

## House Bill 681

By: Representatives Holmes of the 48<sup>th</sup>, Post 1, Beasley-Teague of the 48<sup>th</sup>, Post 2, Brooks of the 47<sup>th</sup>, Ashe of the 42<sup>nd</sup>, Post 2, Stanley-Turner of the 43<sup>rd</sup>, Post 2, and others

A BILL TO BE ENTITLED  
AN ACT

1 To continue the existence of the Atlanta Independent School System under the management  
2 and control of the Atlanta Board of Education; to provide for the composition, term of office,  
3 and qualifications of members of the board; to provide for continuation in office; to provide  
4 for education districts; to provide for an oath of office, officers, quorum, rules of procedure,  
5 voting requirements, abstention from voting, public meetings, public comments at meetings,  
6 and communication of minutes; to provide for the powers, duties, and responsibilities of the  
7 board; to restrict the powers of the board; to define terms; to provide for salaries and  
8 expenses of board members; to provide for vacation of office in certain circumstances; to  
9 provide for involuntary leaves of absence, suspension, and removal from office; to provide  
10 for recall; to provide for vacancies; to provide for a superintendent and appointment, powers  
11 and duties, residency, and responsibilities of such officer; to provide for a general counsel  
12 and an executive assistant; to provide for publication of performance levels and expenditures;  
13 to provide for the roles of the board and the superintendent; to prohibit certain practices by  
14 board members; to provide for disclosure of financial interests in contracts or matters  
15 pending before the board and of relatives employed by the school system; to prohibit use of  
16 school system property for personal benefit; to provide that contracts are voidable in certain  
17 circumstances; to provide for hearings; to provide for an Ethics Commission and the  
18 appointment, terms of office, qualifications, and organization of members; to provide for  
19 duties and powers of the Ethics Commission, including investigation, procedures, hearings,  
20 and actions; to provide for immunity; to provide for circumstances when a board member  
21 shall not be in violation; to provide for whistleblower protection; to provide for a code of  
22 ethics; to provide for a chief financial officer and such officer's appointment, duties, bond,  
23 qualifications, and residency; to provide for an internal auditor and such official's  
24 appointment, qualifications, powers, duties, and responsibilities; to provide for access to  
25 records; to provide for determination of a millage rate and publication of such rate; to  
26 provide for transmittal of taxes to the board; to provide for loans; to provide for an annual  
27 independent audit; to provide for a budget commission and its duties; to provide for a budget  
28 and its preparation, inspection by the public, review, and adoption; to provide for budgetary

1 changes; to provide that unlawful obligations are void; to authorize a civil service system;  
 2 to prohibit discrimination in personnel matters; to provide for a civil service commission and  
 3 its powers and duties; to authorize a preference for residents of the city; to provide for  
 4 continuance of officers and employees; to continue existing rules, contracts, bonds,  
 5 obligations, rights, and interests; to provide for construction; to repeal a specific Act; to  
 6 provide for severability; to provide an effective date; to repeal conflicting laws; and for other  
 7 purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 ARTICLE I

10 INDEPENDENT SCHOOL SYSTEM

11 SECTION 1-101.

12 Independent school system.

13 In accordance with the laws of the State of Georgia, the Atlanta Independent School System  
 14 (hereinafter at times referred to as the "Atlanta school system") shall be continued as an  
 15 independent school system, created by the General Assembly and the provisions of this Act  
 16 and preceding Acts, which shall be under the management and control of the Atlanta Board  
 17 of Education (hereinafter referred to as the "Board"). Except as provided herein, the school  
 18 system and the Board shall be subject to the general laws of the state.

19 ARTICLE II

20 BOARD OF EDUCATION

21 SECTION 2-101.

22 Composition; term of office.

23 (a) The Atlanta Board of Education shall be composed of nine members elected in  
 24 nonpartisan elections. Three members shall be elected city wide and six members shall be  
 25 elected from districts as provided within this Act.

26 (b) Members of the Board shall hold their respective offices for a term of four years and  
 27 until their respective successors are elected and qualified.

28 SECTION 2-102.

29 Qualifications.

30 (a) To qualify for election as a Board member, a person must:

- 1 (1) Be at least 18 years of age;
- 2 (2) Be a resident of the city and, if seeking to represent a Board district, be a resident of
- 3 the Board district for which he or she seeks to qualify and represent for at least one year
- 4 immediately preceding the date of filing a notice of candidacy to seek office;
- 5 (3) Be a qualified elector of the city; and
- 6 (4) Not be an employee of the State Department of Education or a member of the State
- 7 Board of Education.
- 8 (b) To hold office as a Board member, a person must:
- 9 (1) Continue to possess the qualifications prescribed in subsection (a) of this section;
- 10 (2) Continue to reside in the Board district from which elected;
- 11 (3) Not hold any other elective public office;
- 12 (4) Not be an employee of the Atlanta Board of Education or any other local board of
- 13 education; and
- 14 (5) Not serve on the governing body of any private K-12 educational institution.

15 **SECTION 2-103.**

16 Elections; education districts.

- 17 (a) The Board of Education of the City of Atlanta which existed on December 31, 2002, is
- 18 continued in existence. The board so continued shall continue to have the powers, duties,
- 19 rights, obligations, and liabilities of that board as existed immediately prior to the effective
- 20 date of this Act.
- 21 (b) Those members of the board who are serving as such on the effective date of this Act and
- 22 any person selected to fill a vacancy in any such office shall continue to serve as such
- 23 members for terms of office which expire December 31, 2005, and upon the election and
- 24 qualification of their respective successors.
- 25 (c) For purposes of electing members of the board of education, other than the three at-large
- 26 members, the City of Atlanta School District is divided into six education districts. One
- 27 member of the board shall be elected from each such district. The six education districts
- 28 shall be composed respectively of contiguous paired council districts of the city and shall be
- 29 and correspond to those six numbered districts described in Appendix I and attached to and
- 30 made a part of this Act and further identified as Plan Name: atlplan11sb Plan Type: LOCAL
- 31 User: Gina Administrator: ATLANTA-CITY. The three at-large positions shall be
- 32 designated as Education Districts 7, 8, and 9, respectively.
- 33 (d) When used in such attachment, the terms "Tract" and "BG" (Block Group) shall mean
- 34 and describe the same geographical boundaries as provided in the report of the Bureau of the
- 35 Census for the United States decennial census of 2000 for the State of Georgia. The separate

1 numeric designations in a Tract description which are underneath a "BG" heading shall mean  
2 and describe individual Blocks within a Block Group as provided in the report of the Bureau  
3 of the Census for the United States decennial census of 2000 for the State of Georgia. Any  
4 part of the City of Atlanta School District which is not included in any such district described  
5 in that attachment shall be included within that district contiguous to such part which  
6 contains the least population according to the United States decennial census of 2000 for the  
7 State of Georgia. Any part of the City of Atlanta School District which is described in that  
8 attachment as being in a particular district shall nevertheless not be included within such  
9 district if such part is not contiguous to such district. Such noncontiguous part shall instead  
10 be included within that district contiguous to such part which contains the least population  
11 according to the United States decennial census of 2000 for the State of Georgia. Except as  
12 otherwise provided in the description of any education district, whenever the description of  
13 such district refers to a named city, it shall mean the geographical boundaries of that city as  
14 shown on the census map for the United States decennial census of 2000 for the State of  
15 Georgia.

16 (e) In order to be elected as a member of the board from an education district, a person must  
17 receive the number of votes cast as required by general law for that office in that district  
18 only. Only electors who are residents of that education district may vote for a member of the  
19 board for that district. At the time of qualifying for election as a member of the board from  
20 an education district, each candidate for such office shall specify the education district for  
21 which that person is a candidate. A person elected or appointed as a member of the board  
22 from an education district must continue to reside in that district during that person's term  
23 of office or that office shall become vacant.

24 (f) The members of the board who are at-large members may reside anywhere within the  
25 City of Atlanta School District. At the time of qualifying for election as an at-large member  
26 of the board, each candidate for such office shall designate the numbered at-large education  
27 district for which that person is a candidate. In order to be elected as an at-large member, a  
28 person must receive the number of votes cast for that office as required by general law in the  
29 entire school district. An at-large member must continue to reside within the school district  
30 during that person's term of office or that office shall become vacant.

31 (g) Successors to members of the board whose terms of office are to expire shall be elected  
32 at the time of the general municipal election immediately preceding the expiration of such  
33 terms, shall take office the first day of January immediately following that election, and shall  
34 serve for terms of office of four years each. Members of the board shall serve for the terms  
35 of office specified therefor in this subsection and until their respective successors are elected  
36 and qualified.

1 (h) All members of the board who are elected thereto shall be nominated and elected in  
2 accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

3 **SECTION 2-104.**

4 Organization; oath; officers; quorum; rules;  
5 voting requirements; meetings.

6 (a) Organizational meeting; oath. At the first regular meeting of the Board in January  
7 following each regular election, the Board shall organize, take, and subscribe before a judge  
8 of the Superior Court the following oath of office:

9 "I do solemnly swear (or affirm) that I will faithfully and impartially discharge the duties  
10 of a member of the Atlanta Board of Education during my term in office. I will not  
11 knowingly permit my vote in the election and appointment of any person to a position in  
12 the Atlanta Independent School System, or on any matter related to said school system, to  
13 be influenced by fear, favor, affection, or reward, or hope thereof. In all things pertaining  
14 to my said office, I will be governed by the public good and the interests of said school  
15 system. I will observe the provisions of the city charter, the Act reorganizing the Atlanta  
16 Board of Education, and the rules and regulations of the Atlanta Board of Education. I  
17 further swear (or affirm) that I will support and defend the Constitutions and laws of the  
18 State of Georgia and of the United States of America."

19 (b) Officers. At its first regular meeting in January of even-numbered years, the Board shall  
20 elect a chairperson and a vice chairperson by a majority vote of its members. The  
21 chairperson and vice chairperson shall serve for a term of two years. A Board member who  
22 serves as chairperson for two consecutive two-year terms is not eligible to serve as  
23 chairperson in the two years immediately following the second two-year term. If the  
24 chairperson or vice chairperson vacates the office, the Board will elect a new chairperson to  
25 fill the unexpired term. If a chairperson serves for more than one year of a term, the  
26 chairperson will be deemed to have served a full two-year term.

27 (c) Quorum. Five members of the Board shall constitute a quorum for the transaction of  
28 business, although a smaller number may adjourn from time to time and compel the  
29 attendance of its members.

30 (d) Rules. The Board shall adopt rules of procedure governing the transaction of its business  
31 consistent with the provisions herein and any other applicable laws. The rules of the Board  
32 shall provide for regular meetings which shall be held at least monthly and in accordance  
33 with the provisions of Code Section 20-2-58 of the O.C.G.A., as now or hereafter amended,  
34 and shall provide for any special meetings of the Board.

1 (e) Voting requirement.

2 (1) The affirmative vote of five members of the Board shall be required for the  
3 transaction of business or the passage of any resolution; provided, however, that a  
4 majority of a quorum of the Board may take official action in regards to disciplinary  
5 matters related to appointed officers or employees of the Atlanta school system.

6 (2) No member of the Board shall abstain from voting at any duly called Board meeting  
7 except in matters involving consideration of his or her own conduct, matters which would  
8 inure to his or her financial or personal interests, or matters which would be a conflict of  
9 interest as provided in Article 3 of this Act. Such Board member shall, prior to the vote  
10 being taken, publicly state during the meeting the nature of his or her interest in the  
11 matter from which he or she is abstaining from voting and shall within ten days of such  
12 abstention disclose the nature of his or her interest as a public record in a memorandum  
13 filed with the Board secretary who shall incorporate the memorandum into the minutes  
14 of the meeting.

15 (f) Meetings. All meetings of the Board and any of its committees shall be public in the  
16 same manner and to the same extent as required by Chapter 14 of Title 50 of the O.C.G.A.,  
17 relating to open and public meetings, as now or hereafter amended, and any citizen shall have  
18 access to the minutes and records thereof at reasonable times. Said minutes shall include a  
19 synopsis of the discussion on every question coming before the Board and any of its  
20 committees, and the names of those Board members voting for and against each question,  
21 those abstaining, and those absent.

22 (g) Public comment. The meetings of the Board and its committees shall provide a  
23 reasonable opportunity for the public to be heard during such meetings of the Board or its  
24 committees. The Board shall prescribe rules and regulations for the receipt of such  
25 comments from the public.

26 (h) Public communication. The Board shall develop a procedure for reporting, within 45  
27 days of the meeting, to the public the minutes and the votes taken at monthly meetings. Such  
28 communication could be via Internet, newspaper, television, or any other reasonable method  
29 so long as it has the capability to reach many citizens.

30 **SECTION 2-105.**

31 Powers, duties, responsibilities, and restrictions.

32 (a) The Board shall:

33 (1) Have and exercise control and management of the Atlanta school system in  
34 accordance with the provisions of this Act, the city charter, and the Constitution and

- 1 general laws of the state. The Board is hereby vested with all the powers and charged  
2 with all the duties provided to local boards of education by the general laws of the state;
- 3 (2) Provide all students with textbooks and furnish educational or instructional materials,  
4 resources, and equipment adequately to such students;
- 5 (3) Adopt by resolution rules and regulations related to the manner and method of  
6 employing, disciplining, and terminating any employees of the school system;
- 7 (4) Adopt by resolution rules and procedures related to the procurement of supplies,  
8 equipment, goods, and services for the school system;
- 9 (5) Adopt by resolution rules and regulations for the governance of students, including  
10 the discipline, suspension, or expulsion of students, in accordance with due process;
- 11 (6) Hear appeals from actions of the superintendent of schools and other personnel;
- 12 (7) Approve an annual budget for the Atlanta public school system and provide for the  
13 levy of a tax for educational purposes as provided in this Act;
- 14 (8) Approve school attendance zones;
- 15 (9) Have the authority to sue and be sued as a school district in the name of the Atlanta  
16 Independent School System;
- 17 (10) Have the power to purchase, sell, rent, or lease property, both real and personal, in  
18 the name of the Atlanta Independent School System with the title to any property  
19 purchased being vested solely in the school system to the extent that such property was  
20 acquired directly by the Board through funds of the school system;
- 21 (11) Have the authority to establish and maintain retirement or pension funds on behalf  
22 of employees of the school system and their beneficiaries, to be managed by a board of  
23 trustees, subject to applicable state laws; and further, in the event social security  
24 provisions become available to employees or any group of employees, to provide for the  
25 integration of such provisions with any existing or proposed retirement or pension  
26 system;
- 27 (12) Have the authority to enter into contracts with any person, firm, corporation, or  
28 governmental unit or agency for the performance of educational services or the use of  
29 educational facilities;
- 30 (13) Adopt rules for the manner and extent the public is permitted to use buildings under  
31 its control, which rules shall make available all such buildings which may be needed or  
32 required for voting purposes on election days, including DeKalb County elections held  
33 in the City of Atlanta portion of DeKalb County;
- 34 (14) Approve the superintendent's recommendation to hire or dismiss school system  
35 staff, provided that such recommendations can be rejected by the Board only with a  
36 three-fourths' vote of the Board. Notwithstanding this provision, a majority vote of the

- 1 Board is sufficient to reject the superintendent's recommendation, if a majority vote is  
 2 required to comply with provisions of the Fair Dismissal Act; and  
 3 (15) The Board may call an executive session as provided by law. Executive sessions  
 4 shall not exclude the superintendent unless a discussion of the superintendent is the  
 5 subject of the executive session.
- 6 (b) The Board shall not:
- 7 (1) Employ one of its members for any position in the school system;  
 8 (2) Do business with a partnership or corporation owned in whole or part by a Board  
 9 member or a relative of a board member, unless the stock of the firm is publicly traded  
 10 and there are more than 75 stockholders;  
 11 (3) Do business with a bank or financial institution where a Board member is an  
 12 employee, stockholder, director, or officer when such member owns 10 percent or more  
 13 stock in that institution; or  
 14 (4) Employ or promote any person who is a relative of any Board member unless a  
 15 public, recorded vote is taken on such employment or promotion as a separate matter  
 16 from any other personnel matter. Any Board member whose relative is being considered  
 17 for employment shall not vote on such employment.
- 18 (c) For purposes of this section, the term "relative" is as defined in Section 3-101 of this Act.

19 **SECTION 2-106.**

20 Salary and expenses of Board members.

- 21 (a) The Board is authorized to fix its salary or compensation by resolution, provided that any  
 22 action to change the salary or compensation shall be subject to the following conditions and  
 23 requirements:
- 24 (1) Such action shall take into consideration any recommendation made by the City of  
 25 Atlanta elected officials compensation commission as provided by Article 2, Chapter 7  
 26 of the city charter. The Board may adopt by resolution rules and regulations governing  
 27 the establishment of a Board Compensation Commission. If established, the Commission  
 28 shall be composed of five residents of Atlanta, who shall be duly appointed by the Board.  
 29 No more than one Board member may serve on the Commission. If a Board  
 30 Compensation Commission is established, the Board shall take into consideration any  
 31 recommendation of the Commission;
- 32 (2) Such action is taken at least six months prior to the end of the current term of office;
- 33 (3) Any such increase shall not be effective until after the taking of office of those  
 34 elected at the next regular municipal election which is held following the date on which  
 35 the action to increase the compensation was taken;

1 (4) Such action shall not be taken during the period of time between the date that  
 2 candidates for election to membership on the Board may first qualify as such candidates  
 3 and the date members of the Board take office following their election; and

4 (5) Such action shall not be taken until notice of intent to take action has been published  
 5 in a newspaper of general circulation in the city at least once a week for three consecutive  
 6 weeks immediately preceding the week during which the action is taken.

7 (b) As used in this section, the words "salary or compensation" shall include any expense  
 8 allowance or any form of payment or reimbursement of expenses, except reimbursement of  
 9 expenses actually and necessarily incurred by members of the Board in carrying out their  
 10 official duties. The Board is authorized to provide by resolution procedures for the  
 11 reimbursement of such actual and necessary expenses.

### 12 **SECTION 2-107.**

13 **Vacation of office; removal or suspension of Board members.**

14 (a) Immediate vacation of office. Upon the final conviction of, or the entering of a plea of  
 15 guilty for, a crime involving moral turpitude, a felony, or a crime involving malfeasance or  
 16 misfeasance while in office, the office of such Board member shall be vacated immediately  
 17 without further action. The unexpired term of office shall be filled as provided in this Act.

18 (b) Involuntary leave of absence. Any Board member who is indicted or held to answer for  
 19 a felony shall immediately take an involuntary leave of absence. After a leave of absence  
 20 of 60 days the Board shall appoint a qualified individual to serve in the place of the Board  
 21 member who is on a leave of absence until said Board member is acquitted or the charges are  
 22 dismissed. If said Board member is convicted, subsection (a) of this section shall apply.

23 (c) Grounds for removal. Pursuant to the provisions in this Act, a member of the Board shall  
 24 be subject to suspension or removal from any office for any of the following causes:

25 (1) Incompetence, misfeasance, or malfeasance in office;

26 (2) Failure at any time to possess any of the qualifications of office as provided within  
 27 this Act or by law;

28 (3) Violation of Article III of this Act, Ethics and Prohibited Practices;

29 (4) Violation of the oath of office provided in this Act;

30 (5) Abandonment of office or neglect to perform the duties of office; or

31 (6) Failure for any other cause to perform the duties of office as required by the  
 32 provisions in this Act or by law.

33 (d) Procedures for removal. Removal or suspension of a Board member pursuant to  
 34 subsection (c) of this section shall be accomplished by the following method: In the event  
 35 a member of the Board is sought to be removed or suspended by the Board, the Board will

1 refer the matter to the Ethics Commission stating the basis for removing the Board member.  
 2 The Ethics Commission shall notify the Board member and conduct a hearing as specified  
 3 in subsection (f) of Section 3-106 of this Act. Any Board member sought to be removed from  
 4 office as provided in this subsection shall have the right of appeal from the decision of the  
 5 Board to the Superior Court of Fulton County. Such appeal shall be governed by the same  
 6 rules as govern appeals to the superior court from the probate court.

7 **SECTION 2-108.**

8 Recall of a Board member.

9 Any member of the Board may be recalled and removed from office as provided by Chapter  
 10 4 of Title 21 of the O.C.G.A., the "Recall Act of 1989," as now or hereafter amended.

11 **SECTION 2-109.**

12 Vacancies; filling of vacancies.

13 (a) The office of a Board member shall become vacant upon the occurrence of any event  
 14 specified by the Constitution of the State of Georgia, Title 45 of the O.C.G.A., or such other  
 15 applicable laws as are or may be hereafter enacted.

16 (b) In the event of a vacancy occurring in the membership of the Board for any reason other  
 17 than the expiration of term, that vacancy shall be filled as follows:

18 (1) If the vacancy occurs more than one year prior to the date of a general election at  
 19 which a successor will be elected to a new full term of office, then such vacancy shall be  
 20 filled for the unexpired term of office by city electors at a special election;

21 (2) If the special election to fill the vacancy is scheduled to take place on the same date  
 22 with a general or primary election, and said election occurs more than 90 days after the  
 23 vacancy occurs, the remaining members of the Board shall, by majority vote, select a  
 24 qualified person to fill the vacancy until the person elected at such special election takes  
 25 office. However, such appointment shall not be made until after the period for qualifying  
 26 for the special election has closed, and any individual who qualified to stand for election  
 27 in the special election shall not be eligible for such appointment; and

28 (3) If the vacancy occurs one year or less prior to the date of the general election at  
 29 which a successor will be elected to a new full term of office, the remaining members of  
 30 the Board shall, by majority vote, select a qualified person to serve for the remainder of  
 31 the unexpired term.

32 (c) Any person elected or appointed to fill a vacancy pursuant to subsection (b) of this Act  
 33 shall possess the same qualifications required for election to a full term of office as provided

1 in this Act for any person seeking to be elected to the Board. If the office wherein the  
 2 vacancy occurred is filled by election of voters from the entire city, then the special election  
 3 shall be held within the entire city; but if the office wherein the vacancy occurred is filled by  
 4 election of voters from a specific district, then the special election shall be held within the  
 5 district.

6 (d) When a vacancy requires a special election, the Board shall within 15 days after the  
 7 occurrence of such vacancy call a special election to fill the balance of the unexpired term  
 8 of such office.

9 (e) When a vacancy requires an appointment by the remaining members of the Board, the  
 10 Board shall appoint such person within 30 days of the date the vacancy occurs. However,  
 11 if a vacancy occurs due to a resignation, the Board may appoint a successor up to 30 days  
 12 prior to the effective date of the resignation subject to the appointment becoming effective  
 13 on the occurrence of the vacancy.

14 (f) The Board shall develop procedures to be used to fill vacancies by appointment. Such  
 15 policies shall be consistent with the provisions of this Act.

16 **SECTION 2-110.**

17 Superintendent of schools.

18 (a) The Board shall appoint as its executive officer a school superintendent who shall have  
 19 such qualifications as provided by law. The Board shall provide the superintendent with a  
 20 contract for employment for a fixed term as provided for under Code Section 20-2-101 of the  
 21 O.C.G.A., as amended.

22 (b) The superintendent shall have the power and duties assigned by the laws of the state and  
 23 such other powers and duties as are assigned by this Act or by the Board.

24 (c) The superintendent need not be a resident of the city at the time of his or her appointment  
 25 but during his or her term in office shall reside within the city.

26 (d) The superintendent shall be responsible for reporting to the Board any legal or financial  
 27 matter that requires Board action or attention, including matters that may violate Board  
 28 policy or state or federal laws, or that may subject the school system to legal liability, a loss  
 29 of state or federal funds, or a loss of its eligibility to receive such funds.

30 **SECTION 2-111.**

31 General counsel for Board and school system.

32 (a) A general counsel shall be appointed and, if necessary, removed by the superintendent,  
 33 with the advice and consent of the Board. Such appointment of the general counsel may be

1 by a contract authorized by the Board. The general counsel shall serve as the chief legal  
2 adviser to the Board and the school system.

3 (b) The general counsel shall be an active member of the State Bar of Georgia and shall have  
4 had at least ten years' experience in the active practice of law. Within six months of the  
5 commencement of the term and during the remainder of his or her term of employment, the  
6 general counsel shall be a resident of the City of Atlanta. The number of years experience  
7 required by this subsection may be waived by the Board upon a three-fourths' vote of its  
8 membership.

9 (c) A general counsel may be employed who is not a member of the State Bar of Georgia  
10 but who otherwise meets the requirements of subsection (b) of this section, conditioned on  
11 the individual's being eligible for admission to the Georgia Bar and being duly admitted  
12 within one year of employment.

### 13 **SECTION 2-112.**

14 Executive assistant to the Board.

15 (a) The Board may appoint, and remove at its pleasure, an executive assistant to aid in the  
16 discharge of its official duties. It shall be the duty of the executive assistant to be present at  
17 all meetings of the Board, except those meetings concerned with his or her salary, benefits,  
18 or tenure; to keep the minutes and make a permanent record thereof; and to do any other  
19 administrative and clerical work as directed by the Board. The executive assistant shall  
20 record and countersign all official proceedings of the Board which shall be a public record  
21 open to the inspection of any person.

22 (b) Within six months of the commencement of the term and during the remainder of his or  
23 her term of employment, the executive assistant shall be a resident of the City of Atlanta.

### 24 **SECTION 2-113.**

25 Publication of performance levels and expenditures.

26 (a) Whenever comprehensive reading examinations or other performance tests are  
27 administered to students, parents and guardians may obtain reports of their child's or ward's  
28 performance.

29 (b) All such test scores and performance summaries thereof, except the names of students,  
30 shall be public records.

31 (c) The performance level of each school shall be measured according to a recognized  
32 method or methods of testing or evaluation on at least an annual basis and shall be a public  
33 record.

1 (d) The Board shall have published annually in a newspaper of general circulation in the  
 2 City of Atlanta the total expenditures per student in each school and the performance of each  
 3 school as provided in this section.

4 **SECTION 2-114.**

5 Roles of Board and superintendent.

6 (a) In addition to the other powers and obligations provided by this Act and applicable state  
 7 laws, the Board is responsible for discussing and deliberating a variety of issues, and then:

8 (1) Hiring, evaluating, and, if necessary, dismissing the superintendent. As part of this  
 9 process, the school board shall enter into a contract with a superintendent that includes  
 10 explicit goals and performance standards along with the criteria to be used in evaluating  
 11 the superintendent's performance against those goals and standards;

12 (2) Adopting a vision for the district after participating, under the leadership of the  
 13 superintendent, in a process to create the vision. The process will involve gaining input  
 14 from individuals within the school system, such as administrative staff, principals, teachers,  
 15 parents, and students, and individuals outside the school system, such as business people,  
 16 higher education officials, social service providers, and community members. The vision  
 17 includes district-wide student learning goals as well as long-range and strategic plans for  
 18 meeting the goals;

19 (3) Adopting district-wide academic content and performance standards. These standards  
 20 must meet or exceed the academic content and performance standards adopted by the state;

21 (4) Creating district-wide measures for the district-wide academic content and  
 22 performance standards. These measures must include state-wide tests;

23 (5) Adopting district-wide policies that support an environment for quality improvement  
 24 and progress for all decision makers in the district, as well as for students;

25 (6) In partnership with the superintendent, tracking progress toward and keeping attention  
 26 focused on the student learning goals and the academic content and performance standards  
 27 and measures. This shall be done on a district-wide basis and on a school-by-school basis;

28 (7) Setting financial goals, monitoring finances, ensuring that accounts are audited  
 29 annually, and publishing an end-of-the-year financial report to the community;

30 (8) Approving an annual district budget, prior to the start of the school year, that identifies  
 31 priorities and goals and that aligns the district's resources to achieve the district-wide  
 32 student learning goals and district-wide academic content and performance standards and  
 33 measures and to ensure that school facilities meet health and safety code requirements;

34 (9) Issuing bonds and setting the millage rate;

- 1 (10) Approving a policy that determines the minimum dollar amount for contracts that  
2 require school board approval;
  - 3 (11) After seeking, receiving, and deliberating upon community input, approving plans for  
4 closing, selling, renovating, and building school facilities; and
  - 5 (12) Each year, developing, in concert with the superintendent, the priorities for the school  
6 system for the upcoming year.
- 7 (b) Subject to the limitations contained in this Act, the superintendent, either directly or  
8 through a designee, is responsible for:
- 9 (1) Leading a process, in cooperation with the Board, to create the vision for the district  
10 that involves gaining input from individuals within the school system, such as  
11 administrative staff, principals, teachers, parents, and students, and individuals outside the  
12 school system, such as business people, higher education officials, social service providers,  
13 and community members. The vision includes district-wide student learning goals as well  
14 as long-range and strategic plans for meeting the goals. The vision must be formally  
15 adopted by the Board;
  - 16 (2) Developing and implementing a process which engages not more than two members  
17 of the budget commission to be designated by the Board chairperson in the preparation of  
18 an annual budget that aligns the district's resources to achieve the district-wide student  
19 learning goals and district-wide academic content and performance standards and measures  
20 and to ensure that school facilities meet health and safety code requirements, and  
21 submitting it to the school board for its adoption;
  - 22 (3) Deciding which instructional areas will receive priority attention, and maintaining the  
23 focus, and keeping school-site decisions focused, on these areas;
  - 24 (4) Working with each school's staff to define instructional objectives, design the  
25 curriculum, and engage in professional development, using student performance data as the  
26 basis for these decisions;
  - 27 (5) In partnership with the Board, tracking progress toward and keeping attention focused  
28 on the standards and measures that are adopted by the Board. This shall be done on a  
29 district-wide basis and on a school-by-school basis;
  - 30 (6) After adoption of policies by the Board, providing a supportive environment for quality  
31 improvement and progress for all decision makers in the district, as well as for students;
  - 32 (7) Tailoring and leading the provision of assistance to the district's low-performing  
33 schools;
  - 34 (8) Hiring, evaluating, and, if necessary, dismissing school system employees;
  - 35 (9) Completing reports on district spending and student achievement on a variety of  
36 indicators, disaggregating the data by race, ethnicity, income, gender, special education,  
37 and bilingual status, as appropriate. Disseminating these reports to the Board and

1 community, with special attention given to distributing information in a variety of ways to  
 2 parents in low-performing schools;

3 (10) Implementing strategies to involve parents and community members in the district  
 4 and to create partnerships between the district and public and private organizations;

5 (11) Each year, developing, in concert with the Board, the priorities for the school system  
 6 for the upcoming year; and

7 (12) Submitting to the Board, as soon as practical after the end of the fiscal year, an annual  
 8 report that discusses the relationship between expenditures and the annual priorities and  
 9 goals of the system.

### 10 ARTICLE III

#### 11 ETHICS AND PROHIBITED PRACTICES

##### 12 SECTION 3-101.

##### 13 Conflict of interest.

14 (a) Except as otherwise provided by general law, no elected official, appointed officer, or  
 15 employee of the Atlanta school system or of any office, department, or agency thereof shall  
 16 knowingly:

17 (1) Engage in any business or transaction with or have a financial or other personal  
 18 interest, direct or indirect, in the affairs of the Atlanta school system which would result  
 19 in a financial benefit, except for a financial benefit of a nominal or incidental amount, to  
 20 the official, appointed officer, employee, or relative of such person or which would tend  
 21 to impair the independence of judgment or action in the performance of official duties;

22 (2) Engage in or accept private employment from or render services for private interests  
 23 when such employment or service is incompatible with the proper discharge of that  
 24 person's official duties or would tend to impair his or her independence of judgment or  
 25 action in the performance of his or her official duties;

26 (3) Disclose information or use information, including information obtained at meetings  
 27 which are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the  
 28 property, government, or affairs of the Atlanta school system or any office, department,  
 29 or agency thereof that is not available to members of the general public and gained by  
 30 reason of his or her official position for his or her personal gain or benefit, to advance his  
 31 or her financial or other private interest, or to advance the financial or private interest of  
 32 any other person or business entity;

33 (4) Represent private interests in any action or proceeding against the school system or  
 34 any office, department, or agency thereof;

- 1 (5) Vote or otherwise participate in the negotiation or the making of any contract with  
2 any business or entity in which he or she, or his or her relative, has a financial interest;
- 3 (6) Solicit, accept, or agree to accept gifts, loans, gratuities, entertainment,  
4 transportation, lodging, meals, any ticket of admission, discounts, payment, or service,  
5 except those of nominal value (less than \$50.00), from any employee, student, parent,  
6 person, firm, or corporation which to his or her knowledge is interested directly or  
7 indirectly in any manner whatsoever in business dealings with the school system or any  
8 office, department, or agency thereof; provided, however, that an elected official who is  
9 a candidate for public office may accept campaign contributions and services in  
10 connection with any campaign;
- 11 (7) Advertise business and professional services to the school system or its employees  
12 for personal gain;
- 13 (8) Use district resources for personal or commercial enterprise;
- 14 (9) Vote or otherwise participate in an appointment, employment, or promotion decision  
15 related to a relative;
- 16 (10) Vote or otherwise participate in an appointment, employment, or promotion  
17 decision of a person when the public official knows or should know that such vote or  
18 participation would create a direct or indirect monetary benefit or economic opportunity;
- 19 (11) Have a personal interest, directly or indirectly, in school real estate, school  
20 textbooks, or school materials and supplies of any kind whatsoever;
- 21 (12) Sell, solicit, or offer for sale to the Board or to any official or employee of the  
22 Board, directly or indirectly, any kind of school real estate, textbooks, or school materials  
23 and supplies, or receive any salary, bonus, or commission on any such sale;
- 24 (13) Have a financial interest in school buses, bus equipment or supplies, provide  
25 services for buses owned by the Board, or sell gasoline to the Board from a corporation  
26 in which the Board member is a shareholder; and
- 27 (14) Vote or participate in discussions or deliberations at any meeting of the Board or  
28 any committee of the Board of any issue before the board in which the Board member or  
29 a relative of the Board member has matters involving consideration of his or her conduct,  
30 matters which would inure to his or her financial or personal interests, or matters which  
31 would be a conflict of interest as provided in Article 3 of this Act.
- 32 (b)(1) No Board member, superintendent, or general counsel may, within one year after  
33 retirement or termination from such position or employment:
- 34 (A) Act as agent or attorney for an employee or Board member before a tribunal or  
35 Board hearing; or

1 (B) Knowingly attempt to influence, on behalf of any other person, the school system,  
2 including its employees and Board members, in connection with any matter in which  
3 the school system has a direct interest.

4 (2) No Board member as a consequence of his or her Board position may accept any  
5 honoraria. As used in this paragraph, the term "honoraria" means a payment of money or  
6 anything of value for any appearance, discussion, speech, or article by such Board  
7 member, or for travel and subsistence expenses in excess of any actual and necessary  
8 expenses in connection with such appearance, discussion, or speech.

9 (c) As used in this Act, the word "relative" shall mean an individual who is related to the  
10 elected official, appointed officer, or employee as father, mother, son, daughter, brother,  
11 sister, husband, wife, grandfather, grandmother, grandchild, mother-in-law, father-in-law,  
12 sister-in-law, brother-in-law, daughter-in-law, son-in-law; any other relative living in the  
13 household of the elected official, appointed officer, or employee; a person who is engaged  
14 to be married to the elected official, appointed officer, or employee or who otherwise holds  
15 himself or herself out as or is generally known as the person whom the elected official,  
16 appointed officer, or employee intends to marry or with whom the elected official, appointed  
17 officer, or employee intends to form a household, or any other natural person having the  
18 same legal residence as the elected official, appointed officer, or employee.

### 19 SECTION 3-102.

#### 20 Disclosures.

21 (a) Any elected official, appointed officer, or employee of the school system who has any  
22 financial interest, directly or indirectly, in any contract or matter pending before or within  
23 any office, department, or agency of the school system shall disclose such interest in writing  
24 to the Board. Any Board member who has a financial interest in any contract or matter  
25 pending before the Board shall disclose such interest, in writing, and such disclosure shall  
26 be entered on the records of the Board. The disclosure of any salary received by a board  
27 member from the school system or any entity doing business with the school system may be  
28 accomplished by naming the entity and position held by the Board member with such entity.  
29 Interest and dividends from entities doing business with the school system which are listed  
30 on a national stock exchange or have more than 100 stockholders do not have to be disclosed.  
31 Likewise, the disclosure of any salary received by an immediate relative of the Board  
32 member may be accomplished by naming the relative and the position held. The Board  
33 member also shall disqualify himself or herself from participating in any decision or vote  
34 relating thereto.

1 (b) Prior to January 31 of each year, each elected official shall disclose publicly the identity  
 2 of any relative employed by the Atlanta school system to the executive assistant to the Board  
 3 on such form as prescribed by the Board.

4 **SECTION 3-103.**

5 Use of public property.

6 No elected official, appointed officer, or employee of the school system shall use property  
 7 of the school system for personal benefit or profit except in accordance with policies and  
 8 procedures promulgated by the Board.

9 **SECTION 3-104.**

10 Contracts voidable and rescindable.

11 Any contract between the Atlanta school system and another party shall be voidable or  
 12 rescindable at the discretion of the Board at any time if any elected official, appointed  
 13 officer, or employee has any interest in such contract and does not disclose such interest in  
 14 accordance with the provisions within this article.

15 **SECTION 3-105.**

16 Hearings and determinations; penalties for violations.

17 Elected officials, appointed officers, and employees of the school system may be punished  
 18 for violation of the provisions within this article as follows:

19 (1) The members of the Board shall be subject to removal from office as provided in this  
 20 Act;

21 (2)(A) Appointed officers and employees not subject to civil service or covered by the  
 22 provisions of O.C.G.A. Section 20-2-940, et seq., shall have the right to request a  
 23 hearing before the Board upon written charges being provided to such officer. At such  
 24 hearing, the officer shall have the right to be heard, to be represented by counsel, and  
 25 to require the attendance of witnesses and the production of relevant books and papers.  
 26 If, after the hearing, the accused is found guilty as charged, he or she may be suspended  
 27 or dismissed from the service of the school system by a majority vote of the members  
 28 of the Board.

29 (B) Employees covered by the provisions of O.C.G.A. Section 20-2-940, et seq., shall  
 30 be subject to suspension, dismissal, or nonrenewal in accordance with the provisions  
 31 of that general law; and

1 (3) Employees subject to civil service rules, upon a violation of this article, shall be  
 2 subject to suspension or dismissal in accordance with the provisions in Article V of this  
 3 Act and the personnel rules and regulations adopted by the Board.

4 **SECTION 3-106.**

5 Ethics Commission.

6 (a) Creation of Ethics Commission. The Board shall establish a seven-member Ethics  
 7 Commission. Members of the Commission shall be appointed by the Board for staggered  
 8 five-year terms. When the Commission is first established, two persons will be appointed  
 9 to serve five-year terms, one person will be appointed to serve a four-year term, two persons  
 10 will be appointed to serve three-year terms, one person will be appointed to serve a two-year  
 11 term, and one person will be appointed to serve a one-year term. Each member of the  
 12 Commission shall hold office from the date of appointment until the end of the term for  
 13 which he or she was appointed or until his or her successor qualifies for office. Members of  
 14 the Commission shall not be eligible for reappointment. If a vacancy occurs on the  
 15 Commission, the Board shall within 90 days appoint a person to fill the unexpired term.

16 (b) Qualifications. A person is eligible to serve as a member of the Ethics Commission if  
 17 that person, while serving:

18 (1) Resides in the City of Atlanta and is a registered voter;

19 (2) Is not an employee of the Atlanta Board of Education or a relative, as defined in  
 20 Section 3-101 of this Act, or a business associate of any member of the Board;

21 (3) Does not hold any elected or appointed office and is not a candidate for any office  
 22 in the governments of the United States, the State of Georgia, DeKalb County, Fulton  
 23 County, or the City of Atlanta;

24 (4) Has not provided a financial contribution of more than \$100.00 to, or worked in, the  
 25 political campaign of any current member of the Board; and

26 (5) Is not a relative, as defined in Section 3-101 of this Act, of a person who provided  
 27 a financial contribution of more than \$100.00 to, or worked in, the political campaign of  
 28 any current member of the Board.

29 (c) Duties and powers. The Ethics Commission shall have the following duties and powers:

30 (1) To receive and hear complaints of violations by Board members of standards  
 31 established by this Act or applicable state or federal law;

32 (2) Upon receipt of a complaint, to conduct investigations as it deems necessary to  
 33 determine whether any Board member has violated any standards established by this Act  
 34 or applicable state or federal law. An affirmative vote of three members is required to  
 35 initiate an investigation. For the purpose of conducting a meeting or hearing, five

- 1 members shall constitute a quorum and five affirmative votes are required to issue any  
2 finding;
- 3 (3) To take appropriate action as a result of a violation of the standards established by  
4 this Act and applicable state or federal law;
- 5 (4) To request funding from the Board in order to conduct a hearing and to use any funds  
6 provided to conduct hearings;
- 7 (5) To establish policies and procedures for conducting meetings and hearings of the  
8 Commission; and
- 9 (6) To perform any other function authorized by this Act.
- 10 (d) Organization of the Ethics Commission.
- 11 (1) Members of the Ethics Commission shall be compensated on a per meeting basis at  
12 a rate determined by the Board.
- 13 (2) The Ethics Commission shall elect one member to act as chairperson for a term of  
14 two years, or until a successor is duly elected. The chairperson shall have the same  
15 voting rights as the other Commission members. The Commission shall also elect one  
16 member to act as vice chairperson for the same term. If the office of chairperson or vice  
17 chairperson is vacated in any manner before the expiration of the term, the Commission  
18 shall elect a member to fill the unexpired term.
- 19 (3) The Board may remove a Commission member for neglect of duty, misconduct in  
20 office, a disability rendering the member unable to discharge the powers and duties of the  
21 office as specified in this Act, for no longer qualifying for the position as specified in this  
22 Act, or for any reason that would justify the removal of a member of a board of  
23 education.
- 24 (4) There shall be no scheduled regular monthly or bimonthly meetings of the  
25 Commission. The chairperson shall call meetings as the chairperson deems necessary.  
26 A meeting can also be called by written notice signed by at least four members of the  
27 Commission. All meetings of the Commission shall be open to the public. The purpose  
28 of the public meetings shall be to hear and dispose of complaints or to render advisory  
29 opinions as set forth in this section.
- 30 (5) The Board office will provide staff support to the Ethics Commission.
- 31 (6) The Ethics Commission shall be governed by and subject to the provisions of this  
32 section. No official action, except as outlined in this section, shall be taken by the  
33 Commission. If a Commission member has a conflict of interest involving any matter  
34 before the Commission or must otherwise disqualify himself or herself under the  
35 conditions of this Act or by law, the remaining Commission members shall choose by  
36 majority vote an alternative person who meets all qualifications set out above to hear the  
37 complaint.

1 (e) Complaint and investigation procedures.

2 (1) Any citizen eligible to vote in the City of Atlanta or any employee of the Atlanta  
3 Public School System may file a complaint alleging a violation of the standards  
4 established by this Act or other applicable state or federal law by filing it with the  
5 executive assistant to the Board. The complaint shall be in writing and verified under  
6 oath.

7 (2) The executive assistant to the Board shall immediately deliver the complaint to the  
8 chairperson of the Ethics Commission or a designee and shall also immediately forward  
9 a copy of the complaint by certified and regular mail to the Board member against whom  
10 the complaint was filed, along with a copy to the superintendent and general counsel. A  
11 complaint must be filed within six months of the date of the alleged violation or, in the  
12 case of concealment or nondisclosure, within six months of the date the alleged violation  
13 should have been discovered after due diligence.

14 (3) Within 60 days of receipt of a complaint, the Ethics Commission shall conduct and  
15 conclude an investigation to determine whether good and sufficient cause exists  
16 concerning the complaint. During the investigation, the commission has the power to  
17 secure necessary documents. The superintendent shall ensure that school system  
18 employees cooperate with any Commission investigation. The investigation shall not be  
19 open to the public. The Commission shall not receive live testimony as part of the  
20 investigation. If, after conducting an investigation, the Commission by majority vote  
21 determines that no good and sufficient cause exists for a determination that a violation  
22 exists, the Commission may dismiss the complaint and shall report said dismissal to the  
23 Board.

24 (f) Ethics Commission hearings. If the Commission determines that good and sufficient  
25 cause exists for a determination that a violation has occurred, or if the Board refers a case  
26 against a Board member as provided in Section 2-107 of this Act, a formal public hearing  
27 shall be conducted. The Commission shall notify the Board member charged with a violation  
28 of the date, time, and place for the hearing by certified and regular mail. At the hearing, the  
29 Commission shall hear sworn testimony from all witnesses it deems relevant. The hearing  
30 shall be recorded by a certified court reporter. The Commission is authorized to issue  
31 subpoenas on behalf of any party and for the appearance of any party or documents as  
32 provided by law. Upon conclusion of the hearing, the Commission shall issue written  
33 findings of fact and conclusions of law and take, but shall not be limited to taking, one or  
34 more of the following actions:

35 (1) Find that the Board member did not violate any of the standards established by this  
36 Act or other applicable state or federal law; upon a finding that an initial complaint was  
37 filed without justification or was supported by erroneous information or evidence, the

1 Commission may recommend that the Board reimburse the accused Board member up  
2 to \$2,500.00 in actual attorneys' fees and costs;

3 (2) Censure or reprimand of the member of the Board;

4 (3) To the extent applicable, file criminal charges against the Board member;

5 (4) Suspend the Board member; or

6 (5) Suspend the Board member and recommend removal of the Board member.

7 Formal hearings shall be open to the public and shall comply with all state and federal open  
8 meetings and open records laws.

9 (g) Actions of the Commission. If the Ethics Commission finds the Board member has:

10 (1) Violated local, state, and federal laws, policies, rules, and regulations regarding fraud  
11 and fraudulent activities;

12 (2) Breached the confidentiality of privileged information, including statements made  
13 in an executive session of the Board;

14 (3) Engaged in conflicts of interest;

15 (4) Used school system contacts and privileges to promote partisan politics or sectarian  
16 religious views;

17 (5) Voted on or influenced in any way a decision or action by the Board or a school  
18 system employee that directly affects the Board member or any of his or her relatives;

19 (6) Discussed or otherwise communicated with vendors, individuals, or groups who are  
20 soliciting business from the school system regarding the subject of the solicitation or any  
21 matter related to the solicitation once the solicitation is issued by the school system and  
22 until such time as the Board has rendered a decision on the solicitation; or

23 (7) Consistently, intentionally, and willfully violated the procedures, norms, rules, or  
24 regulations regarding the prohibition against involvement in the day-to-day operation of  
25 the school system,

26 then the Ethics Commission must find that the Board member should be removed from  
27 office.

28 (h) Notice; rejection or modification of the Commission's action. The Ethics Commission  
29 will notify the Board and Board member of its action by sending a certified letter to the  
30 chairperson of the Board and the Board member who is the subject of the investigation.  
31 Within 30 days of receipt of the notice from the Commission, the Board may reject or modify  
32 the action of the Commission, but only by a three-fourths' vote of the Board.

33 (i) Suspension and removal of member. If the Ethics Commission finds that the Board  
34 member should be removed from office, then the Board member is automatically and  
35 immediately suspended from the Board. If the Board accepts, by majority vote, the findings  
36 of the Ethics Commission or if, after the 30 day period specified in subsection (h) of this  
37 section, the Board has not rejected the findings of the Ethics Commission that the Board

1 member should be removed from office, the Board member is automatically and immediately  
2 removed from the Board.

3 (j) Civil recovery. The Board of Education shall take appropriate legal action to recover the  
4 value of anything received by any person or persons in violation of the standards established  
5 by this Act or applicable state or federal law, as determined by the Ethics Commission. A  
6 taxpayer, pursuant to applicable law, may take such legal action after a written demand to  
7 the Board to bring such action and failure of the Board to initiate the action within 60 days  
8 after receipt of the demand.

9 (k) Official's liability. No member of the Ethics Commission or any person acting on behalf  
10 of the Ethics Commission, operating within the course and scope of this section, shall be  
11 liable to any person for any damages arising out of such action.

12 (l) Safe harbor. Notwithstanding anything in this Act to the contrary, a Board member may  
13 not be found in violation of the provisions of this Act if:

14 (1) The Board member, prior to engaging in the conduct, completely disclosed the  
15 existence of the issue or matter to the Board at a public meeting;

16 (2) The Board member sought and received a public legal opinion from the legal  
17 department; and

18 (3) The Board member acted in reliance on that legal opinion.

19 However, a Board member shall nonetheless be subject to an adverse finding upon a  
20 determination that the disclosure to the Board was not sufficiently complete or was  
21 materially false or misleading. Additionally, citizens who report alleged violations in good  
22 faith will not be subject to any reprisal by the individual Board member or the Board as a  
23 whole.

24 **SECTION 3-107.**

25 Whistleblower protection.

26 (a) The Board or school system shall not discharge, threaten, or otherwise discriminate  
27 against a complainant or an employee or official acting on behalf of a complainant regarding  
28 compensation, terms, conditions, location, or privileges of employment because:

29 (1) The complainant or employee or official acting on behalf of the complainant reports  
30 or is about to report, verbally or in writing, a violation or a suspected violation of this  
31 Act, the city charter, or other applicable state or federal law; or

32 (2) A complainant or employee or official acting on behalf of the complainant is  
33 requested by the Ethics Commission to participate in an investigation, hearing, or inquiry  
34 held by the Ethics Commission or any related court action;

1 provided, however, that this section shall not apply to a complainant or an employee or  
2 official acting on behalf of a complainant who knowingly makes a false report.

3 (b) Nothing in this section shall limit or prohibit the school system from taking disciplinary  
4 action against a whistleblower as a result of the whistleblower's misconduct that may be  
5 revealed, discovered, or uncovered as a result of a report or an attempted report of an ethics  
6 violation.

7 **SECTION 3-108.**

8 Code of ethics oath.

9 At the first regular meeting of the Board in January following each regular election, each  
10 Board member will read and sign the following code of ethics:

11 "As a Member of the Atlanta Board of Education, I will strive to improve public education,  
12 and to that end I will:

- 13 (1) Make decisions based on what is best for students in all cases;
- 14 (2) Recognize that authority rests with the Board as a whole and make no personal  
15 promises or take any independent action that might compromise the Board as a whole;
- 16 (3) Maintain honest, equitable, and professional relationships with fellow Board  
17 members;
- 18 (4) Observe local, state, and federal laws, policies, rules, and regulations;
- 19 (5) Base my decisions upon all available facts, vote my convictions in every case, remain  
20 unswayed by bias of any kind, and uphold the majority decision of the Board once a  
21 decision is made;
- 22 (6) Vote in accordance with what is best for the district as a whole;
- 23 (7) Maintain the confidentiality of privileged information, including statements made in  
24 any executive session of the Board;
- 25 (8) Focus on the Board's role of policymaking and evaluation and not become involved  
26 in the day-to-day operations of the school system;
- 27 (9) Support cooperation between the school system and the community;
- 28 (10) Refer complaints, comments, and criticism to the superintendent and not to other  
29 staff unless otherwise provided by law;
- 30 (11) Support school system staff in the proper performance of their duties;
- 31 (12) Communicate the reaction of the community and other key stakeholders to Board  
32 policies to other Board members and the superintendent;
- 33 (13) Disclose by December 31 of each year through a written report to be maintained by  
34 the executive assistant for public inspection the source, nature, and amount of any income  
35 or other item of value received by me or any immediate relative, directly or indirectly,

1 from the school system itself, any employee of the school system, or any entity doing or  
 2 seeking to do business with the school system; and

3 (14) Provide full documentation in the form of receipts or other evidence of payment in  
 4 accordance with accepted accounting practices or a daily mileage log for any expense for  
 5 which reimbursement is requested from the school system.

6 Furthermore, I understand that I will be removed from the Board if the Ethics Commission  
 7 finds that I have:

8 (1) Breached the confidentiality of privileged information, including statements made  
 9 in an executive session of the Board;

10 (2) Violated local, state, and federal laws, policies, rules, and regulations regarding fraud  
 11 and fraudulent activities;

12 (3) Become engaged in conflicts of interest;

13 (4) Used school system contacts and privileges to promote partisan politics or sectarian  
 14 religious views;

15 (5) Voted on or influenced in any way a decision or action by the Board or school system  
 16 employee that directly affects me or any of my relatives;

17 (6) Discussed or otherwise communicated with vendors, individuals, or groups who are  
 18 soliciting business from the school system regarding the subject of the solicitation or any  
 19 matter related to the solicitation once the solicitation is issued by the school system until  
 20 such time as the Board has rendered a decision on the solicitation; and

21 (7) Consistently, intentionally, and willfully violated the procedures, norms, rules, or  
 22 regulations regarding the prohibition against involvement in the day-to-day operation of  
 23 the school system.

24 For the purposes of this statement, the term 'relative' is as defined in Section 3-101 of the  
 25 Act reorganizing the Atlanta Board of Education.

26 Member signature: \_\_\_\_\_

27 Date: \_\_\_\_\_".

## 1 ARTICLE IV

## 2 REVENUE AND FINANCE

## 3 Chapter 1

## 4 General Provisions

5 **SECTION 4-101.**

## 6 Chief financial officer.

7 (a) A chief financial officer for the system shall be appointed and, if necessary, removed by  
8 the superintendent with the advice and consent of the Board. Such appointment of the chief  
9 financial officer may be by a contract authorized by the Board.

10 (b) The chief financial officer shall immediately report to the superintendent and to the  
11 Board any financial irregularities or other financial matters that may violate Board policy or  
12 state or federal laws, or that may subject the school system to a loss of state or federal funds  
13 or a loss of its eligibility to receive such funds. The chief financial officer shall cooperate  
14 with the internal auditor, providing requested information in a timely manner.

15 (c) Any person appointed chief financial officer shall give bond in an amount fixed and paid  
16 by the Board. The bond shall be made payable to the school system and shall be conditioned  
17 upon faithful and true accounting for all public and other funds and all property coming into  
18 such chief financial officer's custody, control, care, or possession.

19 (d) The chief financial officer shall have at least ten years' progressive experience in the  
20 management of fiscal operations or public finances, with demonstrated administrative or  
21 managerial experience in a public agency or the private sector. The number of years'  
22 experience required in this subsection may be waived by the Board upon a three-fourths' vote  
23 of its membership.

24 (e) Within six months of the commencement of the term and during the remainder of his or  
25 her term of employment, the chief financial officer shall be a resident of the City of Atlanta.

26 (f) The chief financial officer shall audit and approve all demands or claims presented to him  
27 or her for payment. Prior to the approval of any demand or claim, the chief financial officer  
28 shall be entitled to require evidence that the amount of the demand or claim is justly due. For  
29 such purposes, the chief financial officer may summon before him or her any officer or  
30 employee of the school system or other person or make an inspection of any service, labor,  
31 material, supplies, or equipment related to a demand or claim. If, in his or her opinion, any  
32 demand or claim is not a legal demand or claim, he or she shall withhold approval of the  
33 same and file such demand, together with his or her action thereon and the reasons therefor,  
34 with the Board for instructions thereon.

**SECTION 4-102.**

## Internal audit function.

(a) The Board shall establish an internal audit function that falls under the supervision of an internal auditor. The internal auditor may be either an individual employed by the Board or the account manager of a firm hired by the Board. Such appointment of the internal auditor may be by a contract authorized by the Board. The internal auditor shall be directed by the chairperson of the budget commission.

(b) The internal auditor shall be a certified internal auditor or a certified public accountant, demonstrating at least ten years' experience in public financial and fiscal practices, performance and financial auditing, and municipal accounting.

(c) The internal auditor need not be a resident of the city at the time of his or her appointment, but he or she shall reside in the city within six months of such appointment and continue to reside therein throughout such appointment.

(d) The internal auditor shall not be involved in partisan political activities or the political affairs of the school system.

(e) Within the budget approval process and established personnel policies for all departments, the internal auditor shall, with Board approval, have the power to appoint, employ, and remove such assistants, employees, and personnel as he or she may deem necessary for the efficient and effective administration of the office.

(f) The internal auditor will be charged with, but not be limited to, the following duties and responsibilities:

(1) To conduct performance and financial audits of the school system and its departments, offices, and activities in order to determine independently whether:

(A) Activities and programs being implemented have been authorized by the Board, state law, or applicable federal law or regulations and the activities and programs are being conducted and funds expended in compliance with applicable laws;

(B) The department, office, or agency is acquiring, managing, protecting, and using its resources, including public funds, personnel, property, equipment, and space, economically, efficiently, and effectively and in a manner consistent with the objectives intended by the authorizing entity or enabling legislation;

(C) The organization, programs, activities, functions, or policies are effective, including the identification of any causes of inefficiencies or uneconomical practices, such as inadequacies in management information systems, internal and administrative procedures, organization structure, use of resources, allocation of personnel, purchasing policies, and equipment;

(D) The desired results or benefits are being achieved;

- 1 (E) Financial and other reports are being provided that disclose fairly, accurately, and  
2 fully all information that is required by law, that is necessary to ascertain the nature and  
3 scope of programs and activities, and that is necessary to establish a proper basis for  
4 evaluating the results of programs and activities including the collection of, accounting  
5 for, and depositing of revenues and other resources;
- 6 (F) Management has established adequate operating and administrative procedures and  
7 practices, systems, or accounting internal control systems and internal management  
8 controls; and
- 9 (G) Indications of fraud or abuse or illegal acts are present. If fraud or abuse by a  
10 Board member is present, the matter shall be put before the Ethics Commission;
- 11 (2) To submit an annual report to the Board indicating audits completed, major findings,  
12 corrective actions taken by administrative managers, and significant findings which have  
13 not been fully addressed by management; and
- 14 (3) To perform such other duties and responsibilities as provided for by this Act or  
15 directed by the Board.
- 16 (g) All officers and employees shall allow the internal auditor immediate access to any and  
17 all books, records, documents, and other requested information, including automated data,  
18 pertaining to the business of the school system and within their custody regarding powers,  
19 duties, activities, organization, property, financial transactions, contracts, and methods of  
20 business required to conduct an audit or other official duties. In addition, such officers and  
21 employees shall provide access for the auditor to inspect all property, equipment, and  
22 facilities within their custody. Further, all contracts with outside contractors and  
23 subcontractors shall provide for the auditor's access to all financial and performance related  
24 records, property, and equipment purchased in whole or in part with system funds and  
25 facilities.
- 26 (h) The internal auditor shall present any confidential information to the Board during  
27 regularly scheduled closed executive sessions.
- 28 (i) The internal auditor shall not publicly disclose any information received during an audit  
29 that is confidential in accordance with any local, state, or federal law or regulation.
- 30 (j) Any reports issued by the internal auditor shall be made available for public inspection  
31 or copying at a reasonable cost.

**SECTION 4-103.**

Taxation for educational purposes.

(a) Each year the Board shall certify in writing to the Atlanta City Council a school tax, in the amount of a millage rate as determined by the Board, for the support and maintenance of the school system. In addition, the Board shall provide the council with a certified copy of its approved budget related to the requested school tax and minutes of any Board meeting approving or establishing the millage rate signed by the chairperson and executive assistant. Upon the filing of the request and budget, the council shall assess, levy, and cause to be collected a school tax at the millage rate as determined by the Board upon the assessed value of all taxable property with the city.

(b) A summary of the millage rate determined by the Board in the current and each of the four preceding years, including any clarifications that may be needed for full disclosure, shall be published in one or more newspapers of general circulation within the city and sent to the grand juries of Fulton County and DeKalb County then in session, the Atlanta-Fulton Public Library, and the state auditor.

**SECTION 4-104.**

Transmittal of taxes and other funds to the Board.

(a) Tax commissioner. In accordance with state law, the applicable tax commissioner shall transmit to the Board any and all ad valorem taxes assessed and collected on behalf of the city for the support and maintenance of public education, less any costs related to the tax assessment and collection and the amount of any interest and sinking fund charges on outstanding general obligation bonds.

(b) City of Atlanta. The City of Atlanta shall remit to the Board any funds received for the school system; such funds shall be used to maintain and expand the public school system.

**SECTION 4-105.**

Loans for operating expenses.

(a) The Board may obtain loans for operating expenses in accordance with the laws of the state.

(b) The Board may request the Atlanta City Council to negotiate loans to supply deficiencies in yearly operating expenses of the school system, during any year, in such amounts as may be determined by the Board. However, any such loan requested by the Board and negotiated by the city shall not exceed 75 percent of the anticipated tax revenue for the year levied for

1 educational purposes. In lieu of borrowing money on behalf of the Board, the city may  
2 advance to the Board such amounts as may be required for such purposes.

3 (c) The Board shall provide for a sum sufficient to repay the loans or advances of moneys  
4 made by the city, together with the interest thereon, to be deducted from ad valorem taxes  
5 levied and collected for educational purposes during the year in which the loan was  
6 negotiated or an advance of moneys was made by the city.

7 (d) In order for the Board to obtain a loan or an advance as provided in this section, the  
8 Board shall pass a resolution authorizing the money to be borrowed or advanced by the city,  
9 in which resolution shall be stated the amount of money to be borrowed or advanced, the  
10 length of time it is to be used, for what purpose borrowed, and from whom it is to be  
11 borrowed, which resolution shall be recorded on the minutes of the meetings of the Board.

12 **SECTION 4-106.**

13 Independent audit.

14 (a) The Board shall cause an annual independent audit to be conducted of the books,  
15 accounts, records, fiscal procedures, and other evidences of financial transactions of the City  
16 of Atlanta school system, including its offices, departments, and other agencies. The audit  
17 shall be made by a certified public accountant or certified public accounting firm whose  
18 members have no pecuniary, financial, or personal interest, directly or indirectly, in the fiscal  
19 affairs of the school system or any other governmental agency of the city.

20 (b) The audit may be conducted on a quarterly or continuing basis and shall be completed  
21 no later than six months after the close of the fiscal year.

22 (c) The audit, and the opinions and recommendations of those conducting such audit, shall  
23 be available to the public at actual printing cost, provided a copy shall be kept available in  
24 the offices of the Board and the superintendent for inspection by any citizen upon request.

25 (d) A special audit or examination of any office, department, or other agency of the school  
26 system may be ordered by the Board at any time.

27 (e) A summary of the financial statement from the audit or audits shall be published in one  
28 or more newspapers of general circulation within the city and sent to the grand juries of  
29 Fulton County and DeKalb County then in session, the Atlanta-Fulton Public Library, and  
30 the state auditor.

**SECTION 4-107.**

Additional sources of revenue.

In the event any additional sources of revenue shall be authorized by law for educational purposes, the Board shall have the power, as the case may be, to recommend or provide for the lawful collection and appropriation of such revenues for use by the school system.

## Chapter 2

## Budget

**SECTION 4-201.**

Budget commission; duties; fiscal year; preparation of budget.

(a) Budget commission. There shall be a budget commission of the Board consisting of the chairperson of the Board, a member of the Board appointed by the chairperson of the Board to serve as the chairperson of the commission, and two other members of the Board. Every year, the two members of the Board shall be nominated by the chairperson and confirmed by the members of the Board. The chief financial officer and superintendent shall serve as ex officio members of the budget commission.

(b) Duties of budget commission. The budget commission shall:

(1) Annually prepare and file with the Board for submission to the superintendent the anticipated revenues for the school system, provided that such anticipated revenue shall not include more than 99 percent of the normal revenues collected during the previous fiscal or calendar year, with appropriate adjustments for changes in the property digest, the millage rate, and any contractual agreement with the city. The anticipated revenues shall include also the amount of funds reasonably expected from the state, taking into consideration any projected changes in student enrollment, as well as any other definable and expected sources of general revenue. However, the budget shall reflect all anticipated revenues from each source, shall designate all of such anticipated revenues among the several funds or accounts of the system, and shall not leave any anticipated revenues undesignated. The term "normal revenues" shall include recurring income but not proceeds from the sale of real estate or from insurance thereon or from other nonrecurring sources of revenue. When such anticipated revenues have been filed, they shall be binding upon the Board without any further action;

(2) Allocate a sum sufficient to provide for debt service, including a sinking fund and interest on bond indebtedness, and any other appropriations required by law, which sum shall not be diverted to any other purpose;

1 (3) Immediately adjust the anticipated revenues to account for decreased revenues in the  
2 event the income of the school system should be decreased by law, either by an Act of  
3 the General Assembly or action of the Board. In the event of a change in the millage rate  
4 or other changes in state or local law, the budget commission may revise the budgeted  
5 anticipated revenues accordingly; and

6 (4) Before appropriating any other sum for any purpose other than the interest and  
7 sinking fund on bonded indebtedness, to lower its estimate of anticipated revenues to  
8 immediately discharge any deficit which has accrued during the preceding year if, at any  
9 time during any year, the expenditures exceed the revenues collected and a deficit results.

10 (c) Powers of budget commission. In the event the Board receives more money, income, or  
11 revenue from any extraordinary source, either by the sale of real property, gift, grant, or  
12 otherwise, which has not been considered in the preparation of the anticipated revenues or  
13 other normal revenue in excess of appropriations, the Board may immediately allocate such  
14 increased revenue for lawful purposes. However, during the preparation of the budget for  
15 the next year, no such extraordinary revenue shall be considered as part of the normal  
16 revenue of the Board.

17 (d) Fiscal year. The fiscal year shall begin and end as provided by law.

18 (e) Preparation of budget. The superintendent shall prepare a proposed budget for review  
19 by the Board and the public. In doing so, the superintendent shall obtain or cause to be  
20 obtained from the chief financial officer and the various subordinate officers of the school  
21 system estimates of expenditures for matters within their jurisdiction in sufficient detail to  
22 prepare a program budget based on performance standards and other supporting data as may  
23 be necessary and proper. The proposed budget shall provide a complete financial plan for  
24 all operations of the school system and shall be based on performance standards.

#### 25 **SECTION 4-202.**

#### 26 Distribution, filing, and publication of budget.

27 The proposed budget and all supporting data shall be filed in the offices of the superintendent  
28 and the chief financial officer, and shall be open to inspection by the public. Copies of the  
29 proposed budget and supporting data shall be made available to the public at the actual cost  
30 of duplication.

**SECTION 4-203.**

Budget hearings; adoption; publication; certification.

1  
2  
3 The Board shall hold at least one public hearing to receive public input on the proposed  
4 budget. Following such hearing, the Board may review and revise the proposed budget and  
5 shall tentatively adopt a budget for the fiscal year. After its tentative adoption, a budget  
6 summary shall be advertised for two consecutive weeks prior to its final adoption in a  
7 newspaper of general circulation in the city, and a copy of the tentatively adopted budget as  
8 certified by the budget commission shall be filed in the offices of the superintendent and  
9 chief financial officer. At its next regular meeting or special meeting, the Board shall review  
10 the tentatively adopted budget, make any necessary changes, and adopt a final budget. A  
11 copy of the budget as finally adopted shall be submitted to the grand juries of Fulton County  
12 and DeKalb County then in session, the council of the City of Atlanta, the Atlanta-Fulton  
13 Public Library, and the state auditor.

**SECTION 4-204.**

Budgetary changes.

14  
15  
16 After the final adoption of a budget for a fiscal year by the Board, the budget shall not be  
17 changed except in the manner provided in this Act. Any action to revise the budget shall be  
18 taken at a regular meeting. The Board shall not transfer or reallocate outstanding obligations  
19 for any other purpose or purposes until such obligations are paid, but it may transfer and  
20 reallocate all other funds lawfully anticipated. Should anticipated revenue be changed by law  
21 or by a change in the millage rate or in the assessed value of property subject to taxation or  
22 by increased or decreased receipts from the state or other revenue sources, the budget  
23 commission shall, within a period of 15 days after receipt of such information, certify to the  
24 Board the revised amount of the anticipated revenues for the balance of the fiscal year. At  
25 its next regular meeting after receiving the revised amount, the Board shall adjust the  
26 anticipated revenues accordingly and revise the budget in accordance with the recommended  
27 changes.

**SECTION 4-205.**

Unlawful obligations void.

28  
29  
30 The Board shall incur no obligation in excess of the annual budget and such other special  
31 appropriations as may be lawfully made and shall incur no liability except as authorized by

1 such budget or appropriation. Any such liabilities attempted to be incurred shall be void in  
2 law and equity.

3 **ARTICLE V**

4 **PERSONNEL**

5 **SECTION 5-101.**

6 Civil service.

7 (a) The Board may establish a system of civil service. If such a system is established, the  
8 system shall cover all full-time noncertificated employees of the school system except  
9 administrators at or above the pay level of coordinators, confidential employees within the  
10 law department, and other personnel as determined by the Board.

11 (b) The Board may adopt by resolution civil service rules and regulations to govern the  
12 classification of positions; the duration of eligibility lists; the manner and method of  
13 publicizing vacancies and employing, appointing, and dismissing personnel; the terms,  
14 conditions, and benefits of employment; retirement policies; disciplinary actions and  
15 grievance procedures; layoffs; and any other measures that promote the hiring and retaining  
16 of capable, diligent, honest career employees, provided that said rules and regulations shall  
17 be uniform throughout the system.

18 **SECTION 5-102.**

19 Discrimination prohibited.

20 It shall be the policy of the school system that all personnel matters shall be determined  
21 solely on the basis of merit and qualification, without respect to race, color, creed, religion,  
22 sex, sexual orientation, national origin, age, disability, or political affiliation.

23 **SECTION 5-103.**

24 Civil service commission.

25 (a) Established; appointment; removal. The Board may establish a civil service commission.  
26 If such a civil service commission is established, it shall consist of five members appointed  
27 by the Board. Each member of the commission shall be a resident of the city at the time, and  
28 during the term, of appointment. The term of office of members shall be for four years and  
29 shall be staggered by the Board. Vacancies on the commission for whatever cause shall be  
30 filled by the Board for the unexpired term. Any member may be removed from office for

- 1 cause by a majority vote of Board members. The Board may provide by resolution for the  
2 reimbursement of actual and necessary expenses incurred by members.
- 3 (b) Powers and duties. The civil service commission shall:
- 4 (1) Make such rules and regulations as necessary for the proper conduct of its business;
  - 5 (2) Hear and determine appeals initiated by employees charged with violations of the  
6 civil service rules and regulations adopted by the Board, provided that the Board may  
7 review and overrule a decision of the commission in accordance with procedures adopted  
8 by the Board;
  - 9 (3) Hear and determine the grievance of any person covered by the civil service rules and  
10 regulations of the school system concerning any action taken in the administration of  
11 such rules and regulations which pertains to his or her employment or employment rights,  
12 provided the Board may review and overrule a decision of the commission in accordance  
13 with procedures adopted by the Board;
  - 14 (4) Review and recommend amendments to the civil service rules and regulations of the  
15 school system;
  - 16 (5) Conduct investigations on its own motion or as requested by the Board or  
17 superintendent and report any findings to the Board and superintendent;
  - 18 (6) Keep minutes of its meetings and such other records as necessary;
  - 19 (7) Hear any matter referred by the Board;
  - 20 (8) Perform such other duties and responsibilities as shall be authorized by the Board or  
21 by law; and
  - 22 (9) Subpoena and require the attendance of witnesses and the production of books,  
23 papers, or other evidence pertinent to the appeal, hearing, or investigation and administer  
24 oaths to such witnesses.
- 25 (c) Meetings. The commission shall hold meetings as needed to perform its duties but shall  
26 not meet less than once quarterly. Any meetings of the commission shall be held in the  
27 central offices of the school system.
- 28 (d) Adjunct members. The Board may appoint up to five persons to serve as adjunct  
29 members of the commission and perform such duties of the commission in the absence of a  
30 member or the lack of a quorum of the regularly appointed members.
- 31 (e) Board's review of commission action. The Board may establish further procedures  
32 whereby a decision of the commission may be reviewed by the Board before the same shall  
33 be deemed final and binding.

**SECTION 5-104.**

Credit preference for employment purposes.

The Board may adopt by resolution a credit preference for residents of the city on their examination scores for employment as noncertificated employees with the school system.

**ARTICLE VI****GENERAL PROVISIONS****SECTION 6-101.**

Continuance of officers and employees.

The current terms of office of all elected and appointed officials and officers of the Atlanta school system and its agencies, serving on the effective date of this Act, shall not be diminished and shall continue in full force and effect.

**SECTION 6-102.**

Existing rules and regulations continued in effect.

Existing rules and regulations of the Atlanta Board of Education and the Atlanta Independent School System, and departments and agencies thereof, not inconsistent with the provisions of this Act, shall be effective until they have been repealed, modified, or amended.

**SECTION 6-103.**

Pending matters.

All contracts, orders, leases, bonds, and other obligations or instruments entered into by the Atlanta Board of Education for the benefit of the Atlanta Independent School System prior to the effective date of this Act shall continue in effect according to the terms thereof.

**SECTION 6-104.**

Existing rights and interests.

(a) Any rights or interests, public or private, vested in whole or in part on the effective date of this Act, whose validity might be sustained or preserved by reference to any provisions of law repealed by this Act, shall not be affected by this Act. This subsection shall not apply to any right or interest in any elective public office not conferred by this Act.

1 (b) Any rights or interests, public or private, derived from, or which might be sustained or  
2 preserved in reliance upon, action taken pursuant to or within the scope of any provision of  
3 law repealed by this Act, shall not be affected by this Act.

4 (c) Members of the Atlanta Board of Education shall receive as their annual salaries such  
5 amounts being received as of the effective date of this Act, until such amounts are changed  
6 in accordance with the provisions of this Act.

7 **SECTION 6-105.**

8 Construction.

9 (a) The captions to the several sections of this Act are informative only and are not to be  
10 construed as a part thereof.

11 (b) The word "shall" is mandatory and the word "may" is permissive.

12 (c) The singular shall include the plural, the masculine shall include the feminine, and vice  
13 versa.

14 **SECTION 6-106.**

15 Specific repealer.

16 An Act to reorganize the Board of Education of the City of Atlanta, approved April 9, 1996  
17 (Ga. Laws 1996, p. 4371), and any amendatory Acts thereto are hereby repealed in their  
18 entirety.

19 **SECTION 6-107.**

20 Severability.

21 If any article, section, subsection, paragraph, sentence, or part thereof of this Act, or the  
22 application thereof to any person or circumstance, should be declared invalid for any reason  
23 whatsoever, such decision shall not affect or impair the remaining portions of this Act, unless  
24 it clearly appears that such other parts are wholly and necessarily dependent upon the part  
25 held invalid, and to this end, the provisions of this Act and the applications thereof are hereby  
26 declared to be severable.



## 1 APPENDIX I

2 The board of education districts of the City of Atlanta shall each consist of the following  
3 described territory of the Atlanta Independent School System:

4 Plan Name: atlplan11sb Plan Type: LOCAL User: Gina Administrator: ATLANTA-CITY

5 District 001

6 Fulton County

7 Tract: 10

8 BG: 2

9 BG: 3

10 BG: 4

11 4000 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011

12 4012 4013 4014 4015 4018 4024 4025 4026 4027

13 BG: 5

14 Tract: 12

15 BG: 3

16 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013

17 3014 3015 3016 3017 3025 3026 3027 3028 3029

18 BG: 4

19 4003 4004 4005 4006 4007 4008 4009 4010

20 BG: 5

21 5003 5004 5005 5006 5007 5008 5009 5010 5011 5012 5013

22 Tract: 13

23 BG: 1

24 1012 1013 1014 1015 1016 1017

25 Tract: 14

26 BG: 1

27 1014 1015 1016 1017

28 Tract: 15

29 BG: 5

30 Tract: 16

31 Tract: 17

32 Tract: 18

33 Tract: 19

34 Tract: 21

1 Tract: 26  
 2 BG: 1  
 3 1000  
 4 Tract: 27  
 5 BG: 1  
 6 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 7 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 8 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035  
 9 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1057 1058  
 10 1059 1060 1061 1062 1063 1064 1065  
 11 Tract: 28  
 12 Tract: 29  
 13 Tract: 30  
 14 Tract: 33  
 15 BG: 1  
 16 1000 1001 1002 1003 1004 1005 1006 1011 1015 1016  
 17 BG: 3  
 18 3000  
 19 Tract: 35  
 20 BG: 1  
 21 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019  
 22 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031  
 23 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043  
 24 1044 1045 1046 1047 1048 1049 1050 1051 1052 1066 1067 1068  
 25 1069 1070 1071 1072 1073 1074 1075 1076 1077 1078 1079 1080  
 26 1081 1082 1083 1084 1085 1086 1087 1088 1089 1090 1091 1092  
 27 1093  
 28 Tract: 46  
 29 BG: 1  
 30 1000 1001 1002 1003 1004 1005 1017 1018 1019 1020 1021 1022  
 31 1023  
 32 Tract: 49  
 33 Tract: 5  
 34 BG: 1  
 35 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043  
 36 1044 1045 1046 1047 1048 1049 1050  
 37 BG: 2

1 2009 2010 2011 2012 2013 2014 2015  
 2 Tract: 50  
 3 BG: 1  
 4 1006 1007 1008 1009 1010 1011 1012 1021 1022 1023 1024 1026  
 5 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038  
 6 1039 1040 1041 1042 1043  
 7 Tract: 52  
 8 BG: 1  
 9 1011 1016 1017 1018 1019 1020 1021 1022 1023  
 10 BG: 3  
 11 BG: 5  
 12 Tract: 53  
 13 Tract: 55.01  
 14 Tract: 55.02  
 15 Tract: 56  
 16 BG: 1  
 17 BG: 4  
 18 4000 4001 4008 4011 4012 4013 4014 4015 4016 4017 4018 4019  
 19 Tract: 6  
 20 BG: 1  
 21 1038 1039 1040 1047 1048 1049  
 22 Tract: 64  
 23 Tract: 67  
 24 BG: 1  
 25 BG: 5  
 26 5000 5001 5002 5003 5004 5026 5027  
 27 Tract: 68.01  
 28 Tract: 68.02  
 29 Tract: 69  
 30 Tract: 70.01  
 31 BG: 4  
 32 4000 4001 4002 4003 4004 4005 4006 4007 4010 4011  
 33 Tract: 70.02  
 34 Tract: 71  
  
 35 District 002

- 1 Fulton County
- 2 Tract: 10
- 3 BG: 4
- 4 4016 4017 4019 4020 4021 4022 4023
- 5 Tract: 22
- 6 Tract: 23
- 7 Tract: 24
- 8 Tract: 25
- 9 Tract: 26
- 10 BG: 1
- 11 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012
- 12 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
- 13 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036
- 14 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048
- 15 1049 1050 1051 1052 1053 1054 1055
- 16 Tract: 36
- 17 Tract: 37
- 18 Tract: 38
- 19 Tract: 39
- 20 Tract: 40
- 21 Tract: 41
- 22 Tract: 42
- 23 Tract: 43
- 24 Tract: 44
- 25 Tract: 46
- 26 BG: 1
- 27 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1024
- 28 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036
- 29 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048
- 30 1049 1050 1051
- 31 Tract: 56
- 32 BG: 4
- 33 4002 4003 4004 4005 4006 4007 4009 4010
- 34 Tract: 57
- 35 Tract: 58
- 36 Tract: 6
- 37 BG: 1

1 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 2 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 3 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035  
 4 1036 1037 1041 1042 1043 1044 1045 1046 1050 1051 1052 1053  
 5 1054 1055 1056  
 6 Tract: 60  
 7 BG: 4  
 8 Tract: 61  
 9 BG: 1  
 10 BG: 2  
 11 BG: 3  
 12 BG: 4  
 13 4000 4005 4006 4007 4008  
 14 Tract: 62  
 15 Tract: 63  
 16 Tract: 66.02  
 17 Tract: 7  
 18 Tract: 8  
 19 Tract: 80  
 20 BG: 1  
 21 BG: 2  
 22 BG: 3  
 23 Tract: 83.01  
 24 Tract: 83.02  
 25 Tract: 84  
 26 Tract: 85  
 27 BG: 1  
 28 BG: 2  
 29 2000 2001 2002 2003 2004 2005 2008 2009 2010 2011 2012 2013  
 30 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024  
 31 BG: 3  
 32 3015 3016 3019 3020 3021 3022 3023 3024 3025  
 33 Tract: 88  
 34 BG: 1  
 35 1048 1050

- 1 District 003
- 2 DeKalb County
- 3 Tract: 201
- 4 BG: 1
- 5 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
- 6 1012 1015 1016 1017 1018 1019 1020 1021 1023 1024 1025 1029
- 7 1030 1031
- 8 Tract: 202
- 9 Tract: 203
- 10 Tract: 204
- 11 Tract: 205
- 12 Tract: 206
- 13 Tract: 207
- 14 Tract: 208.01
- 15 Tract: 208.02
- 16 Tract: 209
- 17 Tract: 224.01
- 18 BG: 2
- 19 2007
- 20 Tract: 224.03
- 21 BG: 3
- 22 3015
- 23 Tract: 225
- 24 BG: 4
- 25 4022
  
- 26 Fulton County
- 27 Tract: 1
- 28 Tract: 11
- 29 Tract: 12
- 30 BG: 3
- 31 3000 3001 3018 3019 3020 3021 3022 3023 3024 3030 3031 3032
- 32 BG: 4
- 33 4000 4001 4002 4011
- 34 BG: 5
- 35 5000 5001 5002
- 36 Tract: 13

1 BG: 1  
 2 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 3 BG: 2  
 4 BG: 3  
 5 Tract: 14  
 6 BG: 1  
 7 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 8 1012 1013  
 9 Tract: 15  
 10 BG: 1  
 11 BG: 3  
 12 BG: 4  
 13 Tract: 2  
 14 Tract: 27  
 15 BG: 1  
 16 1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1066  
 17 1067 1068 1069 1070 1071 1072 1073 1074 1075  
 18 Tract: 31  
 19 Tract: 32  
 20 Tract: 33  
 21 BG: 1  
 22 1007 1008 1009 1010 1012 1013 1014  
 23 BG: 3  
 24 3001 3002 3003 3004 3005 3006 3007  
 25 BG: 4  
 26 Tract: 35  
 27 BG: 1  
 28 1000 1001 1002 1003 1004 1005 1006 1007 1053 1054 1055 1056  
 29 1057 1058 1059 1060 1061 1062 1063 1064 1065  
 30 Tract: 4  
 31 Tract: 48  
 32 Tract: 5  
 33 BG: 1  
 34 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 35 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 36 1024 1025 1026 1027 1028 1029 1030 1031  
 37 BG: 2

1 2000 2001 2002 2003 2004 2005 2006 2007 2008 2016 2017 2018  
 2 2019 2020 2021 2022  
 3 Tract: 50  
 4 BG: 1  
 5 1000 1001 1002 1003 1004 1005 1013 1014 1015 1016 1017 1018  
 6 1019 1020 1025  
 7 Tract: 52  
 8 BG: 1  
 9 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1012  
 10 1013 1014 1015  
 11 Tract: 92  
 12 BG: 1  
 13 BG: 2  
 14 BG: 3  
 15 3013 3014 3023 3024 3025 3026 3027 3028 3029 3030 3031 3032  
 16 3033 3034 3035

17 District 004  
 18 Fulton County  
 19 Tract: 100  
 20 BG: 1  
 21 1008 1009 1010 1011 1013 1014 1015 1016 1017 1018 1019 1020  
 22 1021 1022 1023 1024 1025 1999  
 23 BG: 2  
 24 BG: 3  
 25 BG: 4  
 26 4004 4005 4006 4008 4009 4010 4011 4012 4013 4014 4015 4016  
 27 4017 4018 4019 4020 4021 4022 4023 4024 4025 4026 4027 4028  
 28 4029 4030 4031 4032 4033  
 29 Tract: 101.01  
 30 BG: 1  
 31 1035 1036  
 32 Tract: 102.06  
 33 BG: 4  
 34 4018 4019 4020 4023  
 35 Tract: 102.07

1 BG: 3  
 2 3002 3003 3004 3006 3007 3008 3009 3011 3012 3013 3014  
 3 BG: 4  
 4 4010 4012 4013 4021 4022 4023 4025 4026 4997 4998  
 5 Tract: 89.02  
 6 BG: 1  
 7 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 8 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 9 1024 1025 1026 1027 1028 1029 1030 1031 1032 1039  
 10 BG: 4  
 11 4000 4018 4019 4020 4021  
 12 Tract: 90  
 13 BG: 1  
 14 BG: 2  
 15 BG: 3  
 16 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011  
 17 3012 3013 3014 3015 3016  
 18 Tract: 91  
 19 Tract: 92  
 20 BG: 3  
 21 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011  
 22 3012 3015 3016 3017 3018 3019 3020 3021 3022  
 23 Tract: 93  
 24 Tract: 94.01  
 25 Tract: 94.02  
 26 Tract: 95  
 27 Tract: 96  
 28 Tract: 97  
 29 BG: 1  
 30 BG: 2  
 31 BG: 3  
 32 3000 3001 3002 3003 3004 3005 3006 3007 3008 3010 3011 3012  
 33 3013 3014 3015 3016 3017 3018 3019 3999  
 34 Tract: 98  
 35 BG: 1  
 36 1000 1001 1002 1005 1007 1008 1009 1010 1011 1012 1013 1014  
 37 1015 1016 1017 1018 1019 1020 1021 1022 1023 1995 1996 1997

- 1 1998 1999
- 2 BG: 2
- 3 BG: 3
- 4 BG: 4
- 5 Tract: 99
  
- 6 District 005
- 7 Fulton County
- 8 Tract: 60
- 9 BG: 1
- 10 BG: 2
- 11 BG: 3
- 12 Tract: 61
- 13 BG: 4
- 14 4001 4002 4003 4004 4009 4010 4011 4012 4013
- 15 Tract: 78.05
- 16 BG: 1
- 17 1000 1006 1007 1024 1025 1026 1032
- 18 BG: 2
- 19 2016 2017 2018 2025 2026 2027 2028 2029 2030 2034
- 20 Tract: 78.06
- 21 BG: 1
- 22 BG: 2
- 23 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
- 24 2012 2015 2019 2020 2021 2022 2023 2024 2025 2026 2027 2999
- 25 Tract: 78.07
- 26 Tract: 78.08
- 27 Tract: 79
- 28 BG: 1
- 29 1000 1001 1002 1003 1004 1005 1006 1011 1014
- 30 BG: 2
- 31 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2014
- 32 BG: 3
- 33 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
- 34 3012 3013 3014 3015 3016 3017 3018 3019 3020 3023 3024 3025
- 35 3030 3031 3032 3033 3034 3035 3036
- 36 Tract: 81.02

1 Tract: 82.01  
 2 Tract: 82.02  
 3 BG: 1  
 4 BG: 2  
 5 BG: 3  
 6 BG: 4  
 7 4000 4003 4005 4006 4999  
 8 Tract: 85  
 9 BG: 2  
 10 2006 2007  
 11 BG: 3  
 12 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011  
 13 3012 3013 3014 3017 3018  
 14 BG: 4  
 15 Tract: 86.01  
 16 Tract: 86.02  
 17 Tract: 87.01  
 18 Tract: 87.02  
 19 Tract: 88  
 20 BG: 1  
 21 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011  
 22 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023  
 23 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035  
 24 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047  
 25 1049 1999  
 26 BG: 3  
 27 Tract: 89.01  
 28 Tract: 89.02  
 29 BG: 1  
 30 1033 1034 1035 1036 1037 1038  
 31 BG: 3  
 32 BG: 4  
 33 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012  
 34 4013 4014 4015 4016 4017  
 35 Tract: 90  
 36 BG: 3  
 37 3017

1 Tract: 97  
 2 BG: 3  
 3 3009  
  
 4 District 006  
 5 Fulton County  
 6 Tract: 103.03  
 7 BG: 1  
 8 1000 1001 1002 1003 1014 1015 1016 1017 1018 1019 1020 1021  
 9 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033  
 10 1034 1035 1036 1037 1038  
 11 Tract: 103.04  
 12 BG: 5  
 13 5000 5001 5002  
 14 Tract: 108  
 15 BG: 5  
 16 5021 5023 5061 5064 5065  
 17 Tract: 110  
 18 BG: 1  
 19 1010  
 20 Tract: 112.01  
 21 BG: 4  
 22 4002 4003  
 23 Tract: 113.01  
 24 BG: 1  
 25 1000 1002  
 26 BG: 5  
 27 5002 5003  
 28 BG: 6  
 29 6000  
 30 Tract: 65  
 31 Tract: 66.01  
 32 Tract: 67  
 33 BG: 5  
 34 5005 5006 5007 5008 5009 5010 5011 5012 5013 5014 5015 5016  
 35 5017 5018 5019 5020 5021 5022 5023 5024 5025 5999

- 1 BG: 7
- 2 Tract: 70.01
- 3 BG: 4
- 4 4008 4009
- 5 BG: 5
- 6 BG: 6
- 7 Tract: 72
- 8 Tract: 73
- 9 BG: 1
- 10 BG: 2
- 11 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
- 12 2012 2013 2014 2015 2016
- 13 BG: 3
- 14 Tract: 74
- 15 BG: 1
- 16 BG: 2
- 17 2000 2001 2002 2004 2005 2006 2007 2008 2009 2010
- 18 Tract: 75
- 19 BG: 1
- 20 BG: 2
- 21 2000 2001 2002 2003 2006 2007 2008 2009 2010 2013
- 22 BG: 3
- 23 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
- 24 BG: 5
- 25 5000 5001 5002 5003 5004 5006 5007
- 26 Tract: 76.01
- 27 BG: 1
- 28 BG: 2
- 29 2000 2001 2002 2003 2004 2005 2006 2007 2009
- 30 BG: 9
- 31 Tract: 76.02
- 32 Tract: 77.01
- 33 BG: 1
- 34 BG: 2
- 35 BG: 3
- 36 BG: 4
- 37 BG: 5

1 5000 5007 5008 5009 5010 5011 5012  
2 Tract: 77.02  
3 BG: 1  
4 1000 1001 1002 1003 1004 1005 1006 1007 1008 1012 1013  
5 BG: 2  
6 BG: 3  
7 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011  
8 3012 3013 3014 3015 3016 3017 3018 3019 3021 3022 3023 3024  
9 3025 3026 3027 3028 3029 3030  
10 BG: 4  
11 4000 4001 4002 4003 4004 4005 4006 4007 4009 4010 4015 4998  
12 4999  
13 Tract: 78.02  
14 BG: 1  
15 1011 1012 1015 1019 1020 1021 1022 1023 1024 1025 1026 1027  
16 1028 1029 1030 1031 1032 1039  
17 BG: 2  
18 2000 2003 2004 2005 2011 2012 2013 2014 2015  
19 BG: 3  
20 Tract: 79  
21 BG: 1  
22 1007 1008 1009 1010 1012 1013  
23 BG: 2  
24 2000 2001 2013  
25 Tract: 80  
26 BG: 4  
27 BG: 6  
28 Tract: 81.01