

**3.2.4** The governing board is free from undue influence from political, religious or other external bodies and protects the institution from such influence. **(Governing Board external influence)**

**Judgment of Compliance**

Compliance

**Narrative**

As the governing authority over Albany State University, the Board of Regents is free from and protects ASU from undue influence from political, religious or other external bodies.

**Free from Undue Influence**

The government, control, and management of the University System of Georgia and each of its institutions are vested by the people of Georgia exclusively in the Board of Regents of the University System of Georgia. The Constitution of the State of Georgia, Georgia law, and Regents Bylaws give the Board of Regents independence and exclusive authority over the government, control, and management of the University System. Specifically, the Constitution of the State of Georgia, Article VIII, Section IV, Paragraph 1 (a) and (b) grants the Board of Regents the authority to govern, control, and manage the University System of Georgia and each of its institutions [\[1\]](#) . A further codification of this legislative enactment can be found in Georgia law in Official Code of Georgia Annotated (O.C.G.A.) O.C.G.A. 20-3-21[\[2\]](#) and O.C.G.A. 20-3-31[\[3\]](#). This exclusive authority to govern, manage and control the University system and each of its institutions is the best protection against undue political interference from other elected officials.

The Board of Regents Bylaws, Section I, Paragraph 2 is a recitation of this authority. Constitutional authority is explicit in relation to the financial matters and resources of the University System and its member institutions. Georgia statutory law provides in O.C.G.A. 20-3-53 [\[4\]](#), and O.C.G.A. 20-3-31[\[3\]](#) that:

(c) All appropriations made for the use of any or all institutions in the university system shall be paid to the board of regents in a lump sum, with the power and authority in said board to allocate and distribute the same among the institutions under its control in such way and manner and in such amounts as will further an efficient and economical administration of the university system.

The constitutional membership of the Board of Regents requires a majority of its members to consist of representatives from each of Georgia's 13 Congressional Districts. Hence, the Board's composition is pivotal in ensuring the representation of statewide interests in all University System concerns. With staggered seven-year terms of Board members and having different Chief executives of the State appoint members at various times, there will always be representation across different administrations.

The monthly meetings of the Board, the Regents Bylaws, committee structures, and required actions by the Committee of the Whole ensure broad-based participation of the Board's membership in the business of the University System. The annual rotation of the

chair of the Board is another measure that guards against undue influence. The BOR Bylaws, Section V, Paragraph 2 clearly states that no individual Board member has the authority to commit the Board to a particular action. Section III, Paragraph 4 states that a majority of the members of the Board is needed to constitute a quorum for the transaction of business. All of these features involving the Board's make-up and operation serve to protect the University System and its member institutions from undue influence of special interest groups and minimizes the potential for control by a minority of the members.

### **Supporting Documentation**

- [1] [Authority to Govern, Control, and Manage the University System of Georgia, Constitution of the State of Georgia, Article VIII, Section IV, Paragraph 1 a and b](#)
- [2] [Authority to Govern, Control, and Manage the University System of Georgia, Official Code of Georgia Annotated O.C.G.A. 20-3-21](#)
- [3] [Protection Against Undue Political Interference from other Elected Officials, Official Code of Georgia Annotated O.C.G.A. 20-3-31](#)
- [4] [Authority to Control Financial Matters, Official Code of Georgia Annotated O.C.G.A. 20-3-53](#)