

**ADOPTED**

Senators Weber of the 40th, Williams of the 19th and Moody of the 56th offered the following amendment:

1 *Amend the Senate Education and Youth Committee substitute to HB 278 (LC 33 3199S) by*  
 2 *inserting after "To amend" on line 1 the following:*

3 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
 4 secondary education, so as to provide for nepotism restrictions for eligibility for members  
 5 of local boards of education and for local school superintendents;

6 *By striking lines 7 and 8 and inserting in lieu thereof "additional days of instruction; to*  
 7 *provide for".*

8 *By inserting between lines 10 and 11 the following:*

**SECTION 0.1**

10 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
 11 secondary education, is amended by revising subsection (c) of Code Section 20-2-51, relating  
 12 to election of county board of education members, persons ineligible to be members or  
 13 superintendent, ineligibility for local boards of education, and ineligibility for other offices,  
 14 as follows:

15 "(c)(1) No person employed by or serving on the governing body of a private educational  
 16 institution shall be eligible to serve as a member of a local board of education. No person  
 17 employed by a local board of education shall be eligible to serve as a member of that  
 18 board of education. No person employed by the Department of Education or serving as  
 19 a member of the State Board of Education shall be eligible to serve as a member of a  
 20 local board of education. This subsection paragraph shall not apply to institutions above  
 21 the high school level.

22 (2) No person who has an immediate family member sitting on a local board of education  
 23 or serving as the local school superintendent or as a principal, assistant principal, or  
 24 system administrative staff in the local school system shall be eligible to serve as a  
 25 member of such local board of education. As used in this paragraph, the term 'immediate  
 26 family member' means a spouse, child, sibling, or parent or the spouse of a child, sibling,  
 27 or parent. This paragraph shall apply only to local board of education members elected  
 28 or appointed on or after July 1, 2009. Nothing in this Code section shall affect the  
 29 employment of any person who is employed by a local school system on or before July

30 1, 2009, or who is employed by a local school system when an immediate family member  
31 becomes a local board of education member for that school system."

32 **SECTION 0.2**

33 Said chapter is further amended by revising subsection (b) of Code Section 20-2-101, relating  
34 to appointment of county school superintendents, as follows:

35 "(b)(1) No person shall be eligible to be appointed or employed as superintendent of  
36 schools of any county or independent school system unless such person is of good moral  
37 character, has never been convicted of any crime involving moral turpitude, and  
38 possesses acceptable business or management experience as specified by the Professional  
39 Standards Commission or the minimum valid certificate or a letter of eligibility for said  
40 certificate required by the Professional Standards Commission.

41 (2) No person shall be eligible to be appointed, employed, or to serve as superintendent  
42 of schools of any county or independent school system who has an immediate family  
43 member sitting on the local board of education for such school system or who has an  
44 immediate family member hired as or promoted to a principal, assistant principal, or  
45 system administrative staff on or after July 1, 2009, by that school system. As used in  
46 this subsection, the term 'immediate family member' shall have the same meaning as in  
47 subsection (c) of Code Section 20-2-51. Nothing in this Code section shall affect the  
48 employment of any person who is employed by a local school system on or before July  
49 1, 2009, or who is employed by a local school system when an immediate family member  
50 becomes the superintendent for that school system."

51 *By striking lines 121 through 184.*