

House Bill 435

By: Representative Buckner of the 82nd

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 20-2-101 of the Official Code of Georgia Annotated, relating to
2 appointment of county school superintendents, so as to provide that the contract of
3 employment of a local school superintendent may be terminated prior to the end of the school
4 year only under certain conditions; to provide for inclusion in and effect on contracts of
5 employment; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Code Section 20-2-101 of the Official Code of Georgia Annotated, relating to appointment
10 of county school superintendents, is amended striking subsection (f) and inserting in its place
11 a new subsection to read as follows:

12 "(f)(1) No Except as otherwise provided in this subsection, no substantive or procedural
13 right regarding employment or termination of employment of a superintendent by a local
14 school system shall be created by this Code section. ~~Rather, the~~ The terms and conditions
15 of employment of a school superintendent by a local school system shall be determined
16 exclusively by the contract between those parties and may include, without being limited
17 to, the conditions under and procedures by which that contract may be terminated prior
18 to the end of the term of that contract.

19 (2) No contract shall be terminated by the local school system until the end of the school
20 year in which the action to terminate is taken unless:

21 (A) The termination is because of conviction of a felony or a misdemeanor of a high
22 and aggravated nature; or

23 (B) The termination is based upon a recommendation by the Professional Standards
24 Commission.

25 (3) Any contract entered into on or after the effective date of paragraph (2) of this
26 subsection shall contain the limitation specified in paragraph (2) or shall be deemed by

1 operation of law to include such limitation if not specified therein. Any contract entered
2 into prior to said effective date shall be deemed to include the limitation specified in
3 paragraph (2) of this subsection to the extent that such limitation is more favorable to the
4 school superintendent than the terms of the contract."

5 **SECTION 2.**

6 This Act shall become effective upon its approval by the Governor or upon its becoming law
7 without such approval.

8 **SECTION 3.**

9 All laws and parts of laws in conflict with this Act are repealed.