

House Bill 1752

By: Representatives Harper of the 88<sup>th</sup>, Post 2, and Butler of the 88<sup>th</sup>, Post 1

A BILL TO BE ENTITLED  
AN ACT

1 To continue the existence of the Carrollton Independent School System under the  
2 management and control of the Carrollton Board of Education; to provide for the  
3 composition, term of office, and qualifications of members of the board; to provide for  
4 continuation in office; to provide for election wards; to provide for meetings, officers,  
5 quorum, rules of procedure, voting requirements, abstention from voting, public meetings,  
6 public comments at meetings, and communication of minutes; to provide for the powers,  
7 duties, and responsibilities of the board; to restrict the powers of the board; to define terms;  
8 to provide for salaries and expenses of board members; to provide for vacancies; to provide  
9 for a superintendent and appointment, powers and duties, qualifications, and responsibilities  
10 of such officer; to provide for a general counsel; to provide for publication of performance  
11 levels and expenditures; to provide for the roles of the board and the superintendent; to  
12 prohibit certain practices by board members; to provide for disclosure of financial interests  
13 in contracts or matters pending before the board and of relatives employed by the school  
14 system; to prohibit use of school system property for personal benefit; to provide that  
15 contracts are voidable in certain circumstances; to provide for hearings; to provide for access  
16 to records; to provide for determination of a millage rate and for limitations and levy of such  
17 millage rate and election relating thereto; to provide for transmittal of taxes to the board; to  
18 provide for loans and additional revenue sources; to provide for budgeting procedures; to  
19 provide that unlawful obligations are void; to provide for continuance of officers and  
20 employees; to continue existing rules, contracts, bonds, obligations, rights, and interests; to  
21 provide for construction; to repeal specific Acts; to provide for severability; to provide an  
22 effective date; to repeal conflicting laws; and for other purposes.

23 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

24 ARTICLE I  
25 INDEPENDENT SCHOOL SYSTEM

H. B. 1752



## 1 Election Ward 1

2 The area between a line which begins at the Northerly intersection of the center line of  
3 North Park Street with the City Limits extending Southerly to the intersection of the center  
4 line of Maple Street; thence Southwesterly on the center line of Maple Street to the  
5 intersection of the center line of South Street; thence Westerly along the center line of  
6 South Street to the center line of Matthews Avenue; thence Northerly along the center line  
7 of Matthews Avenue to the center line of Foster Street; thence Westerly along the center  
8 line of Foster Street to its intersection with the center line of South Street; thence Westerly  
9 along the center line of South Street to the center line of Brumbelow Road; thence  
10 Northerly along the center line of Brumbelow Road to its intersection with the center line  
11 of Lovvorn Road; thence Westerly along the center line of Lovvorn Road to the City  
12 Limits.

## 13 Election Ward 2

14 The area between the line which begins at the intersection of the center line of North Park  
15 Street with the City Limits extending Southerly to the intersection of the center line of  
16 Maple Street; thence Northeasterly along the center line of Maple Street to its intersection  
17 with the center line of Alabama Street; thence Easterly along the center line of Alabama  
18 Street across Adamson Square and continuing Easterly on the center line of Newnan Street  
19 to its intersection with the center line of Cedar Street; thence Easterly along the center line  
20 of Cedar Street to its intersection with the center line of Burns Road; thence Northerly  
21 along the center line of Burns Road to the intersection of the center line of Barnes Road;  
22 thence Southeasterly along the center line of Barnes Road to the City Limits.

## 23 Election Ward 3

24 The area between a line which begins at the intersection of the center line of Hays Mill  
25 Road with the Southerly City Limits of the City of Carrollton and extending Northerly  
26 along the center line of Hays Mill Road to the center line of Longview Street; thence  
27 Northeasterly along the center line of Longview Street to the center line of Maple Street;  
28 thence Northeasterly along the center line of Maple Street to the center line of Alabama  
29 Street; thence Easterly along the center line of Alabama Street and continuing across  
30 Adamson Square Easterly and along the center line of Newnan Street to the center line of  
31 Cedar Street; thence Easterly along the center line of Cedar Street to the center line of  
32 Burns Road; thence Northerly to the center line of Barnes Road; thence Southeasterly along  
33 the center line of Barnes Road to the City Limits.

1 Election Ward 4

2 The area between a line formed by the South boundary of Ward 1 and a line beginning  
3 at the intersection of the center line of Maple Street and the center line of Longview Street  
4 and thence continuing Southwesterly along the center line of Longview Street to the center  
5 line of Hays Mill Road; thence Southerly along the center line of Hays Mill Road to its  
6 intersection with the City Limits.

7 Election Ward 5

8 The City of Carrollton Independent School District.

9 Election Ward 6

10 The City of Carrollton Independent School District.

11 For the purposes of this subsection, whenever the description of any ward refers to a named  
12 city, it shall mean the geographical boundaries of that city as shown on the census maps for  
13 the United States decennial census of 2000 for the State of Georgia.

14 (d) One member of the board shall be elected from each election ward described in  
15 subsection (c) of this section. In order to be elected as a member of the board from an  
16 election ward, a person must receive a majority of votes cast for that office or a run-off  
17 election shall be held as provided by general law. A member of the board of education must  
18 reside within the election ward from which he or she is selected and shall be elected by the  
19 electors residing within that election ward.

20 (e) Successors to members of the board whose terms of office are to expire shall be elected  
21 at the time of the general municipal election immediately preceding the expiration of such  
22 terms, shall take office the first day of January immediately following that election, and shall  
23 serve for terms of office of four years each. Members of the board shall serve for the terms  
24 of office specified therefor in this subsection and until their respective successors are elected  
25 and qualified.

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

28 **SECTION 2-103.**

29 Organization; officers; quorum; rules;  
30 voting requirements; meetings.

31 (a) Organizational meeting. At the first regular meeting of the board in January following  
32 each regular election, the board shall organize and take their oaths of office.

1 (b) Officers. At its first regular meeting in January of each year, the board shall elect a  
2 chairperson, a vice chairperson, and a treasurer by a majority vote of its members. The  
3 chairperson, vice chairperson, and treasurer shall serve for a term of one year and can be  
4 reelected to such position thereafter.

5 (c) Quorum. Four members of the board shall constitute a quorum for the transaction of  
6 business, although a smaller number may adjourn from time to time and compel the  
7 attendance of its members.

8 (d) Rules. The board shall adopt rules of procedure governing the transaction of its business  
9 consistent with the provisions of this Act and any other applicable laws. The rules of the  
10 board shall provide for regular meetings which shall be held at least monthly and in  
11 accordance with the provisions of Code Section 20-2-58 of the O.C.G.A., as now or hereafter  
12 amended, and shall provide for any special meetings of the board.

13 (e) Voting requirement.

14 (1) The affirmative vote of a majority of the board shall be required for the passage of  
15 any resolution; provided, however, that a majority of a quorum of the board may take  
16 official action in regards to disciplinary matters related to appointed officers or  
17 employees of the Carrollton school system.

18 (2) No member of the board shall abstain from voting at any duly called board meeting  
19 except in matters involving consideration of his or her own conduct, matters which would  
20 inure to his or her financial or personal interests, or matters which would be a conflict of  
21 interest as provided in Article 3 of this Act. Such board member shall, prior to the vote  
22 being taken, publicly state during the meeting the nature of his or her interest in the  
23 matter from which he or she is abstaining from voting and shall within ten days of such  
24 abstention disclose the nature of his or her interest as a public record in a memorandum  
25 filed with the board secretary who shall incorporate the memorandum into the minutes  
26 of the meeting.

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

34 (g) Public comment. The meetings of the board and its committees shall provide a  
35 reasonable opportunity for the public to be heard during such meetings of the board or its  
36 committees. The board shall prescribe rules and regulations for the receipt of such comments  
37 from the public.

**SECTION 2-104.**

Powers, duties, responsibilities, and restrictions.

(a) The board shall:

(1) Have and exercise control and management of the Carrollton school system in accordance with the provisions of this Act and the Constitution and general laws of the state. The board is hereby vested with all the powers and charged with all the duties provided to local boards of education by the general laws of the state;

(2) Provide all students with textbooks and furnish educational or instructional materials, resources, and equipment adequately to such students;

(3) Adopt by resolution rules and regulations related to the manner and method of employing, disciplining, and terminating any employees of the school system;

(4) Adopt by resolution rules and procedures related to the procurement of supplies, equipment, goods, and services for the school system;

(5) Adopt by resolution rules and regulations for the governance of students, including the discipline, suspension, or expulsion of students, in accordance with due process;

(6) Hear appeals from actions of the superintendent of schools and other personnel;

(7) Approve an annual budget for the Carrollton public school system and provide for the levy of a tax for educational purposes as provided in this Act;

(8) Approve school attendance zones;

(9) Have the authority to sue and be sued as a school district in the name of the Carrollton Independent School System;

(10) Have the power to purchase, sell, rent, or lease property, both real and personal, in the name of the Carrollton Independent School System with the title to any property purchased being vested solely in the school system to the extent that such property was acquired directly by the board through funds of the school system;

(11) Have the authority to enter into contracts with any person, firm, corporation, or governmental unit or agency for the performance of educational services or the use of educational facilities;

(12) Adopt rules for the manner and extent the public is permitted to use buildings under its control, which rules shall make available all such buildings which may be needed or required for voting purposes on election days;

(13) Approve the superintendent's recommendation to hire or dismiss school system staff, provided that such recommendations can be rejected by the board only with a three-fourths' vote of the board. Notwithstanding this provision, a majority vote of the board is sufficient to reject the superintendent's recommendation, if a majority vote is required to comply with the provisions of Code Section 20-2-942 of the O.C.G.A.; and

1 (14) The board may call an executive session as provided by law. Executive sessions  
 2 shall not exclude the superintendent unless a discussion of the superintendent is the  
 3 subject of the executive session.

4 (b) The board shall not:

5 (1) Employ one of its members for any position in the school system;

6 (2) Do business with a partnership or corporation owned in whole or part by a board  
 7 member or a relative of a board member, unless the stock of the firm is publicly traded  
 8 and there are more than 75 stockholders; or

9 (3) Do business with a bank or financial institution where a board member is an  
 10 employee, stockholder, director, or officer when such member owns 10 percent or more  
 11 stock in that institution.

12 (c) Any board member whose relative is being considered for employment shall not vote on  
 13 such employment.

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

24 **SECTION 2-105.**

25 Salary and expenses of board members.

26 Members of the board shall receive the salary and expenses as provided by general law.

27 **SECTION 2-106.**

28 Vacancies; filling of vacancies.

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

32 (b) In case a vacancy occurs in the membership of the board of education by death,  
 33 resignation, removal from the city or removal from the ward from which a member is chosen,

1 or otherwise, the remaining members of the board shall elect a member to fill the vacancy  
 2 until the next regular election, when the voters shall choose a successor for the remainder of  
 3 the term.

4 **SECTION 2-107.**

5 Superintendent of schools.

6 (a) The board shall appoint as its executive officer a school superintendent who shall have  
 7 such qualifications as provided by law. The board shall provide the superintendent with a  
 8 contract for employment for a fixed term as provided for under Code Section 20-2-101 of the  
 9 O.C.G.A., as amended. The person serving as superintendent of the board on the day this  
 10 Act becomes effective shall continue to serve as such superintendent for the term of such  
 11 person's contract, and upon the expiration of such term the board may enter into a new  
 12 contract with that person or any other person who meets the qualifications for such office.

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

15 (c) The superintendent need not be a resident of the school district at the time of his or her  
 16 appointment but during his or her term in office shall reside within that district.

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

21 **SECTION 2-108.**

22 General counsel for board and school system.

23 A general counsel shall be appointed and, if necessary, removed by the superintendent, with  
 24 the advice and consent of the board. Such appointment of the general counsel may be by a  
 25 contract authorized by the board. The general counsel shall serve as the chief legal adviser  
 26 to the board and the school system.

27 **SECTION 2-109.**

28 Publication of performance levels and expenditures.

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

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

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

## 6 **SECTION 2-110.**

### 7 Roles of board and superintendent.

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

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

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

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

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

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

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

32 (7) Approving an annual district budget, prior to the start of the school year, that  
33 identifies priorities and goals and that aligns the district's resources to achieve the  
34 district-wide student learning goals and district-wide academic content and performance

- 1 standards and measures and to ensure that school facilities meet health and safety code  
2 requirements;
- 3 (8) Approving a policy that determines the minimum dollar amount for contracts that  
4 require school board approval;
- 5 (9) After seeking, receiving, and deliberating upon community input, approving plans  
6 for closing, selling, renovating, and building school facilities; and
- 7 (10) Each year, developing, in concert with the superintendent, the priorities for the  
8 school system for the upcoming year.
- 9 (b) Subject to the limitations contained in this Act, the superintendent, either directly or  
10 through a designee, is responsible for:
- 11 (1) Leading a process, in cooperation with the board, to create the vision for the district  
12 that involves gaining input from individuals within the school system, such as  
13 administrative staff, principals, teachers, parents, and students, and individuals outside  
14 the school system, such as business people, higher education officials, social service  
15 providers, and community members. The vision includes district-wide student learning  
16 goals as well as long-range and strategic plans for meeting the goals. The vision must be  
17 formally adopted by the board;
- 18 (2) Developing an annual budget that aligns the district's resources to achieve the  
19 district-wide student learning goals and district-wide academic content and performance  
20 standards and measures and to ensure that school facilities meet health and safety code  
21 requirements, and submitting it to the school board for its adoption;
- 22 (3) Deciding which instructional areas will receive priority attention, and maintaining  
23 the 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  
26 the 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  
31 quality improvement and progress for all decision makers in the district, as well as for  
32 students;
- 33 (7) Tailoring and leading the provision of assistance to the district's low-performing  
34 schools;
- 35 (8) Hiring, evaluating, and, if necessary, dismissing school system employees;
- 36 (9) Implementing strategies to involve parents and community members in the district  
37 and to create partnerships between the district and public and private organizations; and

1 (10) Each year, developing, in concert with the board, the priorities for the school system  
2 for the upcoming year.

3 **ARTICLE III**

4 **ETHICS AND PROHIBITED PRACTICES**

5 **SECTION 3-101.**

6 **Disclosures.**

7 Any elected official, appointed officer, or employee of the school system who has any  
8 financial interest, directly or indirectly, in any contract or matter pending before or within  
9 any office, department, or agency of the school system shall disclose such interest in writing  
10 to the board. Any board member who has a financial interest in any contract or matter  
11 pending before the board shall disclose such interest, in writing, and such disclosure shall be  
12 entered on the records of the board. The disclosure of any salary received by a board  
13 member from the school system or any entity doing business with the school system may be  
14 accomplished by naming the entity and position held by the board member with such entity.  
15 Interest and dividends from entities doing business with the school system which are listed  
16 on a national stock exchange or have more than 100 stockholders do not have to be disclosed.  
17 Likewise, the disclosure of any salary received by an immediate relative of the board  
18 member may be accomplished by naming the relative and the position held. The board  
19 member also shall disqualify himself or herself from participating in any decision or vote  
20 relating thereto.

21 **SECTION 3-102.**

22 **Use of public property.**

23 No elected official, appointed officer, or employee of the school system shall use property  
24 of the school system for personal benefit or profit except in accordance with policies and  
25 procedures promulgated by the board.

26 **SECTION 3-103.**

27 **Contracts voidable and rescindable.**

28 Any contract between the Carrollton school system and another party shall be voidable or  
29 rescindable at the discretion of the board at any time if any elected official, appointed officer,  
30 or employee has any interest in such contract and does not disclose such interest in  
31 accordance with the provisions within this article.

## ARTICLE IV

## REVENUE AND FINANCE

## Chapter 1

## General Provisions

**SECTION 4-101.**

Taxation for educational purposes.

(a) The board of education for the public school system for the City of Carrollton shall annually certify to the mayor and council of the City of Carrollton a school tax not greater than 20 mills per dollar for the support and maintenance of education. That mayor and council shall annually levy the tax amount so certified upon the assessed value of all taxable property within the City of Carrollton school district unless:

(1) The tax amount certified before July 1, 2005, exceeds 16.5 mills per dollar in which event the tax amount levied shall be 16.5 mills per dollar; or

(2) The tax amount certified on or after July 1, 2005, exceeds 18 mills per dollar, in which event the tax amount so certified shall be levied only if it previously has been approved in a referendum as provided in subsection (b) of this section.

(b) Only in the event that on or after July 1, 2005, the board of education of the City of Carrollton certifies to the mayor and council of that city a school tax that exceeds 18 mills per dollar, and such levy has not been approved previously in a referendum pursuant to this subsection, that mayor and council shall require the election superintendent of the City of Carrollton to call and conduct an election as provided in this subsection, unless prohibited by the federal Voting Rights Act of 1965, as amended. That election shall be for the purpose of submitting the amount certified for such levy to the electors of the City of Carrollton school district for approval or rejection. The election superintendent shall conduct that election on the earliest date therefor permissible under Code Section 21-2-540 of the O.C.G.A. and shall issue the call and conduct that election as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Carroll County. The ballot shall have written or printed thereon the words:

"( ) YES Shall the school tax of (amount certified) mills per dollar which was certified by the board of education of the City of Carrollton be approved ( ) NO and levied by the mayor and council of that city?"

All persons desiring to vote for approval of the school tax amount certified shall vote "Yes," and those persons desiring to vote for rejection of the school tax amount certified shall vote "No." If more than one-half of the votes cast on such question are for approval of the school tax amount certified, the amount of the tax certified and so approved shall be levied by the

1 mayor and council of the City of Carrollton upon the assessed value of all taxable property  
 2 within the City of Carrollton school district. If the school tax amount certified is not so  
 3 approved or if the election is not conducted as provided in this section, the school tax amount  
 4 certified shall not be levied by the mayor and council of the City of Carrollton and the  
 5 amount of the school tax levied the immediately preceding year shall be levied instead. The  
 6 expense of such election shall be borne by the City of Carrollton. It shall be the election  
 7 superintendent's duty to certify the result thereof to the Secretary of State.

8 **SECTION 4-102.**

9 Transmittal of taxes and other funds to the board.

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

15 (b) City of Carrollton. The City of Carrollton shall remit to the board any funds received for  
 16 the school system within 45 days after receipt; such funds shall be used to maintain and  
 17 expand the public school system.

18 **SECTION 4-103.**

19 Loans for operating expenses.

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

22 (b) The board may request the Carrollton City Council to negotiate loans to supply  
 23 deficiencies in yearly operating expenses of the school system, during any year, in such  
 24 amounts as may be determined by the board. However, any such loan requested by the board  
 25 and negotiated by the city shall not exceed 50 percent of the anticipated tax revenue for the  
 26 year levied for educational purposes. In lieu of borrowing money on behalf of the board, the  
 27 city may advance to the board such amounts as may be required for such purposes.

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

32 (d) In order for the board to obtain a loan or an advance as provided in this section, the board  
 33 shall pass a resolution authorizing the money to be borrowed or advanced by the city, in

1 which resolution shall be stated the amount of money to be borrowed or advanced, the length  
 2 of time it is to be used, for what purpose borrowed, and from whom it is to be borrowed,  
 3 which resolution shall be recorded on the minutes of the meetings of the board.

4 **SECTION 4-104.**

5 Additional sources of revenue.

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

9 Chapter 2

10 Budget

11 **SECTION 4-201.**

12 Procedures.

13 The board shall conduct its budgeting procedures in the same manner as required of local  
 14 governments in Article 1 of Chapter 81 of Title 36 of the O.C.G.A., relating to local  
 15 government budgets and audits.

16 **SECTION 4-202.**

17 Unlawful obligations void.

18 The board shall incur no obligation in excess of the annual budget and such other special  
 19 appropriations as may be lawfully made and shall incur no liability except as authorized by  
 20 such budget or appropriation. Any such liabilities attempted to be incurred shall be void in  
 21 law and equity.

22 ARTICLE V

23 GENERAL PROVISIONS

24 **SECTION 5-101.**

25 Continuance of officers and employees.

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

**SECTION 5-102.**

Existing rules and regulations continued in effect.

Existing rules and regulations of the Carrollton Board of Education and the Carrollton 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 5-103.**

Pending matters.

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

**SECTION 5-104.**

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.

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

**SECTION 5-105.**

Construction.

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

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

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

(d) "School district" means the City of Carrollton School District.

(e) "City" means the City of Carrollton.

