

Superintendent’s Contract

The superintendent¹, upon appointment by the Board, will receive a written contract which will state the terms of employment such as compensation, benefits and other conditions. The Board may not issue a contract that includes terms which direct the superintendent to take any action that conflicts with a local, state or federal law² that applies to the district³, or which allows the Board to take an adverse employment action against the superintendent for complying with such laws. Contracts shall not be issued for more than three years at a time. The contract shall automatically expire at the end of its term. The Board may, however, elect to issue a subsequent contract for not more than an additional three years at any time.

The compensation and benefits for the position of superintendent will be fixed by the Board, based upon the responsibilities required of the superintendent in performing his/her duties. The Board may not enter into an employment contract that contains provisions that expressly obligates the district or school to compensate the superintendent for work that is not performed.

Provisions for termination of the superintendent’s employment, either by the Board or the superintendent, will also be set forth in the superintendent’s employment contract. The employment contract, if it includes a mutually agreed to termination-without-cause provision by the Board, will include a 12-month notice of termination for such provision.

For a period of one year after termination of the contract, the superintendent may not:

1. Purchase property or surplus property owned by the district or school; or
2. Use property owned by the district or school in a manner other than the manner permitted for the general public.

END OF POLICY

Legal Reference(s):

ORS 332.432	OAR 584-005-0005(51)
ORS 332.505	Senate Bill 1521 (2022)
ORS 342.549	Ambrose v. Bd. of Educ., 51 Or. App. 621 (1981).
ORS 342.815	Babbitt v. Mari-Linn Sch. Dist., 94 Or. App. 161 (1988)

¹The term “superintendent” includes an interim superintendent.

²“Local, state or federal law” means a local, state or federal directive having the force of law, including an ordinance, a city or county resolution, a statute, a court decision, an administrative rule or regulation, an order issued in compliance with ORS Chapter 183, an executive order or any other directive, declaration or statement that is issued in compliance with the law as having the force of law and that is issued by a local government as defined in ORS 174.116, the state government as defined in ORS 174.111 or the federal government.

³Also includes taking any action that conflicts with law that applies to education services districts.