

## House Bill 669

By: Representatives Oliver of the 82<sup>nd</sup>, Dudgeon of the 25<sup>th</sup>, Mosby of the 83<sup>rd</sup>, Mayo of the 84<sup>th</sup>, and Kaiser of the 59<sup>th</sup>

**A BILL TO BE ENTITLED  
AN ACT**

1 To amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,  
2 relating to local boards of education, so as to authorize a local board of education to agree  
3 to interventions by the State Board of Education in lieu of removal proceedings if a school  
4 system or a school is placed on the level of accreditation immediately preceding loss of  
5 accreditation; to provide for requirements; to provide for statutory construction; to provide  
6 for rules and regulations; to provide for related matters; to repeal conflicting laws; and for  
7 other purposes.

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

9                   **SECTION 1.**

10 Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local  
11 boards of education, is amended by revising subsection (a) of Code Section 20-2-73, relating  
12 to suspension and removal of local school board members under certain circumstances, as  
13 follows:

14       "(a)(1) Notwithstanding Code Section 20-2-54.1 or any other provisions of law to the  
15 contrary, if a local school system or school is placed on the level of accreditation  
16 immediately preceding loss of accreditation for school board governance related reasons  
17 by one or more accrediting agencies included in subparagraph (A) of paragraph (6) of  
18 Code Section 20-3-519;:

19       (A) The local board of education may, within ten days of such placement, agree to  
20 interventions by the State Board of Education as provided in Code Section 20-2-73.1;  
21 or

22       (B) The local board shall be subject to the proceedings and potential consequences of  
23 this Code section and the provisions of this Code section shall immediately be  
24 commenced with regard to such local board.

25       (2) The the State Board of Education shall conduct a hearing in not less than ten days nor  
26 more than 30 days and recommend to the Governor whether to suspend all eligible

members of the local board of education with pay. If the State Board of Education makes such recommendation, the Governor may, in his or her discretion, suspend all eligible members of the local board of education with pay and, in consultation with the State Board of Education, appoint temporary replacement members who shall be otherwise qualified to serve as members of such board.

(2) Notwithstanding Code Section 20-2-54.1 or any other provisions of law to the contrary, if a local school system or school has been placed on, as of April 20, 2011, the level of accreditation immediately preceding loss of accreditation for school board governance related reasons by one or more accrediting agencies included in subparagraph (A) of paragraph (6) of Code Section 20-3-519 and does not reattain full accreditation status by July 1, 2011, the State Board of Education shall conduct a hearing in not less than ten days nor more than 30 days and recommend to the Governor whether to suspend all members of the local board of education with pay. If the State Board of Education makes such recommendation, the Governor may, in his or her discretion, suspend all members of the local board of education with pay and, in consultation with the State Board of Education, appoint temporary replacement members who shall be otherwise qualified to serve as members of such board."

## SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

### "20-2-73.1.

(a) If a local school system or a school is placed on the level of accreditation immediately preceding loss of accreditation for school board governance related reasons by one or more accrediting agencies included in subparagraph (A) of paragraph (6) of Code Section 20-3-519, the local board of education may, within ten days of such placement, agree to one or more of the following interventions by the State Board of Education:

(1) Removal of school system personnel on recommendation of the state board or a school improvement team;

(2) Complete reconstitution of the school system administration, which may include removing personnel, appointing new administration, hiring new staff, and reapplying for employment by existing personnel;

(3) Provision of a monitor, master, or management team to be paid for by the school system;

(4) Continuation of an intensive student achievement improvement plan; and

(5) Complete restructuring of the school system's governance arrangement and internal organization of the school system.

(b) If a local board of education agrees to one or more interventions by the state board pursuant to subsection (a) of this Code section, the procedures set out in Code Section 20-2-73 shall be stayed; provided, however, that if the local board at any time fails to substantially comply with such intervention or interventions by the state board, the local board shall be subject to the proceedings and potential consequences of Code Section 20-2-73 and the provisions of such Code section shall immediately be commenced with regard to such local board.

69 (c) The State Board of Education shall clearly define the powers and duties of a monitor,  
70 master, or management team appointed to oversee the operations of a school system or a  
71 school.

(d) A school system or school improvement team appointed under this Code section may consist of currently employed or retired teachers, principals, other educational professionals, Department of Education school improvement employees, or local school superintendents recognized for excellence in their roles and appointed by the State Board of Education to serve as members of a team.

77 (e) This Code section shall not be applied in a manner which would impair any existing  
78 contracts or any employment rights of any personnel.

79 (f) The State Board of Education is authorized to promulgate rules and regulations to  
80 implement the provisions of this Code section."

### SECTION 3.

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