

Senate Bill 38

By: Senators Rogers of the 21st and Millar of the 40th

AS PASSED

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:

7 **SECTION 1.**

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

11 "20-2-11.

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

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 and dismiss such
 30 clerical employees, supervisors, administrators, and other employees as may be necessary
 31 for the efficient operation of the Department of Education; provided, however, that the
 32 State Board of Education shall have the authority to overturn a decision of the State School
 33 Superintendent as to hiring and dismissal of such clerical employees, supervisors,
 34 administrators, and other employees by a two-thirds vote.

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

37 **SECTION 3.**

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

40 "(c) ~~The State Board of Education may delegate to the~~ State School Superintendent shall
 41 have the sole authority to employ and dismiss employees at the state schools for the deaf
 42 and blind; provided, however, that the State Board of Education shall have the authority
 43 to overturn a decision of the State School Superintendent as to hiring and dismissal of such
 44 employees by a two-thirds vote."

45 **SECTION 4.**

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