

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 employ and dismiss employees; to revise a provision relating to
4 contracting authority of the State School Superintendent; to provide for related matters; to
5 repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

7 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
8 secondary education, is amended by revising Code Section 20-2-11, relating to budgets,
9 supervision of the Department of Education, and funds for the state office, as follows:

10 "20-2-11.

11 The State Board of Education shall prepare and submit to the Governor and General
12 Assembly an estimate of the funds necessary for the operation of the state public school
13 system. It shall have general supervision of the Department of Education and may delegate
14 to the State School Superintendent the authority to employ and dismiss such clerical
15 employees, supervisors, administrators, and other employees who are members of the
16 classified service under Article 1 of Chapter 20 of Title 45 as may be necessary for the
17 efficient operation of the Department of Education. It shall set aside the necessary funds
18 for the maintenance of the office of the department and the State School Superintendent,
19 the amount and sufficiency of such funds to be in the discretion of the state board, such
20 funds to be disbursed by the superintendent in the payment of salaries and travel expenses
21 of employees and for printing, communication, equipment, repairs, and other expenses
22 incidental to the operation of the department."
23

24 **SECTION 2.**

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

27 "(b) The State School Superintendent shall have the sole authority to employ and dismiss
 28 persons to serve in the five senior staff positions within the Department of Education. The
 29 State School Superintendent shall also have the sole authority to employ such clerical
 30 employees, supervisors, administrators, and other employees as may be necessary for the
 31 efficient operation of the Department of Education. The State School Superintendent shall
 32 be authorized to dismiss such clerical employees, supervisors, administrators, and other
 33 employees upon the approval of the State Board of Education.

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

36 **SECTION 3.**

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

39 "~~(c) The State Board of Education may delegate to the State School Superintendent shall~~
 40 have the sole authority to employ ~~and dismiss~~ employees at the state schools for the deaf
 41 and blind. The State School Superintendent shall be authorized to dismiss employees at
 42 the state schools for the deaf and blind upon the approval of the State Board of Education."

43 **SECTION 4.**

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