

\_\_\_\_\_ offers the following amendment:

1 *Amend SB 472 (LC 49 2646S) by inserting after "misconduct;" on line 4 the following: to*  
2 *provide for employment contract terms, conditions, and limitations for local school*  
3 *superintendents under certain conditions;*

4 *By inserting after line 156 the following:*

5 Said chapter is further amended in Article 5, relating to local school superintendents, by  
6 revising Code Section 20-2-101, relating to appointment of school superintendents, as  
7 follows:

8 "20-2-101.

9 (a)(1) Except as provided in paragraph (2) of this subsection, each local school  
10 superintendent ~~Superintendents of each school system~~ shall be employed by the local  
11 board of education under written contracts for a term of not less than one year and not  
12 more than three years. Any provision of any such contract which provides for an  
13 extension of the duration of employment thereunder, whether automatic or contingent  
14 upon the occurrence of one or more events, shall be void if that extension would result  
15 in employment under the contract, as extended, for a period which exceeds three years.

16 (2) At any time a local school system is designated as a high-risk local school system by  
17 the Department of Audits and Accounts pursuant to Code Section 20-2-67, the local  
18 school superintendent's contract of employment shall not be extended for a term which  
19 exceeds 12 months. Any such term which exceeds 12 months shall be void.

20 (3) Any contract by which a local school superintendent is employed by a local board of  
21 education that is entered into or renewed on or after July 1, 2026, shall include terms and  
22 conditions that shall have the following effect:

(A) It shall be an act of default for the local school superintendent to be the subject of a finding by the state auditor of financial mismanagement or misconduct following an investigation made pursuant to Code Section 50-6-28;

(B) It shall be an act of default for the local school superintendent to be the subject of a finding by the state auditor that the local school superintendent has knowingly failed or refused to comply with a material requirement of a plan for intervention or other corrective action plan put in place in conjunction with the local school system being designated by the state auditor as requiring the highest level of monitoring, supports, and interventions promulgated by the Department of Audits and Accounts pursuant to Code Section 50-6-6; and

(C) In the event of an act of default provided for in subparagraph (A) or (B) of this paragraph, the local board of education shall be authorized to terminate the employment contract of the local school superintendent for cause.

(b)(1) No person shall be eligible to be appointed or employed or to serve as a local school superintendent of schools of any county or independent school system unless such person is of good moral character, has never been convicted of any crime involving moral turpitude, and possesses acceptable business or management experience as specified by the Professional Standards Commission or the minimum valid certificate or a letter of eligibility for said certificate required by the Professional Standards Commission.

(2) No person shall be eligible to be appointed or employed; or to serve as a local school superintendent of schools of any county or independent school system who has an immediate family member sitting on the local board of education for ~~such~~ the local school system or who has an immediate family member hired as or promoted to a principal, assistant principal, or system administrative staff on or after July 1, 2009, by ~~that~~ such local school system. As used in this ~~subsection~~ paragraph, the term 'immediate family member' means a spouse, child, sibling, or parent or the spouse of a child, sibling, or parent whose term as a member of the local board of education or whose employment as

a principal, assistant principal, or system administrative staff in the local school system began on or after January 1, 2010. Nothing in this ~~Code section~~ paragraph shall affect the employment of any person who is employed by a local school system on or before July 1, 2009, or who is employed by a local school system when an immediate family member becomes the local school superintendent for ~~that~~ such local school system.

(c) ~~Superintendents~~ Local school superintendents shall have such additional qualifications as may be prescribed by local law or policies of the local board of education ~~for that school district~~, not inconsistent with the provisions of this chapter.

(d) At any time during the 12 months immediately preceding the expiration of an appointed local school superintendent's contract or term of office, or when a vacancy in the office of local school superintendent occurs, the local board of education may appoint and employ a successor local school superintendent in accordance with the above provisions of this Code section, notwithstanding that the terms of some or all of the local board of education members will expire before ~~the employment of the superintendent so appointed and employed~~ such employment begins.

(e) A local school superintendent may concurrently serve as a principal, teacher, or in another staff position as directed by the local board of education in its sole discretion and in accordance with the terms of the contract between the local school superintendent and the local board of education. A local school superintendent may also serve concurrently as local school superintendent of one or more local school systems in accordance with the terms of his or her respective contracts and upon approval by each affected local school system.

(f) No substantive or procedural right regarding employment or termination of employment of a local school superintendent by a local school system shall be created by this Code section. Rather, the terms and conditions of employment of a local school superintendent by a local school system shall be determined exclusively by the contract between those parties and may include, without being limited to, the conditions under and

77 procedures by which ~~that~~ such contract may be terminated prior to the end of the term of  
78 ~~that~~ such contract."

79 **SECTION 3.**

80 *By redesignating Sections 3, 4, 5, and 6 as Sections 4, 5, 6, and 7, respectively.*