

House Bill 669

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

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 style="text-align:center">**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

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

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

44

SECTION 2.

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

46 "20-2-73.1.

47 (a) If a local school system or a school is placed on the level of accreditation immediately
 48 preceding loss of accreditation for school board governance related reasons by one or more
 49 accrediting agencies included in subparagraph (A) of paragraph (6) of Code Section
 50 20-3-519, the local board of education may, within ten days of such placement, agree to
 51 one or more of the following interventions by the State Board of Education:

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

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

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

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

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

62 (b) If a local board of education agrees to one or more interventions by the state board
63 pursuant to subsection (a) of this Code section, the procedures set out in Code Section
64 20-2-73 shall be stayed; provided, however, that if the local board at any time fails to
65 substantially comply with such intervention or interventions by the state board, the local
66 board shall be subject to the proceedings and potential consequences of Code Section
67 20-2-73 and the provisions of such Code section shall immediately be commenced with
68 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.

72 (d) A school system or school improvement team appointed under this Code section may
73 consist of currently employed or retired teachers, principals, other educational
74 professionals, Department of Education school improvement employees, or local school
75 superintendents recognized for excellence in their roles and appointed by the State Board
76 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."

81 **SECTION 3.**

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