

House Bill 962

By: Representatives Freeman of the 140th, Keown of the 173rd, Sims of the 119th, Hembree of the 67th, Williams of the 89th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
2 relating to local boards of education, so as to require public notice of a budget deficit or
3 irregularities within three business days; to require notification of the superintendent of
4 budget deficits or irregularities identified at the local level; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local
9 boards of education, is amended by revising Code Section 20-2-67, relating to local school
10 system or school subject to corrective action plan for budget deficit, as follows:

11 "20-2-67.

12 (a) When an audit by the Department of Audits and Accounts finds and reports
13 irregularities or budget deficits in the fund accounting information regarding a local school
14 system or a school within the local school system, the Department of Audits and Accounts
15 shall report the findings of irregularities or budget deficits to the State Board of Education
16 and the local board of education.

17 (b) The State Board of Education shall inform the superintendent of the local school
18 system of the irregularities or budget deficits regarding a local school system's or a
19 school's fund accounting information. Within three business days of notice to the
20 superintendent of the irregularities or budget deficits, the superintendent and the
21 chairperson of the local board shall cause to be published in a newspaper having the largest
22 general circulation in the county or municipality in which the local school system is located
23 once a week for two consecutive weeks a notice of such irregularities or budget deficits;
24 provided, however, such notice shall not be placed in that section of the newspaper where
25 legal notices appear. The superintendent shall submit to the Department of Education a
26 response to the findings and a corrective action plan as defined by rules and regulations

1 adopted by the State Board of Education designed to correct the financial irregularities or
 2 budget deficits for the school or school system. From the time such irregularity or budget
 3 deficit is discovered until the time it is eliminated, the local school superintendent shall
 4 present to each member of the local board of education for his or her review and written
 5 acknowledgment a monthly report containing all anticipated expenditures by budget
 6 function for such school or school system during the current month. The report shall be
 7 presented to local board members on or before the tenth business day of each month. Each
 8 monthly report shall be signed by each member of that local board and recorded and
 9 retained in the minutes of the meeting of the local board of education.

10 (c) Not later than September 30 of the year, each local board of education shall cause to
 11 be published in ~~the official county organ wherein~~ a newspaper having the largest general
 12 circulation in the county or municipality in which the local school system is located once
 13 a week for two weeks a statement of actual financial operations for such schools or school
 14 system identified by the Department of Audits and Accounts as having financial
 15 irregularities; provided, however, such notice shall not be placed in that section of the
 16 newspaper where legal notices appear. Such statement of actual financial operations shall
 17 be in a form to be specified and prescribed by the state auditor for the purpose of indicating
 18 the current financial status of the schools or school system. Prior to publication, such form
 19 shall be executed by the local board of education and signed by each member of said board
 20 and the local school superintendent.

21 (d) A copy of the actual financial operations form required to be published by subsection
 22 (c) of this Code section shall be mailed by each local board of education to the Department
 23 of Education and the local county board of commissioners or local municipal governing
 24 authority. A current copy of said form shall be maintained on file in the central
 25 administrative office of the local school system for public inspection for a period of at least
 26 two years from the date of its publication. Copies of the statement shall be made available
 27 on request."

28 SECTION 2.

29 Said article is further amended by adding a new Code section to read as follows:

30 "20-2-67.1.

31 In the event any local school system employee becomes aware of a budget irregularity or
 32 deficit regarding a local school system's or a school's fund accounting information at the
 33 local level, said employee shall inform the superintendent of that local school system
 34 within three business days. Within three business days of notice to the superintendent of
 35 the irregularities or budget deficits, the superintendent and the chairperson of the local
 36 board shall cause to be published in a newspaper having the largest general circulation in

1 the county or municipality in which the local school system is located once a week for two
2 consecutive weeks a notice of such irregularities or budget deficits; provided, however,
3 such notice shall not be placed in that section of the newspaper where legal notices appear."

4 **SECTION 3.**

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