

The House Committee on Judiciary offers the following substitute to HB 1174:

A BILL TO BE ENTITLED
AN ACT

1 To amend Part 7 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to termination, suspension, nonrenewal, demotion, or reprimand of
3 teachers or other school personnel, so as to change provisions relating to the hearing in the
4 procedure for terminating or suspending a contract of employment; to provide for the
5 recovery of attorney's fees and expenses of litigation; to provide for related matters; to repeal
6 conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Part 7 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
10 relating to termination, suspension, nonrenewal, demotion, or reprimand of teachers or other
11 school personnel, is amended by revising paragraph (1) of subsection (e) of Code Section
12 20-2-940, relating to grounds and procedure for terminating or suspending contract of
13 employment, as follows:

14 "(1) The hearing shall be conducted before the local board, or the local board may
15 designate a tribunal to consist of not less than three nor more than five impartial persons
16 possessing chosen from a school district other than the district of the local board district
17 and who possess academic expertise to conduct the hearing and submit its findings and
18 recommendations to the local board for its decision thereon."

19 **SECTION 2.**

20 Said part is further amended by adding a new subsection to Code Section 20-2-940, relating
21 to grounds and procedure for terminating or suspending contract of employment, to read as
22 follows:

23 "(h) *Attorney's fees.* If the teacher, principal, or other employee prevails in the decision
24 at the hearing or at the subsequent appeal, then such person shall be entitled to recover
25 reasonable attorney's fees and expenses of litigation from the hearing board or tribunal, and

1 the decision of the hearing board or tribunal regarding such award shall be appealable by
2 the teacher, principal, or other employee as provided in subsection (f) of this Code section."

3 **SECTION 3.**

4 All laws and parts of laws in conflict with this Act are repealed.