

(2) Any assistant State superintendents and directors authorized by the State Board and provided in the State budget; and

(3) Any other professional assistants and agents authorized by the State Board and provided in the State budget.

(b) (1) From the nominees proposed by the State Superintendent, the State Board shall appoint all professional assistants to the Department, who shall be in the unclassified service of the State Personnel Management System.

(2) [The] WITH THE ADVICE OF THE STATE SUPERINTENDENT, THE State Board shall set the qualifications for each professional position.

(3) THE STATE SUPERINTENDENT MAY TRANSFER PROFESSIONAL ASSISTANTS WITHIN THE DEPARTMENT AS NECESSARY.

[(c) On the recommendation of the State Superintendent, the State Board may dismiss a professional assistant for:

- (1) Immorality;
- (2) Misconduct in office;
- (3) Insubordination;
- (4) Incompetency; or
- (5) Willful neglect of duty.]

(C) (1) ALL PROFESSIONAL ASSISTANTS, GRADE ~~49~~ 31 AND ABOVE, SHALL SERVE AT THE PLEASURE OF THE STATE BOARD AND THE STATE SUPERINTENDENT.

(2) ALL OTHER PROFESSIONAL ASSISTANTS SHALL BE REMOVED IN ACCORDANCE WITH ~~THE PROVISIONS OF THE STATE PERSONNEL MANAGEMENT SYSTEM FOR UNCLASSIFIED EMPLOYEES~~ PROCEDURES SET BY THE STATE BOARD.

(d) (1) In addition to the other duties specified in this section, each professional assistant to the Department has the duties assigned to him by the State Superintendent.

(2) The Deputy State Superintendent is the acting State Superintendent when the State Superintendent is absent or disabled.

(3) Assistant State superintendents and directors have charge of the various divisions of the Department.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1994.