

## **POLICY: 2.4.1.** (I.D.1)

# **Local Board Responsibilities and Authority**

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| <b>Revised:</b>       | September 3, 2015; May 1, 2014; May 3, 2012; October 21, 2003; and June 7, 2001. |
| <b>Last Reviewed:</b> | April 10, 2023; September 7, 2022; December 30, 2019; and March 28, 2017.        |
| <b>Adopted:</b>       | September 3, 1987.   |



### **POLICY:**

The State Board of the Technical College System of Georgia (TCSG) shall appoint a Local Board of Directors for each college to assist the State Board in carrying out its mission. Each Local Board shall represent the geographic area served by the college and consist of diverse members reflecting the service delivery area's population and representing business, industry, or economic development. The Local Board shall have at least seven and not more than fifteen members, provided colleges with a student population greater than 6,500 may have up to seventeen members.

The purpose of the Local Boards is to facilitate the delivery of programs, services, and activities as directed by the State Board, advise the President and the State Board of local industry and community needs for the programs and services to be provided by the Technical College, and advocate within the community and in the state on issues of importance in support of the Technical College System of Georgia and Georgia's workforce development efforts.

Each Local Board will establish bylaws consistent with those approved by the State Board and attached hereto. The Local Board shall meet at least eight (8) times per calendar year. Members may participate by teleconference or other similar means provided notice of the meetings list each location where any board member plans to participate and at least one location where the public can participate in the meeting. All meetings shall comply with Georgia's Open and Public Meeting statutes O.C.G.A. § 50-14-1 thru § 50-14-6 and O.C.G.A. § 50-1-5.

Each member shall serve without compensation but be reimbursed by the college for expenses incurred in performing his or her duties in the same manner state employees are reimbursed. The Technical College System of Georgia employees shall not serve as Local Board of Directors members. No more than one member shall concurrently serve on any other Local Board of Education.

### **RELATED AUTHORITY:**

O.C.G.A. § 20-4-11– Powers of Board.

O.C.G.A. § 20-4-14 – TCSG Established; Powers and Duties.

O.C.G.A. § 50-1-5 – Meetings by Teleconference or Other Similar Means.

Action; Recording; Notice of Time and Place; Access to Minutes; Teleconference.

O.C.G.A. § 50-14-2 – Certain Privileges not Repealed.

O.C.G.A. § 50-14-3 – Excluded Proceedings.

O.C.G.A. § 50-14-4 – Procedure when Meeting Closed.  
O.C.G.A. § 50-14-5 – Jurisdiction to Enforce Chapter.  
O.C.G.A. § 50-14-6 – Penalty for Violation; Defense.

Attachment: 2.4.1.a1. (I.D.1.a)

# Local Board Bylaws

Approved by the State Board of the Technical College System of Georgia

## ARTICLE I. NAME

The name of this organization shall be the Local Board of Directors of \_\_\_\_\_ Technical College.

## ARTICLE II. PURPOSE

Local Boards were created by Georgia State Statute (O.C.G.A. § 20-4-11) to assist the TCSG State Board in carrying out its mission. The primary purpose of the local boards and their members is to:

- (1) Advise on program direction via their subject matter expertise and awareness of area business needs for program decisions and priorities.
- (2) Serve as a check and balance for developing and implementing college goals and objectives and operations policies and procedures.
- (3) Advocate within the community and the state on issues of importance in support of the Technical College System of Georgia and Georgia's workforce development efforts.

## ARTICLE III. MEMBERS AND MEMBERSHIP

### Section 1. Membership.

Each member of the Local Board of Directors of \_\_\_\_\_ Technical College shall be appointed by the State Board of the Technical College System of Georgia. The Local Board shall have at least seven and not more than fifteen members. **(\*Note: Colleges with a student population greater than 6500 should localize these bylaws to read "not more than seventeen members"\*)**

Members shall reside or be employed within the \_\_\_\_\_ Technical College's designated service area. Overall county representation shall reflect the relative populations of the counties in the service area. One member may represent up to two contiguous counties.

Members shall reflect the diversity of business, industry, and economic development interests in the service area. No more than one member shall concurrently serve on any other Local Board of Education.

The Local Board of Directors of \_\_\_\_\_ Technical College shall reflect the gender, racial, The State of Georgia's ethnic and cultural diversity and the \_\_\_\_\_ Technical College's service area.

Employees of the Technical College System of Georgia ("TCSG") shall not serve as members of the Local Board of Directors.

### Section 2. Terms.

The State Board will appoint or reappoint Local Board members to fill expiring terms and to serve three-year terms beginning July 1st if this shall not prohibit the appointment of Local Board members at other designated times during the year.

No member may serve more than three consecutive three-year terms, but a former member may be appointed for a term to begin following a one-year break in service. A member whose term is scheduled to expire may continue to occupy his or her seat on the Local Board for three meetings into the new fiscal year until their replacement is appointed.

### **Section 3. Vacancies.**

The local Board of Directors of \_\_\_\_\_ Technical College will notify the State Board immediately of any vacancies that occur in unexpired terms. Based on the recommendation of the college president, the State Board will appoint a new member to serve the remainder of the term as soon as practicable. A new member who fills an unexpired term is eligible to serve three consecutive three-year terms on his/her own.

### **Section 4. Resignations and Removal**

(1) Any Local Board member may resign by notifying the college president, who serves as the Executive Secretary of the Local Board. The President will inform the TCSG System Office (via TCDA) of the resignation. Then, using the local board appointment process, the college president may recommend a replacement to complete the Local Board member's term.

(2) Any Local Board member may be removed from office by the State Board after a majority vote of the Local Board members and then in the office whenever, in their judgment, the best interests of the college and /or the Local Board of Directors are affected. The written request for removal with a supporting statement of concern will be forwarded to the State Board by the college president for their action. Notice of the date, time, place, and purposes of the meeting at which the removal is to be acted upon shall be given to such Local Board member intended to be removed at least ten (10) days prior to the date of such meeting. It must state the reason for the proposed removal, consistent with the approved By-Laws. Disciplinary issues shall be conducted per Georgia's Open and Public Meeting Statutes O.C.G.A. § 50-14-3 and § 50-14-4.

### **Section 5. Ethics**

Members of the local boards must safeguard their ability to make objective, fair, and impartial decisions and, therefore, should not accept any benefits of any sort when a reasonable observer could infer that the benefit was intended to influence a pending or future decision or to reward a past decision. In addition, local board members must hold themselves to the ethical standards mandated by O.C.G.A. § 45-10-3. Further, members of the local advisory boards shall electronically file a Public Officer Affidavit with the Georgia Government Transparency & Campaign Finance Commission by January 31st of each calendar year. They shall be subject to the exact general business transaction disclosure requirements as state employees according to O. C. G. A. § 45-10-26.

## **ARTICLE IV. OFFICERS AND THEIR DUTIES**

### **Section 1. Officers.**

The Local Board of Directors officers will be the Chairperson, the Vice Chairperson, and the Executive Secretary.

**Section 2. Election and Terms of Office.**

(1) The Local Board of Directors will elect the Chairperson and Vice Chairperson. \_\_\_\_\_ Technical College from its membership at its last regularly scheduled meeting before July 1. The term of office for the Chairperson and Vice Chairperson will be one year. The Chairperson and Vice Chairperson shall assume their respective positions on July 1 following the election; no person shall hold more than one of these offices concurrently.

(2) Executive Secretary. The President of \_\_\_\_\_ Technical College, who shall not be a member of the Local Board of Directors, will be the Executive Secretary.

**Section 3. Removal of Officers.**

The Chairperson and the Vice Chairperson may be removed at any time by a two-thirds vote of the Local Board.

**Section 4. Vacancies.**

Vacancies in the offices of the Chairperson and Vice Chairperson shall be filled by the Local Board of Directors of \_\_\_\_\_ Technical College soon as practicable.

**Section 5. Duties of Chairperson.**

The Chairperson shall be a member of the Local Board of Directors of \_\_\_\_\_ Technical College. The college shall preside at the meetings of the Local Board with the authority to vote and shall appoint the members of any such committees as necessary for the Local Board to perform its assigned duties.

The Chairperson shall be an ex-officio member of all committees with voting authority.

**Section 6. Duties of Vice Chairperson.**

The Vice Chairperson shall be a member of the Local Board and shall perform the duties and have the powers of the Chairperson during the absence or disability of the Chairperson.

**Section 7. Duties of the Executive Secretary.**

As Executive Secretary, the President will schedule and arrange for meetings of the Local Board and furnish meeting notices and materials, as needed, to members in advance of such meetings. The Executive Secretary will be present at all meetings of the Local Board and shall ensure an accurate record of the proceedings of the meetings of the Local Board and its committees.

The President will be responsible for implementing the recommendations of the Local Board and for the administrative and operational support of the Local Board.

**Section 8. Committees.**

(1) Local Boards may establish standing committees to serve as college liaisons in specific areas; the committees' roles will be to advise and provide support to the college on specific initiatives, events, or activities. The State Board may also require Local Boards to form committees to assist in carrying out its mission.

(2) Local Boards may appoint Ad Hoc or special committees to address specific

circumstances and dissolve when the task is completed.

## **ARTICLE V. MEETINGS OF THE LOCAL BOARD**

### **Section 1. Place of Meetings.**

Meetings shall be held at such places as determined by the Local Board. The public shall be aware of such regular meetings through a public posting stating the time, place, and dates of all regular meetings at least one week before the meeting; the notice will be maintained in a conspicuous place available to the public.

### **Section 2. Teleconferencing.**

Members may participate by teleconference or other similar means provided notice of the meetings list each location where any member of the Board plans to participate and at least one location where the public can participate. Methods used in a teleconference meeting must be such that each participating member can hear and speak to another board member.

Members who teleconference may be counted as present for the meeting if the presiding officer is assured of the continued presence and participation of such member(s) during the meeting. (Local Board members may elect to restrict the number of times individual members may attend via teleconference). An individual roll call vote of members will be required on board votes.

### **Section 3. Attendance at all Meetings.**

Local Board members shall attend all meetings unless prevented from doing so by disability or other causes beyond their control. Members who cannot attend at least 75% of the regularly scheduled meetings during a fiscal year should consider resignation from the Local Board. No person may attend any meeting of the Local Board as a substitute for any Local Board member; no person except a regular member of the Local Board shall be entitled to vote in determining the action of the Local Board at any time.

### **Section 4. Regular Meetings.**

All meetings of the Local Board shall comply with Georgia's Open and Public Meeting statutes O.C.G.A. § 50-14-1 thru § 50-14-6 and O.C.G.A. § 50-1-5. The Local Board will meet at least eight times annually and schedule one or more future meetings at each meeting. A summary of the subjects acted on, and the names of members present at each meeting will be written and made available for public inspection within two (2) business days following the Local Board meeting.

### **Section 5. Special Meetings.**

The Chairperson may call special meetings of the Local Board. A notice of the special meeting must be made available to the public per Open and Public Meetings Laws. Business transacted at a special meeting will be confined to the purposes stated in the call for the meeting and shall, in all other ways, be conducted in conformance with the law. A summary will be prepared and distributed as described in Section 4.

### **Section 6. Committee Meetings.**

Committees shall meet at the direction of the Chairperson of the Local Board or on call of the committee chairperson. Members participating via teleconference will not be counted towards the physical quorum.

### **Section 7. Quorum.**

At all meetings of the Local Board, a majority of the membership of the Local Board shall constitute a quorum for the business transaction. A majority of the members of the Local Board present at any meeting shall be the action of the Local Board, except as may be otherwise provided by these bylaws. Members participating via teleconference are counted as present and may contribute to the quorum.

#### **Section 8. Public Meetings and Executive Session.**

All meetings of the Local Board shall be open to the public except as provided for in Section 9 of this Article.

#### **Section 9. Closed Sessions**

(a) When any meeting is closed to the public based on a majority vote of a quorum present for the meeting, the specific reasons for such closure shall be entered upon the official minutes. The

minutes shall reflect the names of the members present and those voting for closure, and that part of the minutes shall be made available to the public as any other minutes. Where a meeting of an agency is devoted in part to matters within the exceptions provided by law, any portion of the meeting not subject to any such exception, privilege, or confidentiality will be open to the public, and the minutes of such portions not subject to any such exception will be taken, recorded, and open to public inspection as provided in subsection (e) of Code Section 50-14-1.

(b) When any meeting of an agency is closed to the public according to subsection (a) of O.C.G.A. § 50-14-4, the person presiding over such meeting and each member of the Local Board in attendance will execute and file with the official minutes of the meeting a notarized affidavit stating under oath that the subject matter of the meeting or the closed portion thereof was devoted to matters within the exceptions provided by law and identifying the specific relevant exception.

(c) Executive sessions may be called by the Board respecting confidential information, such as authorization of a settlement; authorization of the purchase, disposal, or lease of property; personnel matters, and other exceptions as defined in O.C.G.A. § 50-14-3 and O.C.G.A. § 50-18-72.

### **ARTICLE VI. OPERATION OF THE LOCAL BOARD**

#### **Section 1. Rules.**

The rules contained in Roberts' Rules of Order (Latest Revised edition) shall govern in all cases to which they are applicable and in which they are not inconsistent with the bylaws or any rule of the Local Board.

#### **Section 2. Agenda.**

A prepared agenda with appropriate information will be sent to each member of the Local Board by the Executive Secretary in advance of any regular meeting of the Local Board. In addition, they will be posted at the meeting site no later than five days before the meeting. As approved or amended, the agenda will govern the business order for the meeting. Additions, deletions, or reordering of agenda items shall be by majority vote.

#### **Section 3. Minutes.**

The Executive Secretary is responsible for preparing and distributing the minutes of Local

Board meetings. A copy of the minutes of each meeting shall be mailed to each Local Board member via electronic delivery or postal service, for review prior to approval at the subsequent meeting. The minutes will not be considered official unless and until approved by the Local Board. Minutes must be made available for public inspection after official approval. Minutes must include the names of the members present at the meeting, a description of each motion or other proposal made, the identity of the persons making and seconding the motion or other proposal, and a record of all votes. The name of each person voting for or against a proposal shall also be recorded.

Minutes of executive sessions will be recorded but shall not be open to the public as defined by legal exceptions stated in O.C.G.A. § 50-18-72. Such minutes shall specify each issue discussed in executive session by the Board and comply in all aspects with subsection (e) of O.C.G.A. § 50-14-1.

#### **Section 4. Local Board Actions.**

The Local Board will consider action on matters brought to its attention only after referring such matters to Technical College staff for appropriate analysis and recommendations. Such staff analyses should be brief, with supporting information appended, as necessary. The staff analyses shall include a statement of the issue and its implications, a description of the practical alternatives with associated advantages and disadvantages, and a recommendation. Whenever possible, such staff analyses will accompany the agenda for the meeting at which the matter is to be considered.

### **ARTICLE VII. APPEARANCE BEFORE THE LOCAL BOARD**

Individuals or groups wishing to appear before the Local Board must make their request in writing to the President at least ten (10) days in advance of the meeting. The Chairperson, at his or her discretion, may approve the request and allow a reasonable time for a presentation.

However, without opposition or the Local Board by majority vote, the Chairperson may recognize unscheduled appearances before the Local Board by individuals or groups. The Chairperson will limit the time for presentations as necessary to maintain the timely and efficient conducting of business by the Local Board.

### **ARTICLE VIII. METHOD OF AMENDING THE BYLAWS**

#### **Section 1. Method.**

The Local Board may amend these bylaws with the approval of the State Board. Proposed amendments will be distributed to each member of the Local Board and the TCSG System Office at the meeting immediately preceding the one at which the amendment will be considered.

Amendments to the Local Board bylaws shall require approval by at least two-thirds of the Board's members. The adopted amendment will then be forwarded to the State Board, which will consider the proposed amendment at its next regularly scheduled meeting. State Board approvals will require a majority vote of its members.

#### **Section 2. Effective Date.**

Amendments will be effective immediately upon approval by the State Board unless otherwise indicated.