or to receive written notice of nonrenewal ~~at least 90 days before the~~
8 ~~existing contract expires;~~

9 (A) on or before February 1, if the principal has been continuously
10 employed for more than two years in the same position; and

11 (B) on or before April 1, if the principal has been continuously
12 employed for two years or less in the same position.

13 (2) Nonrenewal may be based upon elimination of the position,
14 unresolved performance deficiencies, or other reasons affecting the educational
15 mission of the district. The written notice shall recite the grounds for
16 nonrenewal. If nonrenewal is based on ~~performance deficiencies,~~ any reason
17 other than the elimination of the position, then the principal shall have been
18 provided the opportunity for remediation and the written notice of nonrenewal
19 shall be accompanied by an evaluation performed by the superintendent. ~~At its~~
20 ~~discretion, the school board may allow a period of remediation of performance~~
21 ~~deficiencies prior to issuance of the written notice.~~

1 (3) After receiving ~~such~~ a notice of nonrenewal, the principal may
2 request in writing, and shall be granted, a meeting with the school board. Such
3 request shall be delivered within ~~15~~ five days of delivery of notice of
4 nonrenewal, and the meeting shall be held within 15 days of delivery of the
5 request for a meeting. At the meeting, the school board shall explain its
6 position, and the principal shall be allowed to respond. The principal and any
7 member of the board may present written information or oral information
8 through statements of others, and the principal and the board may be
9 represented by counsel. The meeting shall be in executive session unless both
10 parties agree in writing that it be open to the public. After the meeting, the
11 school board shall decide whether or not to offer the principal an opportunity
12 to renew his or her contract. The school board shall issue its decision in
13 writing within five days. The decision of the school board shall be final.

14 * * *

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on passage.

17
18 (Committee vote: _____)

19 _____
20 Senator [surname]

21 FOR THE COMMITTEE