CHAPTER 504

EMPLOYMENT OF PRINCIPALS

§13301. Definition

For the purposes of this chapter, "principal" means any person certified as a principal in accordance with chapter 501 or 502 who is employed as a supervising principal for more than 50% of the time in any public elementary or secondary school in the State. [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

SECTION HISTORY

PL 1991, c. 556, §1 (NEW). PL 1991, c. 556, §2 (AFF).

§13302. Nomination and approval; contracts

1. Employment of principals. The superintendent shall nominate principals for employment, subject to regulations established by the school board governing salaries and qualifications and the requirements of section 1001, subsection 13. If the school board approves the nomination, the superintendent may employ a principal for a term not to exceed 3 years as determined by the school board.
[PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

2. Written contract. Employment of principals must be by written contract that includes, but is not limited to:

A. The identification of the parties to the contract; [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

B. The responsibilities of the position; [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

C. The renewal or extension provisions; and [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

D. The salary and benefits for the position.
[PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

SECTION HISTORY

PL 1991, c. 556, §1 (NEW). PL 1991, c. 556, §2 (AFF).

§13303. Contract renewal

1. Notice. A school board shall provide notice of the renewal or nonrenewal of a principal's employment contract as follows.

A. Notwithstanding any contract provision to the contrary and no later than March 1st of the year the contract expires, the school board shall notify a principal who has been employed by the board for more than 2 years of its decision to renew the principal's contract for a period not to exceed 3 years or not to renew the principal's contract. Notice of a principal's nonrenewal of contract must be in writing. Upon written request, the school board shall provide a written statement of the reasons for nonrenewal to a principal. [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

B. Notwithstanding any contract provision to the contrary and no later than April 1st of the year the contract expires, the school board shall notify a principal who has been employed by the board for 2 years or less of its decision to renew the principal's contract for a period not to exceed 3 years

or not to renew the principal's contract. Notice of nonrenewal of a principal's contract must be in writing. [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

[PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

2. Failure to give notice. If the board fails to notify the principal in accordance with subsection 1, the following provisions apply.

A. A principal may request in writing within 15 days of the March 1st or April 1st notice deadline, as applicable, a meeting with the school board to discuss contract renewal issues. The board shall hold that meeting within 30 days of receipt of the principal's request. [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

B. A school administrative unit shall pay a forfeiture to the principal. The amount of that forfeiture is equal to the sum of 1/260th of the principal's present annual salary rate multiplied by the number of days between the notification deadline and the date on which notification is made or a complaint is filed in accordance with this paragraph. A principal who believes notice has not been provided as required in subsection 1 may file a complaint with the commissioner. Following the filing of a complaint, the commissioner shall make a determination of whether the school board has failed to notify the principal as required by subsection 1 and of the amount of forfeiture due. If a complaint is not filed within 30 days after the termination of the principal's contract, the right to a forfeiture is no longer available. [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

[PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

3. Hearing. Within 15 days of receipt of notice of nonrenewal of a contract by a principal who has been employed for more than 2 years, the principal may request in writing a hearing with the school board on the decision not to renew the contract. The board shall hold the hearing within 30 days of receipt of the principal's request and either or both parties may be represented by counsel.

[PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

4. Meeting. Within 15 days of receipt of notice of nonrenewal of a contract by a principal who has been employed for 2 years or less, the principal may request in writing a meeting with the school board to discuss contract renewal issues. The board shall hold the meeting within 30 days of receipt of the principal's request and either or both parties may be represented by counsel.

[PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

SECTION HISTORY

PL 1991, c. 556, §1 (NEW). PL 1991, c. 556, §2 (AFF).

§13304. Dismissal

In accordance with this section, a school board may dismiss a principal before the expiration of the contract term. [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

1. Requirements. The principal may be dismissed only:

A. After consideration of a recommendation of the superintendent; [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

B. For cause; [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

C. After due notice and investigation; [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

D. After a hearing before the school board, if requested; and [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

E. By a majority vote of the school board. [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

[PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

2. Salary. Upon dismissal, the principal's salary ceases.
[PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

SECTION HISTORY

PL 1991, c. 556, §1 (NEW). PL 1991, c. 556, §2 (AFF).

§13305. Elimination of principal's position

The right to terminate a contract, after due notice of 90 days, is reserved to the school board when changes in local conditions warrant the elimination of the principal's position for which the contract was made. [PL 1991, c. 556, §1 (NEW); PL 1991, c. 556, §2 (AFF).]

SECTION HISTORY

PL 1991, c. 556, §1 (NEW). PL 1991, c. 556, §2 (AFF).

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