

The House Committee on Higher Education offers the following substitute to HB 1084:

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 Technical College System of Georgia to support outstanding teaching professionals in high  
23 demand courses, subjects, and disciplines in order to improve education and provide for  
24 economic development. The Georgia Endowment for Teaching Professionals shall not be

25 an entity or agency of government, but shall be a private entity operating under and in  
26 accordance with the laws of this state. It is the intent of the General Assembly that such  
27 private entity take all necessary steps to become a Section 501(c)(3) entity under the  
28 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 five  
31 members appointed by the Governor, including the commissioner of the Technical  
32 College System of Georgia and the commissioner of economic development; three  
33 members appointed by the Lieutenant Governor; and three members appointed by  
34 Speaker of the House of Representatives.

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

38 (c) The members of the board of trustees shall serve terms of four years and until their  
39 successors are appointed and qualified; provided, however, that the initial terms of the three  
40 members appointed by the Governor other than the commissioner of the Technical College  
41 System of Georgia and the commissioner of economic development shall be for two years  
42 and until their successors are appointed and qualified. Thereafter, such members shall  
43 serve four-year terms and until their successors are appointed and qualified. The members  
44 of the board shall serve without compensation but may be reimbursed for actual and  
45 reasonable expenses incurred while on the business of the endowment.

46 (d) The board of trustees shall appoint an advisory committee to assist the board members  
47 in their duties. Such advisory committee shall consist of not more than 30 members and  
48 shall be chaired by the executive director of the endowment. The advisory committee shall  
49 include at least two representatives from each of the state's congressional districts. In  
50 making its appointments, the board shall select members of the board of directors or  
51 trustees of postsecondary institutions, local business or industry associations, and economic  
52 development organizations; persons who have shown a commitment to education and  
53 workforce development in their communities; and persons who understand the needs of  
54 business and education. The members of the advisory committee shall serve for four-year  
55 terms and until their successors are selected and qualified; provided, however, that the  
56 board of trustees shall designate 15 of the initial appointees to serve terms of two years and  
57 until their successors are selected and qualified. Such 15 members shall thereafter serve  
58 four-year terms and until their successors are selected and qualified. The members of the  
59 advisory committee shall serve without compensation but may be reimbursed for actual and  
60 reasonable expenses incurred while on the business of the advisory committee.

61 50-12-111.

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

63 (1) To support through education the efforts of the Georgia Department of Economic  
64 Development;

65 (2) To support the improvement of public postsecondary education in Georgia through  
66 the identification of key courses, subjects, and disciplines in demand for the development  
67 of business and industry in this state;

68 (3) To provide annually to individual branches of the Technical College System of  
69 Georgia grants in an amount and for a period of time to be determined by the board of  
70 trustees on a case-by-case basis to enable a teaching professional at such branch in one  
71 or more of the key courses, subjects, or disciplines identified, based on competitive  
72 evaluation by the advisory committee or subcommittee of the various proposals;

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

76 (5) To attract contributions and grants for the purposes of the endowment;

77 (6) To utilize funds of the endowment for matching dollars for federal and foundation  
78 grants to fulfill the purposes of the endowment; and

79 (7) To engage in other activities designed to support Georgia's postsecondary education  
80 systems' contribution to economic development and tourism.

81 50-12-112.

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

83 (1) To operate and manage the Georgia Endowment for Teaching Professionals,  
84 including the investment and reinvestment of the endowment's funds, the management  
85 of assets of the endowment, and the distribution of such funds and assets to fulfill the  
86 purpose of the endowment;

87 (2) To enter into contracts with public and private entities for services needed by the  
88 endowment and to fulfill the purposes of the endowment;

89 (3) To employ such staff and consultants as deemed necessary to fulfill the purposes of  
90 the endowment and to manage, invest, and administer funds and assets of the endowment;

91 (4) To receive, retain, and invest donations, state and federal funding, grants, and other  
92 funds and assets; provided, however, that state funding and grants may not be expended  
93 for the purposes of paragraph (3) of Code Section 50-12-111 but may be expended for  
94 all other purposes of the endowment;

95 (5) To ensure that an annual independent audit is conducted of all funds and assets of the  
96 endowment;

97 (6) To apply for and administer grants from public and private entities to fulfill the  
 98 purposes of the endowment, to assist branches of the Technical College System of  
 99 Georgia in obtaining and administering grants for these purposes, and to partner with  
 100 other organizations in order to obtain such grants;

101 (7) To institute and administer grant programs to fulfill the purposes of the endowment;

102 (8) To ensure that determinations of any public funding recipients shall be based not on  
 103 political expediency but rather on the project's contribution to the general welfare of its  
 104 intended audience and the project's demonstration of its relative ability to provide benefits  
 105 to this state and its citizens as quantified as required by paragraph (10) of this Code  
 106 section;

107 (9) To promote, fund, conduct, and assist in the development, provision, and expansion  
 108 of educational courses, subjects, and disciplines identified by the board as in demand for  
 109 the purpose of promoting the economic development of this state;

110 (10) To develop a measurement consistent with state or national standards that will  
 111 ensure that information provided by the endowment in any report to the Governor and the  
 112 General Assembly concerning the impact of the endowment on education and economic  
 113 development have verifiable metrics in order to aid the General Assembly in determining  
 114 whether any public money expended in support of the endowment provides quantifiable  
 115 benefits to this state and its citizens; and

116 (11) To perform such other tasks as may be appropriate to fulfill its purposes not  
 117 inconsistent with law.

118 50-12-113.

119 (a) No funds shall be expended by the board under the provisions of paragraphs (7) and (9)  
 120 of Code Section 50-12-112 until contributions to the endowment from private donors  
 121 aggregate \$50,000.00 and funding and grants from public sources aggregate \$50,000.00.  
 122 In the event that contributions to the endowment do not meet the minimum requirements  
 123 of this subsection by December 31, 2022, then the endowment shall be discontinued  
 124 effective July 1, 2023. In such event, during the period from December 31, 2022, to  
 125 June 30, 2023, the endowment shall take all reasonable and necessary steps to wind up its  
 126 affairs and to return any contributions to the donors thereof, public or private. In the event  
 127 that any contribution cannot be returned to the donor on or before June 30, 2023, the same  
 128 shall escheat to the state on July 1, 2023.

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

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

138 **SECTION 2.**

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