

Senate Bill 426

By: Senators Buckner of the 44th, Seay of the 34th, Jackson of the 24th, Sims of the 12th, Tate of the 38th and others

AS PASSED SENATE

**A BILL TO BE ENTITLED
AN ACT**

1 To amend Code Section 20-2-55 of the Official Code of Georgia Annotated, relating to the
2 per diem reimbursement, insurance benefits, and expenses of local school board members,
3 so as to prohibit per diem or salary compensation for certain at-fault board members during
4 a period of time that the local school system has its accreditation revoked, suspended, or
5 placed on probation; to provide for appeals; to provide for related matters; to provide for an
6 effective date; to repeal conflicting laws; and for other purposes.

7 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

8 **SECTION 1.**

9 Code Section 20-2-55 of the Official Code of Georgia Annotated, relating to the per diem
10 reimbursement, insurance benefits, and expenses of local school board members, is amended
11 by revising subsection (a) as follows:

12 "(a)(1) In any local school system for which no local Act is passed, members of the local
13 board of education shall, when approved by the local board affected, receive a per diem
14 of \$50.00 for each day of attendance at meetings of the board and while meeting and
15 traveling within or outside the state as a member of a committee of the board on official
16 business first authorized by a majority of the board, plus reimbursement for actual
17 expenses necessarily incurred in connection therewith; provided, however, that in any
18 independent school system with a full-time equivalent (FTE) program count of less than
19 4,000 students for which no local Act is passed, members of the local board of education
20 may, when approved by the affected local board, receive a per diem of not less than
21 \$50.00 and not more than \$100.00 for each day of attendance at meetings of the board
22 and while meeting and traveling within or outside the state as a member of a committee
23 of the board, plus reimbursement for actual expenses. The accounts for such service and
24 expenses shall be submitted for approval to the local school superintendent. In all school
25 districts the compensation of members of local boards shall be paid only from the local
26 tax funds available to local boards for educational purposes.

27 (2) For purposes of this paragraph, the term:

28 (A) 'Accreditation' and 'accrediting agency' means that accreditation and accrediting
 29 agencies recognized and provided for in paragraphs (6) and (6.1) of Code Section
 30 20-3-519.

31 (B) 'School system failing' shall mean a local school system or school that has its
 32 accreditation revoked, suspended, or placed on probation, or is placed on the level of
 33 accreditation immediately preceding loss of accreditation.

34 The provisions of this subsection notwithstanding, during any period of time in which a
 35 school system is failing, any member of the failing school system's local board of
 36 education who is named in a report by an accrediting agency as having violated policies
 37 or standards or caused a violation of policies or standards of the accrediting agency which
 38 action or inaction is a basis for the school system failing, shall not receive, be entitled to,
 39 or earn a per diem reimbursement or salary. The school board member may appeal to the
 40 State Board of Education in writing the loss of per diem reimbursement or salary within
 41 ten days of being notified of such loss. If the State Board of Education finds that the
 42 school board member has not violated policies or standards or caused a violation of
 43 policies or standards, the local board of education shall return the per diem
 44 reimbursement or salary to the local board member."

45 **SECTION 2.**

46 This Act shall become effective upon its approval by the Governor or upon its becoming law
 47 without such approval.

48 **SECTION 3.**

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