

Bylaws of the State Board of Education

Article 3 - Members

- 3-1: Appointment, Term of Office, Vacancy, Eligibility. The SBOE shall be composed of one member from each congressional district in the state, appointed by the governor, by and with the advice and consent of the Senate. The governor shall not be a member of the SBOE. (O.C.G.A. §20-2-1)

All appointments shall be for seven-year terms from the expiration of the previous term. (O.C.G.A. § 20-2-2) In the event of a vacancy on the SBOE by death, resignation or from any other cause other than the expiration of such member's term of office, the governor shall appoint a successor and shall submit his or her name to the Senate for confirmation. (O.C.G.A. § 20-2-3) This successor shall serve until confirmed by the Senate and, upon confirmation, shall serve for the unexpired term of office.

All members of the board shall hold office until their successors are appointed and qualified. (O.C.G.A. § 20-2-2) The members of the SBOE shall be citizens of this state who have resided in Georgia continuously for at least five years preceding their appointment. No person employed in a professional capacity by a private or public educational institution or by the Georgia Department of Education shall be eligible for appointment to or serve on said board. No person who is employed by or has been connected with a school book publishing concern shall be eligible for membership on the board, and if any person shall be so connected or employed after becoming a member of the board, his or her place shall immediately become vacant. (O.C.G.A. § 20-2-4) State board members, appointees, or their families shall not accept gifts, compensation, or remuneration from school book publishing concerns. Offers of such shall be reported to the grand juries of their respective counties. (O.C.G.A. §20-2-10)

- 3-2: Duties. The SBOE shall perform all duties and exercise all responsibilities as provided by law. The members of the SBOE shall take an oath of office for the faithful performance of their duties and the oath of allegiance to the federal and state Constitutions. (O.C.G.A. § 20-2-5) Unless so authorized by official action of the full board, no member shall be authorized to make commitments for the SBOE on any matter that requires action of the SBOE. (O.C.G.A. § 20-2-8) Individual board members shall perform the following duties:

- a. meet as the SBOE ~~at the state capital in the offices of the Georgia Department of Education or at such place in the capital as may be designated by the governor for that purpose;~~
- b. attend meetings of the SBOE, enter into discussion, and vote on items presented to the board for decisions;
- c. recognize that he or she, as an individual board member, has no authority to bind the SBOE or act for the SBOE except on assignment from the SBOE;
- d. adhere to the ethical standards adopted by the SBOE; (Appendix I)

Bylaws of the State Board of Education

- e. become acquainted with the public educational issues in his or her district and the state as a whole, including conducting an annual public meeting, during the regular school-calendar year, in the congressional district which the board member represents; (O.C.G.A. § 20-2-5.1)
- f. support action of the SBOE, especially in his or her district; promote education at every opportunity, especially at civic group meetings, PTA meetings, and school meetings;
- g. refer problems brought to his or her attention to the State Superintendent of Schools for action, interpretation, or submission to the SBOE;
- h. serve on committees when requested to do so by the chair of the SBOE; (O.C.G.A. § 20-2-5.2)
- i. inform himself or herself about educational issues and programs through attendance at local, state, and national educational meetings and through personal study;
- j. suggest proposed policies to the State Superintendent of Schools for study and presentation to the board.

Constitution of 1983, Article VIII, Section II, Paragraph I.

O.C.G.A. § 20-2-1 (1987); 20-2-2 (1987); 20-2-3 (1987); 20-2-4 (1987); 20-2-5 (1987);

20-2-5.1 (1991); 20-2-7 (1987); 20-2-8 (1987); 20-2-10 (1987).

Bylaws of the State Board of Education

Article 5 - Meetings

- 5-1: Regular Meetings. At the last meeting of the calendar year, the SBOE shall adopt a calendar of meetings for the upcoming year. All regular meetings will be conducted at a minimum of quarterly ~~at the state capital in the Department of Education~~. A quorum of the SBOE must be physically present for a member of the board to be allowed to participate by telephone or electronic attendance. It shall be the duty of the members of the SBOE to physically attend the meetings of the Board so as to take part in its deliberations. A board member is permitted to participate by telecommunications due to an emergency and/or circumstances beyond the control of the board member and must have the approval of the chair in order to do so. An agency with state-wide jurisdiction shall be authorized to conduct meetings by telecommunications conference, provided that any such meeting is conducted in compliance with this chapter.(O.C.G.A. § 50-14-1 (f)) The executive officer and the chair shall ensure compliance with the state Open Meetings law.
- 5-2: Called Meetings. Additional meetings may be called by the chair, the vice chair and, in addition, by the State School Superintendent upon the written request of the majority or more members of the SBOE. (O.C.G.A. § 20-2-5) The State School Superintendent shall notify all board members of called meetings either in writing or by telephone. Such notice shall specify the purpose for which the special meeting is called. Business transacted at a called meeting shall be limited to that stated in the notice.
- 5-3: Committee Meetings. Committees shall meet at the direction of the chair of the SBOE or at the call of the committee chair (O.C.G.A. § 20-2-5.2). The Committee of the Whole will meet per schedule adopted. Other committees shall meet at the direction of the chair or at the call of the committee chair. The SBOE as a committee or any committee of the state board may hold committee meetings anywhere within or outside this state when necessary to obtain information for future guidance of the state board; provided, however, that no action of the state board shall be of force and effect unless such action is taken at a regular or called meeting of the state board.
- 5-4: Quorum. A quorum for a regular session shall be a majority of the total number of members serving on the SBOE who are in attendance in person in accordance with Article 3-1. A quorum for a called meeting shall be a majority of the members serving the SBOE.
- 5-5: Executive Sessions. The SBOE shall adjourn to executive session for any purpose specified by law, including the following:
- a. conducting staff meetings for investigative purposes under duties or responsibilities imposed by law;
 - b. discussing future acquisitions of real estate;

Bylaws of the State Board of Education

- c. discussing or deliberating the appointment, employment, hiring, disciplinary action, or dismissal of a public officer or employee;
- d. deliberating cases appealed to the SBOE; (O.C.G.A. § 50-14-3)
- e. discussing pending or potential litigation; (O.C.G.A. § 50-14-2)
- f. discussing competitive sealed proposals and bids where state purchasing procedures require confidentiality;
- g. discussing matters related to testing.

5-6: All members of the SBOE shall receive compensation in accordance with state law. (O.C.G.A. § 20-2-9)

O.C.G.A. § 20-2-5 (1987); 20-2-5.1 (1991); 20-2-7 (1987); 20-2-8 (1987); 20-2-9 (1987); 45-7-6 (1990); 45-7-21 (1990); 50-14-1 (1990); 50-14-2 (1990); 50-14-3 (1990); 50-14-4 (1990).