

Senate Resolution 138

By: Senators Wilkinson of the 50th, Gooch of the 51st, Tippins of the 37th, Williams of the 19th and McKoon of the 29th

## A RESOLUTION

1 Proposing an amendment to the Constitution so as to authorize the General Assembly to  
 2 provide by law for election of local school superintendents by voters and election of  
 3 members of local boards of education by grand juries, as an alternative to appointment of  
 4 local school superintendents by local boards of education and election of local school board  
 5 members by voters; to provide for the submission of this amendment for ratification or  
 6 rejection; and for other purposes.

7 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

### 8 SECTION 1.

9 Section V of Article VIII of the Constitution is amended by revising Paragraph II as follows:

10 "Paragraph II. **Boards of education.** Each school system shall be under the management  
 11 and control of a board of education, the members of which shall be elected by the voters  
 12 as provided by law; provided, however, that if the school superintendent for that school  
 13 system is elected by the voters pursuant to Paragraph III of this section, then the members  
 14 of the board of education for that school system shall be elected by a grand jury as provided  
 15 by general law. School board members shall reside within the territory embraced by the  
 16 school system and shall have such compensation and additional qualifications as may be  
 17 provided by law. ~~Any board of education to which the members are appointed as of~~  
 18 ~~December 31, 1992, shall continue as an appointed board of education through December~~  
 19 ~~31, 1993, and the appointed members of such board of education who are in office on~~  
 20 ~~December 31, 1992, shall continue in office as members of such appointed board until~~  
 21 ~~December 31, 1993, on which date the terms of office of all appointed members shall end."~~

### 22 SECTION 2.

23 Said section is further amended by revising Paragraph III as follows:

24 "Paragraph III. **School superintendents.** There shall be a school superintendent of each  
 25 system ~~appointed by the board of education~~ who shall be the executive officer of the board  
 26 of education and shall have such qualifications, powers, and duties as provided by general

27 law. ~~Any elected school superintendent in office on January 1, 1993, shall continue to~~  
 28 ~~serve out the remainder of his or her respective term of office and shall be replaced by an~~  
 29 ~~appointee of the board of education at the expiration of such term. The school~~  
 30 ~~superintendent of each system shall be appointed by the board of education; provided,~~  
 31 ~~however, that the General Assembly may provide by law for the election of the school~~  
 32 ~~superintendent of any school system by the voters residing in the territory embraced by the~~  
 33 ~~school system and for the qualifications of superintendents in such cases.~~"

34 **SECTION 3.**

35 The above proposed amendment to the Constitution shall be published and submitted as  
 36 provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the  
 37 above proposed amendment shall have written or printed thereon the following:

38 "( ) YES Shall the Constitution of Georgia be amended so as to authorize the General  
 39 ( ) NO Assembly to provide by law for election of local school superintendents by  
 40 voters and election of members of local boards of education by grand juries,  
 41 as an alternative to appointment of local school superintendents by local  
 42 boards of education and election of local school board members by voters?"

43 All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes."

44 All persons desiring to vote against ratifying the proposed amendment shall vote "No." If  
 45 such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall  
 46 become a part of the Constitution of this state.