

The House Committee on Higher Education offers the following substitute to HB 392:

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 **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:

H. B. 392 (SUB)

"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 of trustees shall include
31 five 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 President of the Senate; 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 of trustees may elect such other officers as it deems appropriate. The
37 board of trustees shall meet at the call of the chairperson or the request of any three
38 members.

39 (c) The members of the board of trustees shall serve terms of four years and until their
40 successors are appointed and qualified; provided, however, that the initial terms of the three
41 members appointed by the Governor other than the commissioner of the Technical College

42 System of Georgia and the commissioner of economic development shall be for two years
43 and until their successors are appointed and qualified. Thereafter, such members shall
44 serve four-year terms and until their successors are appointed and qualified. The members
45 of the board of trustees shall serve without compensation but may be reimbursed for actual
46 and reasonable expenses incurred while on the business of the endowment.

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

63 50-12-111.

64 The Georgia Endowment for Teaching Professionals shall have the following purposes:

65 (1) To support through education the efforts of the Georgia Department of Economic
66 Development;

- 67 (2) To support the improvement of public postsecondary education in Georgia through
68 the identification of key courses, subjects, and disciplines in demand for the development
69 of business and industry in this state;
- 70 (3) To provide annually to individual units of the Technical College System of Georgia
71 grants in an amount and for a period of time to be determined by the board of trustees on
72 a case-by-case basis to enable a teaching professional at such unit in one or more of the
73 key courses, subjects, or disciplines identified, based on competitive evaluation by the
74 advisory committee or subcommittee of the various proposals;
- 75 (4) To receive, invest, and administer funds received, including without limitation funds
76 from the state, private donations, grants, and other sources to fulfill the purposes for
77 which the endowment is created;
- 78 (5) To attract contributions and grants for the purposes of the endowment;
- 79 (6) To utilize funds of the endowment for matching dollars for foundation grants to
80 fulfill the purposes of the endowment; and
- 81 (7) To engage in other activities designed to support Georgia's postsecondary education
82 systems' contribution to economic development and tourism.

83 50-12-112.

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

- 85 (1) To operate and manage the Georgia Endowment for Teaching Professionals,
86 including the investment and reinvestment of the endowment's funds, the management
87 of assets of the endowment, and the distribution of such funds and assets to fulfill the
88 purpose of the endowment;
- 89 (2) To enter into contracts with public and private entities for services needed by the
90 endowment and to fulfill the purposes of the endowment;
- 91 (3) To employ such staff and consultants as deemed necessary to fulfill the purposes of
92 the endowment and to manage, invest, and administer funds and assets of the endowment;

- 93 (4) To receive, retain, and invest donations, state funding, grants, and other funds and
94 assets; provided, however, that state funding and grants may not be expended for the
95 purposes of paragraph (3) of Code Section 50-12-111 but may be expended for all other
96 purposes of the endowment;
- 97 (5) To ensure that an annual independent audit is conducted of all funds and assets of the
98 endowment;
- 99 (6) To apply for and administer grants from public and private entities to fulfill the
100 purposes of the endowment, to assist branches of the Technical College System of
101 Georgia in obtaining and administering grants for these purposes, and to partner with
102 other organizations in order to obtain such grants;
- 103 (7) To institute and administer grant programs to fulfill the purposes of the endowment;
- 104 (8) To ensure that determinations of any public funding recipients shall be based not on
105 political expediency but rather on the project's contribution to the general welfare of its
106 intended audience and the project's demonstration of its relative ability to provide benefits
107 to this state and its citizens as quantified as required by paragraph (10) of this Code
108 section;
- 109 (9) To promote, fund, conduct, and assist in the development, provision, and expansion
110 of educational courses, subjects, and disciplines identified by the board of trustees as in
111 demand for the purpose of promoting the economic development of this state;
- 112 (10) To develop a measurement consistent with state or national standards that will
113 ensure that information provided by the endowment in any report to the Governor and the
114 General Assembly concerning the impact of the endowment on education and economic
115 development have verifiable metrics in order to aid the General Assembly in determining
116 whether any public money expended in support of the endowment provides quantifiable
117 benefits to this state and its citizens; and
- 118 (11) To perform such other tasks as may be appropriate to fulfill its purposes not
119 inconsistent with law.

120 50-12-113.
121 (a) No funds shall be expended by the board of trustees under the provisions of paragraphs
122 (7) and (9) of Code Section 50-12-112 until contributions to the endowment from private
123 donors aggregate \$50,000.00 and funding and grants from public sources aggregate
124 \$50,000.00. In the event that contributions to the endowment do not meet the minimum
125 requirements of this subsection by December 31, 2025, then the endowment shall be
126 discontinued effective July 1, 2026. In such event, during the period from January 1, 2026
127 to June 30, 2026, the endowment shall take all reasonable and necessary steps to wind up
128 its affairs and to return any contributions to the donors thereof, public or private. In the
129 event that any contribution cannot be returned to the donor on or before June 30, 2026, the
130 same shall escheat to the state on July 1, 2026.
131 (b) The funds and assets of the endowment shall be independently audited annually, and
132 the results of such audit shall be open to inspection at reasonable times by any person. A
133 copy of the audit report shall be sent to the state auditor and the state accounting officer.
134 (c) The board of trustees shall provide the Governor and the members of the General
135 Assembly with a full report of its activities and funds distribution in December of each year
136 with recommendations, if any, for legislation to assist the endowment in achieving its
137 purposes. The report shall include information on the impact of the endowment on
138 education and economic development, specifying the metric results using the measurement
139 system developed by the endowment as required in paragraph (10) of Code Section
140 50-12-112."

141 **SECTION 2.**

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