

**BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA**

270 WASHINGTON STREET, S.W.  
ATLANTA, GEORGIA 30334-1450

OFFICE OF LEGAL AFFAIRS

April 3, 2013

Re: Removal of Members of the Board of Regents

To Whom It May Concern::

Members of the Board of Regents are required to attend meetings of the Board (O.C.G.A. § 20-3-26) and to refrain from self-dealing or otherwise violating the state's Code of Ethics (*id.* at § 45-10-24). Members who fail to attend meetings of the Board may be removed and replaced by the Governor (*id.* at § 20-3-26). Members who violate the Code of Ethics may, in addition to facing criminal penalties, be removed by a court of competent jurisdiction in an action brought by the Attorney General. (*id.* at § 45-10-28).

Although each of the above-cited provisions has existed in Georgia law for many years, none have, to the best of my knowledge, ever been exercised to remove a Regent from office. I can, with certainty, assure you that no member has been removed from office since approximately 1980 and am relatively confident that none of these provisions have been exercised to remove a Regent since the creation of the University System in 1931.

Though a Regent has not been removed by operation of law or criminal or civil prosecution, I can, based on personal experience, assure you that members of the board are held to the standards imposed by law. Regarding attendance, the Office of the Secretary maintains very detailed records of members' attendance. Members of the Board have voluntarily resigned from the Board under threat of replacement by the Governor. Regarding the enforcement of Georgia's Conflict-of-Interest Code, I can assure you that both the Georgia Department of Law and the Georgia Government Transparency and Campaign Finance Commission are vigilant in enforcement of the state's Conflict-of-Interest Code.

If you have questions or comments about these standards of law, please do not hesitate to call me at your convenience.

Sincerely,



J. Burns Newsome  
Vice Chancellor for Legal Affairs  
Secretary to the Board