

The House Committee on Education offers the following substitute to SB 38:

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to  
2 elementary and secondary education, so as to provide for authority for the State School  
3 Superintendent to set the agenda for board meetings; to provide for authority for the State  
4 School Superintendent to employ and dismiss employees; to revise a provision relating to  
5 contracting authority of the State School Superintendent; to provide for related matters; to  
6 repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and  
10 secondary education, is amended in Code Section 20-2-5.2, relating to elections of the  
11 chairperson and other officers of the State Board of Education, by revising as follows:

12 "20-2-5.2.

13 The State Board of Education shall elect a chairperson and such other officers it may deem  
14 appropriate. The term of the chairperson shall be fixed by the state board. The chairperson  
15 shall preside at meetings of the state board, ~~set the agenda for the state board,~~ and perform  
16 such other duties as required by the state board. The State School Superintendent shall set  
17 the agenda for the meetings of the state board. The chairperson is authorized, after a  
18 reasonable attempt at consultation with the State School Superintendent, to require any  
19 employee of the Department of Education to furnish information or perform functions for  
20 the state board."

21 **SECTION 2.**

22 Said chapter is further amended by revising Code Section 20-2-11, relating to budgets,  
23 supervision of the Department of Education, and funds for the state office, as follows:

24 "20-2-11.  
 25 The State Board of Education shall prepare and submit to the Governor and General  
 26 Assembly an estimate of the funds necessary for the operation of the state public school  
 27 system. It shall have general supervision of the Department of Education ~~and may delegate~~  
 28 ~~to the State School Superintendent the authority to employ and dismiss such clerical~~  
 29 ~~employees, supervisors, administrators, and other employees who are members of the~~  
 30 ~~classified service under Article 1 of Chapter 20 of Title 45 as may be necessary for the~~  
 31 ~~efficient operation of the Department of Education.~~ It shall set aside the necessary funds  
 32 for the maintenance of the office of the department and the State School Superintendent,  
 33 the amount and sufficiency of such funds to be in the discretion of the state board, such  
 34 funds to be disbursed by the superintendent in the payment of salaries and travel expenses  
 35 of employees and for printing, communication, equipment, repairs, and other expenses  
 36 incidental to the operation of the department."

37 **SECTION 3.**

38 Said chapter is further amended in Code Section 20-2-241, relating to the State School  
 39 Superintendent, by revising subsection (b) and (c) as follows:

40 "(b) The State School Superintendent shall have the sole authority to employ ~~persons to~~  
 41 ~~serve in the five senior staff positions within the Department of Education~~ and dismiss such  
 42 clerical employees, supervisors, administrators, and other employees as may be necessary  
 43 for the efficient operation of the Department of Education.

44 (c) The State School Superintendent shall have the authority to enter into contracts for the  
 45 amount of ~~\$50,000.00~~ \$250,000.00 or less on behalf of the Department of Education."

46 **SECTION 4.**

47 Said chapter is further amended in Code Section 20-2-302, relating to funds for the operation  
 48 of schools for deaf and blind persons, by revising subsection (c) as follows:

49 "~~(c) The State Board of Education may delegate to the State School Superintendent~~ shall  
 50 have the sole authority to employ and dismiss employees at the state schools for the deaf  
 51 and blind."

52 **SECTION 5.**

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