

ADOPTED

1 Senator Clay of the 37th offered the following amendment:

2 Amend SB 248 by adding at line 29 of page 14 a new Section 10:

3 "Said title is further amended by striking subsections (g) of Code Section 20-2-940, relating
4 to grounds and procedure for terminating or suspending employment contracts, and
5 inserting in their place new subsection (g) to read as follows:

6 ~~'(g) Superintendent's power to relieve from duty temporarily. The superintendent of a~~
7 ~~local school system may temporarily relieve from duty any teacher, principal, or other~~
8 ~~employee having a contract for a definite term for any reason specified in subsection (a)~~
9 ~~of this Code section, pending hearing by the local board in those cases where the charges~~
10 ~~are of such seriousness or other circumstances exist which indicate that such teacher or~~
11 ~~employee could not be permitted to continue to perform his duties pending hearing~~
12 ~~without danger of disruption or other serious harm to the school, its mission, pupils, or~~
13 ~~personnel. In any such case, the superintendent shall notify the teacher or employee in~~
14 ~~writing of such action, which notice shall state the grounds thereof and shall otherwise~~
15 ~~comply with the requirements of the notice set forth in subsection (b) of this Code~~
16 ~~section. Such action by the superintendent shall not extend for a period in excess of ten~~
17 ~~working days, and during such period it shall be the duty of the local board to conduct a~~
18 ~~hearing on the charges in the same manner provided for in subsections (e) and (f) of this~~
19 ~~Code section, except that notice of the time and place of hearing shall be given at least~~
20 ~~three days prior to the hearing. During the period that the teacher or other employee is~~
21 ~~relieved from duty prior to the decision of the local board, the teacher or employee shall~~
22 ~~be paid all sums to which he is otherwise entitled. If the hearing is delayed after the~~
23 ~~ten-day period as set out in this subsection at the request of the teacher or employee, then~~
24 ~~the teacher or employee shall not be paid beyond the ten-day period unless he is~~
25 ~~reinstated by the local board, in which case he shall receive all compensation to which~~
26 ~~he is otherwise entitled. Board or superintendent's power to relieve from duty~~
27 ~~temporarily. The local board or the superintendent of a local school system may~~
28 ~~temporarily relieve from duty with pay any employee having a contract for a definite term~~
29 ~~who may have committed an act that would be grounds for termination or other discipline~~
30 ~~as specified in this Code section. The superintendent may relieve from duty an employee~~
31 ~~until the next meeting of the local board. The local board may continue the employee on~~
32 ~~administrative leave with pay until such time as the allegations of misconduct have been~~
33 ~~resolved favorably for the employee or until the expiration of the contract of employment,~~

1 whichever first occurs. The employee shall be considered to be on administrative leave
2 with pay during such time."