

ABB Board Powers and Duties

5/17/12

A. ORGANIZATIONAL DIRECTION:

The job of the Cobb County Board of Education (Board) is to represent the citizens and taxpayers of Cobb County in determining and demanding appropriate organizational performance.

1. The Board will produce the link between the organization and the citizens of Cobb County, utilizing appropriate strategies to ensure input from students, staff, parents, and the community as a means to link the entire community.
2. One of the basic functions of the Board is to formulate policies which provide educational opportunities of high quality that meet the needs of all students. Therefore, the Board will develop general policies governing the operations of the Cobb County School District (District) as distinguished from the internal administration of the District and individual schools.
3. The Board will empower the Superintendent with the administration of policies and ensure the performance of the Superintendent through the monitoring of such policies.

B. RESPONSIBILITIES:

Cobb County Board of Education (Board) members shall be responsible for the operation of the Cobb County School District and are to provide for the education of all the children of Cobb County entitled to a free public education. The Board shall be specifically concerned with the following:

1. Annual school year calendar;
2. Attendance Zones. When establishing or revising school attendance zones, the Board shall follow Georgia (including but not limited to HB 539) and Federal law;
3. Board Attorney;
4. Buildings and Building Sites;
5. Buying and selling school property;
6. Calling elections to authorize a Special Purpose Local Option Sales Tax (SPLOST);
7. Calling bond elections to authorize the issuance of bonded debt;
8. Consultants, Appointments of (Architects, Planners, Attorneys, etc.);
9. Contracts - All contracts for services in the amount of \$200,000 or more shall be approved by the Board. Further:
 - a. Contracts requiring Board approval by Policy, law, Rule or regulation shall be reviewed by the attorney and submitted for Board approval as part of the agenda at a regular or called Board meeting.
 - b. Contracts other than those of standard form which do not require Board approval shall also be reviewed by the attorney and Superintendent and, if warranted, submitted to the Board for review.
 - c. A copy of each standard contract form used by the District shall be filed in the office of the attorney and shall be reviewed annually by the attorney and the Superintendent or designee.
 - d. After contracts requiring Board approval have been approved, they shall be signed by the Chair of the Board unless the Board authorizes the Executive Secretary to sign in place of the Board Chair. The Executive Secretary shall also sign the contracts as such or as Superintendent of schools.
 - e. Notes - All notes of indebtedness of the Board shall be signed by the Chair and the Executive Secretary.
10. Finance, including but not limited to the Annual Budget;
11. General Policy;
12. Major program changes;
13. Naming of District Facilities;

14. Naming areas within an educational facility on behalf of donors of \$250,000 or more; and
15. Personnel

C. CONSTITUTIONAL AND STATUTORY DUTIES:

Georgia law states that the Board’s legal functions include:

1. Hiring and evaluating the Superintendent(O.C.G.A §§ 20-2-101, 20-2-210);
2. Hiring and assigning all employees upon the recommendation of the Superintendent (O.C.G.A § 20-2-211);
3. Sitting as a body to decide local controversies involving school law (O.C.G.A § 20-2-1160);
4. Dismissing and suspending employees as recommended by the Superintendent (O.C.G.A § 20-2-943);
5. Approving the local budget for submission to the State Board of Education (1983 Const., Art. 8, Sect. 5, Para. 2, O.C.G.A § 20-2-49);
6. Levying the local education millage rate to support the approved budget (1983 Const., Art. 8, Sect. 6, Para. 1);
7. Caring for all school system property including purchase, construction, lease, repair and sale of such property (O.C.G.A § 20-2-520).
8. Making Policies and Rules necessary to govern the school District (O.C.G.A § 20-2-59);
9. 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.) (O.C.G.A § 20-2-50);
10. Ensuring that the Superintendent, principals and other employees handling school money are bonded (O.C.G.A §§ 20-2-104, 20-2-960);
11. Sitting as an appellate body in student disciplinary matters (O.C.G.A § 20-2-752);
12. Buying and selling school property (O.C.G.A § 20-2-520);
13. Building and building sites (O.C.G.A § 20-2-520);
14. Calling elections to authorize a Special Purpose Local Option Sales Tax (SPOLST) (1983 Georgia Constitution at Art. 8, Sect. 6, Para. 4); and
15. Calling Bond elections to authorize the issuance of banded debt (O.C.G.A § 20-2-430).

D. SUBPOENAS

The Chair or the Vice-Chair of the Board shall issue subpoenas requiring the attendance and testimony of witnesses and the production of objects or documents at hearings. Requests for subpoenas shall be in writing and filed with the Superintendent’s Office at least three working days before the hearing. Such requests shall be served upon all parties and shall identify the witnesses whose testimony is sought or the documents or objects sought to be produced.

Adopted: 8/23/01

Revised: 3/9/05; 4/28/05; 11/9/05; 1/26/06; 3/8/06; 6/22/06; 4/15/09

Confirmed: 5/9/07

Revised: 4/15/09

Revised and Re-coded: 5/17/12 (previously coded as Board Policy BBA)

Legal Reference

Ga. Constitution Art. 8, Sec. 5, Par. 5	Power of Boards to contract with each other
O.C.G.A. 20-02-0049	Standards for local board of education members
O.C.G.A. 20-02-0211.1	Clearance certificates issued by the Professional Standards Commission relating to fingerprint and criminal background checks
O.C.G.A. 20-02-0104	Superintendent’s bonds.
O.C.G.A. 20-02-1160	LBOE tribunal power to determine local school controversies; appeals; special ed provisions
O.C.G.A. 20-02-0151	General and career education programs
O.C.G.A. 20-02-0167	Funding for direct instructional, media center and staff development costs; submission of budget
O.C.G.A. 20-02-0182	Program weights to reflect funds for payment of salaries and benefits
O.C.G.A. 20-02-0211	Annual contract; disqualifying acts; fingerprinting; criminal record checks
O.C.G.A. 20-02-0390	Power of county boards
O.C.G.A. 20-02-0430	Issuance and retirement of county schoolhouse bonds
O.C.G.A. 20-02-0050	County school districts; county board for each county
O.C.G.A. 20-02-0503	Purchasing educational information, literature and services
O.C.G.A. 20-02-0520	Acquiring/disposing of school sites; building, repairing, renting, and furnishing school houses
O.C.G.A. 20-02-0521	Power of condemnation
O.C.G.A. 20-02-0057	Organization of LBOEs; chairperson and secretary; quorum; record of proceedings
O.C.G.A. 20-02-0059	LBOE rule-making authority

O.C.G.A. 20-02-0060 Consolidation of county schools
O.C.G.A. 20-02-0730 Corporal punishment
O.C.G.A. 20-02-0750 Public School Disciplinary Tribunal Act - short title
O.C.G.A. 20-02-0940 Grounds/procedure for terminating or suspending contract of employment (Fair Dismissal law)
O.C.G.A. 36-09-0002 Control and disposal of county property
O.C.G.A. 50-14-0001 Open Meetings Law
Ga. Constitution Art. 8, Sec. 6, Par. 1 Local taxation for education
Rule 160-4-9-.06 Charter Authorizers, Financing and Management