

House Bill 634

By: Representatives Jasperse of the 11th and Williams of the 119th

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to
2 commissions and other agencies, so as to provide for the creation of the Georgia Endowment
3 for Teaching Professionals to foster a public-private partnership for support of postsecondary
4 teaching professionals in high demand courses, subjects, and disciplines; to provide for a
5 board of trustees; to provide for the membership, appointment, terms, and filling of vacancies
6 of the board of trustees; to provide for the creation, appointment, terms, filling of vacancies,
7 duties, and responsibilities of an advisory committee to the board of trustees; to provide for
8 the purposes of the endowment; to provide for the duties and responsibilities of the board of
9 trustees; to provide for discontinuation of the endowment under certain circumstances; to
10 provide for certain reports and audits; to provide for related matters; to repeal conflicting
11 laws; and for other purposes.

12 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

13 style="text-align:center">**SECTION 1.**

14 Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to commissions
15 and other agencies, is amended by revising Article 7, which is reserved, to read as follows:

16 style="text-align:center">"ARTICLE 7

17 50-12-110.

18 (a) In order to foster a public-private partnership for the support of postsecondary teaching
19 professionals in high demand courses, subjects, and disciplines, there is created the Georgia
20 Endowment for Teaching Professionals. Such endowment shall be for the purpose of
21 receiving and distributing funds for the support of a program of endowments within the
22 University System of Georgia and Technical College System of Georgia to support
23 outstanding teaching professionals in high demand courses, subjects, and disciplines in
24 order to improve education and provide for economic development. The Georgia

25 Endowment for Teaching Professionals shall not be an entity or agency of government, but
26 shall be a private entity operating under and in accordance with the laws of this state. It
27 is the intent of the General Assembly that such private entity take all necessary steps to
28 become a Section 501(c)(3) entity under the Internal Revenue Code.

29 (b)(1) The Georgia Endowment for Teaching Professionals shall be governed by a board
30 of trustees consisting of 11 members. The members of the board shall include the
31 chairperson of the Board of Regents of the University System of Georgia, the chairperson
32 of the State Board of the Technical College System of Georgia, the commissioner of
33 economic development, and eight members appointed by the Governor, Lieutenant
34 Governor, and Speaker of the House of Representatives as follows: the Governor shall
35 appoint six members, one of whom may be the head of a not for profit educational
36 organization with an annual budget of more than \$10 million, one of whom may be the
37 chief executive, operations, or human resources officer of a for profit company with more
38 than 1,000 employees in Georgia, one of whom may be the chief executive, operations,
39 or human resources officer of a for profit company with less than 1,000 employees in
40 Georgia, one of whom may be the dean of a unit of the University System of Georgia,
41 and one of whom may be the dean of a unit of the Technical College System of Georgia;
42 the Lieutenant Governor shall appoint one member; and the Speaker of the House of
43 Representatives shall appoint one member.

44 (2) The Governor shall appoint one member to serve as chairperson of the board of
45 trustees. The board may elect such other officers as the board deems appropriate. The
46 board shall meet at the call of the chairperson or the request of any three members.

47 (c) The members of the board of trustees shall serve terms of four years and until their
48 successors are appointed and qualified; provided, however, that the initial terms of three
49 members appointed by the Governor and to be designated by the Governor shall be for two
50 years and until their successors are appointed and qualified. Thereafter, such members
51 shall serve four-year terms and until their successors are appointed and qualified. The
52 members of the board shall serve without compensation but may be reimbursed for actual
53 and reasonable expenses incurred while on the business of the endowment.

54 (d) The board of trustees shall appoint an advisory committee to assist the board members
55 in their duties. Such advisory committee shall consist of not more than 30 members and
56 shall be chaired by the executive director of the endowment. The advisory committee shall
57 include at least two representatives from each of the state's congressional districts. In
58 making its appointments, the board shall select members of the board of directors or
59 trustees of postsecondary institutions, local business or industry associations, and economic
60 development organizations; persons who have shown a commitment to education and
61 workforce development in their communities; and persons who understand the needs of

62 business and education. Such members shall serve for four-year terms and until their
63 successors are selected and qualified; provided, however, that the board of trustees shall
64 designate 15 of the initial appointees to serve terms of two years and until their successors
65 are selected and qualified. Such 15 members shall thereafter serve four-year terms and
66 until their successors are selected and qualified. The members of the advisory committee
67 shall serve without compensation but may be reimbursed for actual and reasonable
68 expenses incurred while on the business of the advisory committee.

69 50-12-111.

70 The Georgia Endowment for Teaching Professionals may have the following purposes:

71 (1) To support the efforts of the Georgia Research Alliance in the advancement of
72 education and economic development in this state;

73 (2) To support through education the efforts of the Georgia Department of Economic
74 Development;

75 (3) To support the improvement of public postsecondary education in Georgia through
76 the identification of key courses, subjects, and disciplines in demand for the development
77 of business and industry in this state;

78 (4) To provide annually to individual units of the University System of Georgia and the
79 Technical College System of Georgia grants in an amount and for a period of time to be
80 determined by the board on a case-by-case basis to enable a teaching professional at such
81 unit in one or more of the key courses, subjects, or disciplines identified, based on
82 competitive evaluation by the advisory board or a committee of the advisory board of the
83 various proposals;

84 (5) To receive, invest, and administer funds received, including without limitation funds
85 from the state, the federal government, private donations, grants, and other sources to
86 fulfill the purposes for which the endowment is created;

87 (6) To attract contributions and grants for the purposes of the endowment;

88 (7) To utilize funds of the endowment for matching dollars for federal and foundation
89 grants to fulfill the purposes of the endowment; and

90 (8) To engage in other activities designed to support Georgia's postsecondary education
91 systems' contribution to economic development and tourism.

92 50-12-112.

93 The board of trustees shall have the following duties and responsibilities:

94 (1) To operate and manage the Georgia Endowment for Teaching Professionals,
95 including the investment and reinvestment of the endowment's funds, the management

- 96 of assets of the endowment, and the distribution of such funds and assets to fulfill the
 97 purpose of the endowment;
- 98 (2) To enter into contracts with public and private entities for services needed by the
 99 endowment and to fulfill the purposes of the endowment;
- 100 (3) To employ such staff and consultants as deemed necessary to fulfill the purposes of
 101 the endowment and to manage, invest, and administer funds and assets of the endowment;
- 102 (4) To receive, retain, and invest donations, state and federal funding, grants, and other
 103 funds and assets; provided, however, that state funding and grants may not be expended
 104 for the purposes of paragraph (4) of Code Section 50-12-111 but may be expended for
 105 all other purposes of the endowment;
- 106 (5) To ensure that an annual independent audit is conducted of all funds and assets of the
 107 endowment;
- 108 (6) To apply for and administer grants from public and private entities to fulfill the
 109 purposes of the endowment, to assist units of the University System of Georgia and the
 110 Technical College System of Georgia in obtaining and administering grants for these
 111 purposes, and to partner with other organizations in order to obtain such grants;
- 112 (7) To institute and administer grant programs to fulfill the purposes of the endowment;
- 113 (8) To ensure that determinations of any public funding recipients shall be based not on
 114 political expediency but rather on the project's contribution to the general welfare of its
 115 intended audience and the project's demonstration of its relative ability to provide benefits
 116 to this state and its citizens as quantified as required by paragraph (10) of this Code
 117 section;
- 118 (9) To promote, fund, conduct, and assist in the development, provision, and expansion
 119 of educational courses, subjects, and disciplines identified by the board as in demand for
 120 the purpose of promoting the economic development of this state;
- 121 (10) To develop a measurement consistent with state or national standards that will
 122 ensure that information provided by the endowment in any report to the Governor and the
 123 General Assembly concerning the impact of the endowment on education and economic
 124 development have verifiable metrics in order to aid the General Assembly in determining
 125 whether any public money expended in support of the endowment provides quantifiable
 126 benefits to this state and its citizens; and
- 127 (11) To perform such other tasks as may be appropriate to fulfill its purposes not
 128 inconsistent with law.
- 129 50-12-113.
- 130 (a) No funds shall be expended by the board under the provisions of paragraphs (7) and (9)
 131 of Code Section 50-12-112 until contributions to the endowment from private donors

132 aggregate \$50,000.00 and funding and grants from public sources aggregate \$50,000.00.
133 In the event that contributions to the endowment do not meet the minimum requirements
134 of this subsection by December 31, 2019, then the endowment shall be discontinued
135 effective July 1, 2020. In such event, during the period from December 31, 2019, to
136 June 30, 2020, the endowment shall take all reasonable and necessary steps to wind up its
137 affairs and to return any contributions to the donors thereof, public or private. In the event
138 that any contribution cannot be returned to the donor on or before June 30, 2020, the same
139 shall escheat to the state on July 1, 2020.

140 (b) The funds and assets of the endowment shall be independently audited annually, and
141 the results of such audit shall be open to inspection at reasonable times by any person. A
142 copy of the audit report shall be sent to the state auditor and the state accounting officer.

143 (c) The board shall provide the Governor and the members of the General Assembly with
144 a full report of its activities and funds distribution in December of each year with
145 recommendations, if any, for legislation to assist the endowment in achieving its purposes.
146 The report shall include information on the impact of the endowment on education and
147 economic development, specifying the metric results using the measurement system
148 developed by the endowment as required in paragraph (10) of Code Section 50-12-112."

149

SECTION 2.

150 All laws and parts of laws in conflict with this Act are repealed.