



BOARD OF EDUCATION POLICY

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| SCHOOL DISTRICT LEGAL STATUS | AA | 5/9/07 |
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A. CONSTITUTIONAL AUTHORITY:

The authority to govern public school districts in Georgia is granted solely to the local Boards of Education by the State Constitution.

Those Boards of Education are elected by the public and are accountable to the public for the fiduciary and stewardship responsibility of the wise use of public funds and public trust.

These governing powers are singularly vested in the Cobb County Board of Education (Board) and may not be delegated to others. However, the responsibility for the successful supervision and management of the educational and operational functions of the Cobb County School District (District) is delegated (conferred) to the Superintendent, who shall serve as the Chief Executive Officer (CEO) of the District on behalf of the Board.

It is imperative that no single Board member on their own initiative should attempt to direct the Superintendent or their staff in a particular course of action. Only the Board as a whole has that authority and it shall act only through its duly appointed CEO.

It is equally important that all should be aware that the duty of the CEO is to carry out the directives of the full Board and that the CEO shall not attempt to assume the governing authority vested in the Board.

The Georgia Constitution authorizes local boards of education to establish and maintain public schools.

The Georgia Constitution requires that an elected board of education oversee each public school system.

B. BOARD OF EDUCATION RESPONSIBILITIES*:

Boards of Education have many responsibilities. They include, but are not limited to some that cannot be delegated to a Superintendent, such as:

1. Buying and selling school property;
2. Calling elections to authorize a Special Purpose Local Option Sales Tax (SPLOST);
3. Calling bond elections to authorize the issuance of bonded debt;
4. Reorganizing and consolidating schools within the school boards control; and
5. Hiring employees on the recommendation of the superintendent

C. BOARD OF EDUCATION LEGAL FUNCTIONS*:

Georgia law says that the Board's legal functions include:

1. Hiring and evaluating the Superintendent;
2. Hiring and assigning all employees upon the recommendation of the Superintendent;
3. Sitting as a court to decide local controversies involving school law;
4. Dismissing and suspending employees as recommended by the Superintendent;
5. Approving the local budget for submission to the State Board of Education;
6. Levying the local educational millage rate to support the approved budget;
7. Caring for all school system property including purchase, construction, lease, repair and sale of such property;
8. Approving all contracts binding the local school District;

9. Making the Policies and Rules necessary to govern the school District;
10. Adopting a plan for the assignment of pupils (This includes establishing, reorganizing, consolidating and closing of schools as well as determining which grade levels are assigned to each school.);
11. Insuring that the Superintendent, principals and other employees handling school money are bonded; and
12. Sitting as an appellate court in student disciplinary matters.

*See the Georgia School Board Association (GSBA) publication entitled A Guide to Effective Boardsmanship, 2006 Edition, specifically pages 1-3.

Adopted: 5/9/07