

**160.350 Superintendent of schools -- Appointment -- Term -- Vacancy -- Qualifications -- Removal -- Contract extension.**

- (1) After considering the recommendations of a screening committee, as provided in KRS 160.352, each board of education shall appoint a superintendent of schools whose term of office shall begin on July 1, following the individual's appointment. The appointment may be for a term of no more than four (4) years. In the event a vacancy occurs in the office of superintendent prior to the expiration of the term set by the board, the term shall expire on the date the vacancy occurs. Therefore, the board may appoint a superintendent for a new term as provided in this subsection, which shall begin on the date of the superintendent's appointment, except when the vacancy occurs after a school board election and before the newly elected members take office. When a vacancy occurs during this period, the position shall not be filled until the new members take office, but the board may appoint an acting superintendent to serve a term not to exceed six (6) months. This appointment may be renewed once for a period not to exceed three (3) months. If a vacancy occurs, a local board may also appoint an acting superintendent during the period the screening committee pursuant to KRS 160.352 conducts its business and prior to the actual appointment of the new superintendent. No superintendent shall resign during a term and accept a new term from the same board of education prior to the expiration date of the present term. In the case of a vacancy in the office for an unexpired term, the board of education shall make the appointment so that the term will end on June 30. The board shall set the salary of the superintendent to be paid in regular installments.
- (2) An individual shall not assume the duties of superintendent in a district until he or she provides the board of education with a copy of a certificate for school superintendent issued by the Education Professional Standards Board or its legal predecessor. A superintendent shall hold a valid certificate throughout the period of employment. A superintendent candidate who is to begin the duties of superintendent after June 30, 1994, shall successfully complete the training program and assessment center process within one (1) year of assuming the duties of superintendent. A superintendent shall not serve as director or officer of a bank, trust company, or savings or loan association that has the school district's funds on deposit. Following appointment, the superintendent shall establish residency in Kentucky.
- (3) A superintendent of schools may be removed for cause by a vote of four-fifths (4/5) of the membership of a board of education and upon approval by the commissioner of education. However, if the dismissal of the superintendent has been recommended by a highly skilled certified educator pursuant to KRS 158.6455 and the action is approved by the commissioner of education, the board shall terminate the superintendent's contract. Written notice setting out the charges for removal shall be spread on the minutes of the board and given to the superintendent. The board shall seek approval by the commissioner of education for removing the superintendent. The commissioner of education shall investigate the accuracy of the charges made, evaluate the superintendent's overall performance during the

superintendent's appointment, and consider the educational performance of the students in the district. Within thirty (30) days of notification, the commissioner of education shall either approve or reject the board's request.

- (4) After the completion of a superintendent's first contract or after four (4) years, whichever comes last, the board of education may, no later than June 30, extend the contract of the superintendent for one (1) additional year beyond the current term of employment.

**Effective:** July 13, 2004

**History:** Amended 2004 Ky. Acts ch. 117, sec. 1, effective July 13, 2004. -- Amended 2000 Ky. Acts ch. 470, sec. 1, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 77, sec. 1, effective July 15, 1998; and ch. 598, sec. 18, effective April 14, 1998. -- Amended 1996 Ky. Acts ch. 349, sec. 2, effective July 15, 1996. -- Amended 1994 Ky. Acts ch. 14, sec. 2, effective February 17, 1994. -- Amended 1992 Ky. Acts ch. 170, sec. 3, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 476, sec. 75, effective July 13, 1990. -- Amended 1988 Ky. Acts ch. 34, sec. 3, effective July 15, 1988. -- Amended 1984 Ky. Acts ch. 246, sec. 1, effective July 13, 1984. -- Amended 1966 Ky. Acts ch. 89, sec. 9. -- Amended 1942 Ky. Acts ch. 113, sec. 13. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4399-34.