

HB0238/695364/1

BY: Committee on Ways and Means

AMENDMENTS TO HOUSE BILL 238

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after the first “of” insert “requiring the State Superintendent of Schools to provide a county superintendent of schools with certain information if the State Superintendent intends to remove the county superintendent;”; strike beginning with “file” in line 3 down through the second “of” in line 4 and substitute “remove”; in line 5, strike “of schools” and substitute “in a certain manner”; strike beginning with “specifying” in line 5 down through “circumstances;” in line 13 and substitute “authorizing the county superintendent to appeal a certain decision to the State Board of Education or an arbitrator;”; and strike beginning with “authorizing” in line 15 down through “Education;” in line 17.

AMENDMENT NO. 2

On page 2, in line 31, after “Superintendent” insert “OR A COUNTY BOARD”.

On page 3, strike in their entirety lines 5 through 20, inclusive; in line 21, strike the brackets; strike beginning with “(3)” in line 21 down through “SUBSECTION” in line 27 and substitute “THE STATE SUPERINTENDENT MAY REMOVE A COUNTY SUPERINTENDENT UNDER THIS SUBSECTION IF THE STATE SUPERINTENDENT PROVIDES THE COUNTY SUPERINTENDENT WITH:

(I) THE REASON FOR REMOVAL, CHOSEN FROM ONE OR MORE OF THE ITEMS IN PARAGRAPH (1) OF THIS SUBSECTION;

(II) DOCUMENTATION SUPPORTING THE CASE FOR REMOVAL; AND

(Over)

(III) THE OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS BEFORE THE STATE SUPERINTENDENT IN ACCORDANCE WITH THIS SUBSECTION”;

in line 28, strike the brackets; in the same line, strike “(4)”; in line 29, strike the brackets; and in the same line, strike “30-DAY”.

On page 4, in line 1, strike the bracket; strike beginning with the bracket in line 2 down through “11” in line 3; strike beginning with the semicolon in line 4 down through “BOARD” in line 7; after line 10, insert:

“(4) A COUNTY BOARD MAY REMOVE A COUNTY SUPERINTENDENT UNDER THIS SUBSECTION IF THE COUNTY BOARD PROVIDES THE COUNTY SUPERINTENDENT WITH:

(I) THE REASON FOR REMOVAL, CHOSEN FROM ONE OR MORE OF THE ITEMS IN PARAGRAPH (1) OF THIS SUBSECTION;

(II) DOCUMENTATION SUPPORTING THE CASE FOR REMOVAL; AND

(III) THE OPPORTUNITY TO REQUEST A HEARING WITHIN 10 DAYS BEFORE THE COUNTY BOARD IN ACCORDANCE WITH THIS SUBSECTION.

(5) IF A COUNTY SUPERINTENDENT REQUESTS A HEARING BEFORE THE COUNTY BOARD WITHIN THE 10-DAY PERIOD:

(I) THE COUNTY BOARD PROMPTLY SHALL HOLD A HEARING, BUT A HEARING MAY NOT BE SET WITHIN 10 DAYS AFTER THE COUNTY BOARD SENDS THE COUNTY SUPERINTENDENT A NOTICE OF THE HEARING; AND

(II) THE COUNTY SUPERINTENDENT SHALL HAVE AN OPPORTUNITY TO BE HEARD PUBLICLY BEFORE THE COUNTY BOARD IN THE COUNTY SUPERINTENDENT’S OWN DEFENSE, IN PERSON OR BY COUNSEL.

(6) THE COUNTY SUPERINTENDENT MAY APPEAL FROM THE DECISION OF THE STATE SUPERINTENDENT OR THE COUNTY BOARD TO:

(I) THE STATE BOARD; OR

(II) AN ARBITRATOR IN ACCORDANCE WITH PARAGRAPH (7) OF THIS SUBSECTION.”;

in line 11, strike “(5)” and substitute “(7)”; strike beginning with “REQUESTS” in line 11 down through “HEARING” in line 12 and substitute “APPEALS FROM THE DECISION OF THE STATE SUPERINTENDENT OR THE COUNTY BOARD TO AN ARBITRATOR, THE HEARING BEFORE THE ARBITRATOR”; and in line 21, after “THE” insert “STATE SUPERINTENDENT OR”.

On page 4 in lines 16, 19, and 30, and on page 5 in lines 4, 9, and 14, in each instance, after “SUPERINTENDENT” insert “OR COUNTY BOARD”.

On page 5, in line 15, after “STATE” insert “SUPERINTENDENT OR COUNTY BOARD”; in line 20, strike “AN INDIVIDUAL” and substitute “A PARTY”; and strike in their entirety lines 23 through 26, inclusive.