

Please note: This is not the authoritative source, but a copy of the Policy Manual as of May 20, 2025. The Policy Manual can be found online at <https://www.usg.edu/policymanual/>.

1.1 Officers of the Board of Regents

The officers of the Board of Regents shall be the Chair, Vice Chair, Chancellor, Secretary to the Board, and Treasurer. The Board of Regents may establish or abolish such offices and positions as may be necessary to carry out the functions of the Board.

1.2 Chancellor

The Board of Regents shall elect the Chancellor annually (BoR Minutes, April 2007). The Chancellor shall be given an annual letter of agreement. In case of any vacancy in the chancellorship, the Board shall name an Acting Chancellor who shall serve until the office of the Chancellor shall be filled.

1.2.1 System and Board Responsibilities

The Chancellor shall be the chief executive officer of the USG as well as the chief executive officer of the Board of Regents and, as such, shall perform those duties that are prescribed by the Board (BoR Minutes, February 2007).

The Chancellor shall be responsible to the Board for the prompt and effective execution of all resolutions, policies, rules, and regulations adopted by the Board for the order and operation of the entire USG and for the government of any and all of its institutions. The Chancellor's discretionary powers shall be broad enough to enable him/her to discharge these responsibilities. The Chancellor is authorized to delegate or re-delegate all approvals and actions as designated by *The Policy Manual* (BoR Minutes, July 2007).

The Chancellor shall be the regular channel through which policies of the Board of Regents shall be announced. The heads of USG institutions shall not make any announcements of the Board's policies until so authorized by the Chancellor.

The Chancellor may limit the matriculates to the educational facilities at the USG institutions.

The Chancellor shall recommend the appointment of administrative officers to the extent that officers are required to be approved. The Board shall promptly accept or reject the recommendations of the administrative officers (BoR Minutes, April 2007).

1.2.2 Membership and Committee Responsibilities

The Chancellor shall attend and shall participate in, without the privilege of voting, all of the meetings of the Board and its Committees except as otherwise determined by the Board, and shall be an ex-officio member of all Committees without the authority to vote. The Chancellor shall make recommendations to the Board for the appointment of institution presidents and senior level employees of the Office of the Board of Regents to the extent that officers are required to be approved.

The Chancellor shall be a member of all faculties and other USG academic bodies. He/she shall decide all questions of jurisdiction, not otherwise specifically defined, of the several councils, faculties, and officers. The Chancellor shall have the right to call meetings of any council, faculty, or committee at any time (BoR Minutes, 1986-87, p. 263).

The Chancellor shall have the power to veto any act of any council, faculty, or committee of any USG institution but, in doing so, shall transmit promptly to the proper officer a written statement of the reason for such veto. A copy of each veto statement shall be transmitted to the Board of Regents (BoR Minutes, April 2007).

1.2.3 Report and Document Responsibilities

The Chancellor shall prepare and submit to the Board of Regents such annual and special reports concerning the USG as the Board may require. The Chancellor, and/or the Chancellor's designee, shall be the medium through which all matters shall be presented to the Board, and to the Committees of the Board, including reports, recommendations, and suggestions from institutions, their faculty members, employees, and students (BoR Minutes, February 2007; April 2007).

The Chancellor may, on his/her own initiative, make such reports to the Board as will, in his/her opinion, be helpful to the members in the discharge of their duties.

The Chancellor, and/or the Chancellor's designee, is authorized and empowered, in the name of and on behalf of the Board of Regents of the University System of Georgia, to take or cause to be taken any and all such other and further action as, in the judgment of such officials, may be necessary, proper, convenient, or required in connection with the execution and delivery of such instruments documents or writings in order to carry out the intent of authority delegated herein.

1.2.4 Fiscal Responsibilities

The Chancellor shall be responsible for the preparation for the Board of a suggested allocation of state appropriations to the USG institutions. This suggested allocation shall be accompanied by a statement of the basis upon which it is to be determined. The suggested allocation shall be transmitted to the Board by the Committee on Finance and Business Operations with such modifications as the Committee may deem necessary.

Budgets of the USG member institutions shall be submitted by heads of the institutions to the Chancellor. When the Chancellor has approved the budgets, the Chancellor shall submit all of the USG budgets to the Board for final approval.

The Chancellor, and/or the Chancellor's designee, is authorized to execute all documents concerning federal aid to the USG, including, but not limited to, applications, acknowledgments of grants, and other necessary documents, in the conduct of affairs on behalf of the Regents of the University System of Georgia in connection with the United States Government (BoR Minutes, 1966-67, pp. 414-415; February 2007; April 2007).

The Chancellor is further authorized to settle any claim or dispute against the Board or its employees for an amount not to exceed \$300,000 of Board of Regents' funding (BoR Minutes, May 2006).

The Chancellor and the Chancellor's designee are authorized and empowered to execute, accept, and deliver for, on behalf of, and in the name of the Board of Regents of the University System of Georgia and under its Seal, and without prior approval by the Board, the following documents:

1. Any and all rental agreements, supplemental agreements, and subrental agreements in which the Board of Regents is named as the tenant of the property rented and where the total rent to be paid by the Board does not exceed the sum of \$5,000 per month.
2. Any and all contracts, agreements, deeds, licenses, or other instruments related to the purchase or gift of real property (other than property acquired by condemnation) at a purchase price not to exceed the average of three separate appraisals made by independent and licensed real estate appraisers and where the purchase price (or gift value) of the real property does not exceed the sum of \$100,000. (BoR Minutes, April 2007).

The Chancellor, and/or the Chancellor's designee, is authorized to act without prior approval of the Board as the contracting officers for and on behalf of the Board of Regents, with authority to act for the Board in the execution of:

1. Construction contracts;
2. Change orders to construction contracts;
3. Contracts for professional services;
4. Selection of architects and engineers and execution of architectural/engineering contracts for the

- preparation of plans for new buildings or engineering projects,
- 5. Major remodeling;
- 6. Allocation of rehabilitation funds; and,
- 7. Other USG projects, except routine maintenance.

However, the authority so delegated shall not exceed the sum of \$1,000,000 for any one contractual obligation. The actions taken under the authority of this paragraph shall be reported annually to the Committee on Real Estate and Facilities (BoR Minutes, 1991-92, pp. 319-320).

The Chancellor, and/or the Chancellor's designee, is authorized to allocate to USG institutions, without prior approval of the Board, capital outlay appropriations – rehabilitation funds (cash or bonds) in amounts not to exceed \$200,000 for any one project. The actions taken under the authority of this paragraph shall be reported annually to the Committee on Real Estate and Facilities (BoR Minutes, 1991-92, pp. 319-320).

The Chancellor, and/or the Chancellor's designee, is authorized to delegate any or all of the above authority to act as contracting officers to individual USG institutions based upon an evaluation by the Chancellor or the Treasurer of the ability of an institution to properly administer the delegated authority. Such delegation of authority shall be administered in accordance with policies and procedures approved by the Chancellor, the Treasurer, or the Chancellor's designee (BoR Minutes, 1991-92, pp. 319-320; October 2013).

1.2.5 Publicity Responsibilities

The Chancellor and his or her designee are authorized to give to the public and representatives of the press information pertaining to the Board of Regents and the University System of Georgia.

1.3 Secretary to the Board of Regents

The Secretary to the Board of Regents shall be elected by the Board of Regents upon the recommendation of the Chancellor, and shall not be a member thereof. The Secretary shall prepare the agenda for monthly Board meetings and shall assist in scheduling Board and committee meetings, and preparing and mailing meeting notices. The Secretary shall keep accurate record of the proceedings of the meetings of the Board and of committees and shall be responsible for maintaining the Bylaws and the Policy Manual of the Board; for distributing and indexing the minutes; for researching and retrieving Board actions; and, when requested, for scheduling Board members' visits to University System of Georgia institutions.

The Secretary shall keep in safe custody the Seal of the Board and shall affix the Seal to those documents requiring it. When the Seal is affixed to a document, it shall be attested by the Secretary's signature.

The Secretary and Assistant Secretaries to the Board and any designees of the Secretary shall be the agents for service of process for the Board of Regents and its members.

The Secretary shall perform such other duties and shall have such other powers as authorized by the Board.

1.4 Treasurer

The Treasurer shall be elected by the Board, upon the recommendation of the Chancellor; he/she shall not be a member thereof. The Treasurer shall be present at all meetings of the Board except as otherwise determined by the Board. He/she shall be placed under bond in an amount to be determined by the Board.

The Treasurer shall invest funds available for investments and shall maintain custody of securities, subject to the approval of the Board. He/she shall maintain financial supervision over trust funds of various institutions. The Treasurer shall see that all bank deposits of the USG and its institutions are adequately covered by insurance. He/she shall authorize a person or persons at each of the USG member institutions to sign checks drawn on banks where funds of the respective institutions are deposited, and shall empower the appointed person or persons to sign any documents that may be required by the banks in order to carry out this authorization. He/she shall see that fidelity bonds are secured for all persons in the USG for whom such bonds are necessary or advisable.

The Treasurer shall supply members of the Board with quarterly reports showing the financial status of the USG and of each member institution, and shall analyze all budgets and make copies of such analyses available to the Chancellor and members of the Committee on Finance and Business Operations. The Treasurer shall provide the Chancellor and members of the Committee on Finance and Business Operations with any information that will be helpful in preparing recommendations for the Board on the allocation of state funds. He/she shall assemble financial data that may be used as a basis for requests to the Governor and General Assembly for appropriations for the support of the USG and its institutions. The Treasurer shall see that USG institutions establish and maintain uniform and effective procedures of accounting, budgetary control, internal controls, inventory controls, and business practices and shall advise institutions on all problems of a fiscal or business nature. Accounting and reporting procedures of the Board of Regents shall be approved by the Chancellor and published by the Treasurer. The Treasurer shall assist each institution in preparing a manual of business procedures to be followed by that institution and shall assist the Vice Chancellor of Human Resources in developing policies governing terms and conditions of employment for classified personnel. Such policies shall include regulations regarding salaries and wages paid to various types of employees, job classification and merit plans, promotions, sick leaves, vacations, insurance, and retirement.

The Treasurer shall prepare and publish annual reports on the financial operations of the USG and its institutions. He/she shall be authorized to sign on behalf of the Board all documents necessary to convey, assign, transfer or sell investments for the various trust accounts for which the Board of Regents is the designated trustee. He/she shall perform such other duties and have such other powers as the Board may authorize or as may be assigned to him/her by the Chancellor.

The Treasurer is the USG chief financial officer and is authorized, with the approval of the Chancellor, to delegate to the chief business officer of any institution the authority to execute any and all documents that may be necessary, required, or desirable in order to provide proper fiscal management of funds given to the institution or the Board of Regents for the benefit of the institution concerned.

Institutional chief business officers are responsible for enforcing the fiscal policies and procedures established by the Board of Regents, the Chancellor and the Treasurer. Institutional chief business officers shall immediately report to the Treasurer any situation that reasonably could be expected to create a deficit at an institution in coordination with the President's reporting of a deficit as required by the Policy Manual, Section 7.1.2.2 Deficits. Institutional chief business officers also must report to either the Treasurer or the USG chief audit officer any significant instances of non-compliance with Board Policy or business procedures that cannot be effectively remediated at the institution. To ensure accountability and effective fiscal management, the president of each institution shall consult with the Treasurer on significant personnel actions involving the institutional chief business officer to include appointment, qualifications for the position, and termination. The president shall determine the organizational and operating reporting relationships of the chief business officer at his or her institution (BoR minutes, October 2013).

2.1 Election of Presidents by the Board of Regents

The Board of Regents shall elect the presidents of University System of Georgia (USG) institutions for a term of one year, which will be extended until the Board acts either to reappoint the President for the remainder of a one-year term or chooses not to reappoint the President, as contemplated in Board Policy. All appointments will be made expressly subject to Board of Regents' policies and the Chancellor shall notify the presidents of the Board's decision. USG presidents shall not be entitled to a written employment contract.

Presidents shall not hold tenure at the institution but may hold, retain, or receive academic rank. Persons holding tenure in the USG who receive an initial presidential appointment shall be required to relinquish their tenure before assuming the position of President. No person shall be awarded tenure while serving as President.

2.2 Selection of Presidents for USG Institutions

When a vacancy occurs in a presidency at a University System of Georgia institution, the Chancellor shall

consult with the Chair of the Board of Regents to determine whether to conduct a national search. If a search is conducted, the Chancellor, in consultation with the Chair of the Board of Regents, may appoint an institutional search committee.

The institutional search committee shall be composed of representatives of the Board of Regents, the Chancellor and/or Chancellor's designee, faculty, alumni, foundation, students, and the community.

Additionally, the Chair of the Board of Regents shall serve on the institutional search committee and name other Regents to the institutional search committee. The Chair of the Board of Regents shall name a Regent, from those appointed, to serve as chair of the institutional search committee.

The institutional search committee shall submit three to five unranked names to the Board of Regents for consideration. Authority to name one or more finalists for President rests exclusively with the Board of Regents.

2.3 Performance Assessment of Presidents

Evaluation of University System of Georgia institution presidents shall be an ongoing process, which consists of open communication between the Chancellor and the President on individual and institutional goals and objectives and methods and processes used to achieve them. Evaluations will be factored into the annual appointment renewal for each President.

2.4 Compensation of Presidents

The Board of Regents shall annually approve the salaries, taxable income, and associated fringe benefits paid to presidents of USG institutions. Any funds paid to a President shall be outlined in the annual compensation letter issued to the President and shall be paid exclusively by the President's institution from state appropriations and other appropriate funds held by the institution

2.5.1 Resignation or Retirement

A President of a University System of Georgia (USG) institution shall provide the Board of Regents and the Chancellor not less than three months' notice of his or her intention to resign or retire, unless such notice is waived by the Chancellor.

2.5.2 Re-Appointment Declined

If the Board of Regents declines to reappoint a President, it shall notify the President, through the Chancellor, of such decision immediately following the Board's action to not reappoint the President. A decision by the Board not to reappoint a President is not subject to appeal

2.5.3 Removal for Cause

The Board of Regents may remove a President for cause at any time. A President removed for cause shall be entitled, upon written request within ten days of receiving notice of the removal, to a statement of charges against him or her, which shall be provided to the President within ten days of the President's request. After reviewing the statement of charges, a President shall be entitled to a hearing before the Board or a committee thereof under such procedures as the Board may determine. The actions of the Board shall be final.

2.5.4 Educational Leave and Continued Employment

Any person vacating a USG presidency that he/ or she has held for not less than five years may, at the discretion of the Chancellor, be:

1. Granted 12 months educational leave with pay. Such educational leave may be extended by the Chancellor for an additional 12 months, but in no event shall the educational leave exceed 24 months. Any paid educational leave granted under this policy shall terminate immediately upon acceptance by the leave recipient of full-time employment during the period of leave.
2. Employed in a professional or administrative position within the USG. Employment beyond the second year, if any, shall be under such terms and conditions as determined by the Chancellor or the employing institution.
3. Awarded an academic appointment at the rank of professor at a USG institution. Such appointment may, consistent with accreditation requirements and the needs of the institution, include an award of tenure by the Chancellor. Compensation and other terms of employment beyond the second year of appointment shall be as determined by the institution.

Except as otherwise provided in this section, the terms and conditions of such employment in items 2 and 3 above shall comply with Board of Regents' Policy.

The compensation during any period of leave, employment, or appointment granted under this policy shall be as determined by the Chancellor taking into consideration the base salary and other compensation of the outgoing President prior to his or her vacating the presidency.

Nothing in this section shall prohibit any cooperative organization of the USG from supplementing the

compensation of a former President during any period of leave, employment, or appointment granted under this section subject to approval of said compensation by the Chancellor.

Nothing contained in this section shall govern any terms or conditions of educational leave or employment beyond two years from the date a person leaves the presidency of a USG institution.

2.6 Presidential Authority and Responsibilities

2.6.1 Executive Head of Institution

The President of each University System of Georgia (USG) institution shall be the executive head of the institution and all its departments and shall exercise supervision and direction to promote the efficient operation of the institution. The President is responsible to the Chancellor for the operation and management of the institution and for the execution of all directives of the Board of Regents and the Chancellor.

2.6.2 Ex-Officio Faculty Chair

The President shall be the ex-officio chair of the faculty and a member of all faculties and other academic bodies within the institution. The President may preside at faculty meetings. The President may call meetings of any council, senate, assembly, committee, or governance body at his or her institution at any time, may chair the governance body, and may preside at the meetings. The President shall decide all questions of jurisdiction, not otherwise defined by the Chancellor, of the several councils, faculties, and officers.

The President may veto any act of any council, faculty, or committee of his or her institution but, in doing so, shall transmit to the proper officer a written statement of the reason for such veto. A copy of each veto statement shall be transmitted to the Chancellor.

The President shall be the official medium of communication between the faculty and the Chancellor and between the council, senate, assembly, committee, or governance body and the Chancellor.

2.6.3 Personnel Policies

The Board of Regents has the Constitutional authority for the government, control, and management of the University System of Georgia (USG) and all of its institutions, which includes the oversight of institutional hiring and search processes.

The President is responsible for the initial appointment of faculty members and administrative employees of each institution and the salary and all promotions of those employees. The President may reappoint faculty members and administrative employees except as otherwise specified in this Policy Manual. The President may accept the resignation of any employee of his or her institution on behalf of the Board of Regents.

To ensure accountability and effective management of the institution, the President shall consult with the Chancellor or the Chancellor's designee about significant personnel actions involving certain administrative employees as required by other provisions of this Policy Manual. These employees include, but may not be limited to, the chief business officer, chief academic officer, Title IX coordinator, and internal auditor.

USG institutions must have a formal search process for all senior administrator hires which would include details surrounding the search process, priorities, the make-up of committee members, hiring criteria, and the use of search firms if search firms are to be used. For purposes of this policy, senior administrators include: provosts, vice presidents, vice provosts, deans, and similar level positions.

The Board of Regents gives the authority to the Chancellor or the Chancellor's designee to make any changes to an institution's search process based on the Board's priorities. Each President is ultimately responsible for all hires at the institution.

The President may grant leaves of absence for members of the faculty for study at other institutions or for such reasons as the President may deem proper.

The President shall make such reports as required from time to time to the Board, through the Chancellor, of the condition of the institution under his or her leadership.

2.6.4 Agreements

The President may execute, accept, or deliver, on behalf of the Board of Regents, the following types of research agreements, settlement agreements, service agreements, and reciprocal emergency law enforcement agreements affecting his or her institution:

1. Research or service agreements whereby the institution concerned, for monetary compensation or other good and valuable consideration, agrees to perform certain institution-oriented research or other personal services within a time period of one year or less;
2. Agreements between USG institutions and hospitals or other organized medical facilities, both public and private, whereby the hospital or medical facility concerned agrees to provide clinical services to nursing and other students enrolled in nursing and allied health programs at the institution concerned, which are subject to cancellation by either party;
3. Reciprocal emergency law enforcement agreements between USG institutions and county and municipal authorities, as authorized by the Georgia Mutual Aid Act, as amended;

4. Settlements of grievances and complaints, including those filed by state and federal agencies, that do not include a monetary commitment of more than \$100,000. Notice of settlements shall be filed with the University System Office of Legal Affairs; and, 5. Any agreements necessary for the day-to-day operation of the institution.

2.6.5 Delegation of Authority and Responsibilities

The President may delegate his or her authority and responsibilities under Board of Regents' Policy unless expressly prohibited by the Board of Regents.

2.7 Organization Structure and Changes

Presidents are authorized to develop the organizational structure required to effectively manage their institution. Changes involving the addition, deletion, or substantive name change of a unit reporting directly to the President shall be submitted to the Chancellor for review and approval prior to the change.

At the beginning of each fiscal year, each President shall submit to the Chancellor a list of all academic institutes and centers that are authorized to operate on each campus highlighting those which have been added or deleted since the prior year's submission. The addition or elimination of academic centers and institutes located at an institution does not require the Chancellor's or Regents' approval.

2.8 Institutional Mission

The mission of the University System of Georgia (USG) is achieved through the collective missions of our state's public colleges and universities, which drive economic development and produce more educated individuals to contribute to the quality of life in the State. USG institutions are responsible for producing graduates with the requisite skills and knowledge to ensure Georgia's strong future in the knowledge-based and global economy. The individual mission and function of the institutions within the USG must be aligned with the overall USG mission in order to strategically meet the higher education needs of the State.

The function and mission of each USG institution is determined by the Board of Regents and any change in institutional function and mission must be approved by the Board. Institutional mission statements shall be evaluated by the Board as part of the regular cycle of accreditation and reaffirmation for the institution. Institutional function determines the scope of activity of the institution over a considerable period of time and covers the following aspects:

1. The level at which the institution will operate;
2. The types of educational degree programs to be offered;
3. The cost of attending the institution (student tuition and fees);
4. The admissions selectivity of the institution and the extent to which the institution serves as a primary point of access to higher education for under-represented students in a geographic region of Georgia; and,
5. The extent to which the institution engages in teaching, research, and service

Specific functions and missions for individual institutions and the procedures to request a change in functional sector, functional sector category, and institutional mission can be found in the Academic & Student Affairs Handbook. USG institutions are classified according to the following functional sectors:

Research Universities, which offer a broad array of undergraduate, graduate, and professional programs and are characterized as doctoral-granting with a Carnegie Classification of very high or high research activity. Associate degrees are typically not offered at research universities. The Nexus degree can be offered at research universities. While teaching is a core focus at all USG institutions, the emphasis on basic and applied research is much heavier at research universities than any other institutional sector. It is expected that institutions operating within this sector will be world-class research institutions with significant commitments to receipt of external funding, philanthropic giving, and fundraising at the highest levels.

Institution	Primary Section/Function	Secondary Sections/Function	Secondary Sections/Function
Georgia Institute of Technology	Research University	n/a	Georgia's technological research institution
Georgia State University	Research University	State College	
University of Georgia	Research University	n/a	Georgia's land-grant institution and Agricultural experiment station
Augusta University	Research University	n/a	State's dedicated health/sciences/medical college

Comprehensive Universities, which offer a number of undergraduate and master's-level programs with some doctoral programs. Typically, associate-level degrees are not offered at comprehensive universities. The Nexus degree can be offered at comprehensive universities. Master programs at comprehensive universities are characterized as master's-dominant. While teaching is a core focus at all USG institutions, the emphasis on basic and applied research is heavier at comprehensive universities than state universities or state colleges, but not emphasized as heavily as research universities. It is expected that institutions within this sector will be committed to being world-class academic institutions.

Institution	Primary Section/ Function	Secondary Sections/ Function	Secondary Sections/ Function
Georgia Southern University	Comprehensive University	n/a	Approved for doctoral programs
Valdosta State University	Comprehensive University	n/a	Approved for doctoral programs
Kennesaw State University	Comprehensive University	n/a	Approved for doctoral programs
University of West Georgia	Comprehensive University	n/a	Approved for doctoral programs

State Universities, which offer a number of undergraduate and master's-level programs, but very few doctoral programs. Associate-level degrees can be offered at these universities, but they are also typically limited. The Nexus degree can be offered at state universities. While teaching is a core focus at all USG institutions, the emphasis on research activity at these state universities includes some basic research, but is typically more focused on institutional or applied research.

Institution	Primary Section/ Function	Secondary Sections/Function	Secondary Sections/Function
Albany State University	State University	State College	n/a
Clayton State University	State University	n/a	n/a
Columbus State University	State University	n/a	Approved for doctoral programs
Fort Valley State University	State University	n/a	State's 1890 land grant institution
Georgia College & State University	State University	n/a	State's public liberal arts institution; approved for doctoral programs
Georgia Southwestern State University	State University	n/a	n/a
Middle Georgia State University	State University	State College	n/a
Savannah State University	State University	n/a	n/a
University of North Georgia	State University	n/a	State's military college; approved for doctoral programs

State Colleges

Balanced Bachelor's and Associate State Colleges

Institutions included in the balanced bachelor's and associate-level state colleges group offer bachelor's degrees, associate programs, and general education courses, but no graduate programs. These state colleges are characterized as balanced bachelor's and associate-level degrees with bachelor's programs focused on specialized academic and economic development program areas and regional, college-educated workforce needs. The Nexus degree can be offered at state colleges. The emphasis at these state colleges is on teaching and service with limited focus on basic or applied research activity.

Associate Dominant-Select Bachelor's State Colleges

Institutions included in the associate dominant state colleges group are characterized as offering associate-dominant programs and general education courses, with very few, select, professionally-oriented bachelor's degree programs. The select bachelor's programs are focused on specialized academic and economic development program areas and regional, college-educated workforce needs. The emphasis at these state colleges is on teaching and service with limited focus on basic or applied research.

Institution	Primary Section/Function	Secondary Sections/Function	Secondary Sections/Function
Abraham Baldwin Agricultural College	State College - Balanced Bachelor's & Associate Degrees	n/a	State's agricultural state college
Atlanta Metropolitan State College	State College - Balanced Bachelor's & Associate Degrees	n/a	n/a
College of Coastal Georgia	State College - Balanced Bachelor's & Associate Degrees	n/a	n/a
Dalton State College	State College - Balanced Bachelor's & Associate Degrees	n/a	n/a
Georgia Gwinnett College	State College - Balanced Bachelor's & Associate Degrees	n/a	n/a
Gordon State College	State College - Balanced Bachelor's & Associate Degrees	n/a	n/a
East Georgia State College	State College - Associate Dominant, Select Bachelor's	n/a	n/a

Georgia Highlands College	State College - Balanced Bachelor's & Associate Degrees	n/a	n/a
South Georgia State College	State College - Associate Dominant, Select Bachelor's	n/a	n/a

Institutions with a Blended Function

At times a USG institution may be approved by the Board to advance aspects of a mission from different functional sectors. When this occurs, an institution will have a blended institutional function with a primary sector function and a secondary function sector. While the institution will follow the function of their primary sector, it will also be authorized to function in accordance with aspects of the secondary sector function.

No institution may operate as an institution with a blended function unless approved by the Board of Regents. When the Board approves an institution as having a blended function, the Board will also approve the institution's primary functional sector. The guidelines for obtaining Board approval to operate as an institution with a blended function and a list of institutions currently approved for a blended function can be found in the Academic & Student Affairs Handbook.

The Chancellor may, from time to time, direct institutions with a blended function on whether and to what extent the institution will implement primary functional sector requirements or secondary functional sector requirements.

2.9 Institutional Effectiveness: Planning and Assessment

Each University System of Georgia (USG) institution shall have a strategic planning process that maintains a current strategic plan in which institutional priorities are defined and through which the institution's mission is carried out in accordance with the strategic directions and guiding principles established by the Board of Regents. The faculty and staff of each institution shall be involved in developing the planning process and shall be included in the structure by which the plan is implemented.

In addition, each institution shall have a formal process by which systematic assessment of institutional effectiveness is conducted and the results of assessments are used to achieve institutional improvement. Assessment processes may differ from institution to institution, but each institution shall assess:

1. Basic academic skills at entry;
2. General education;
3. Degree programs; and,
4. Academic and administrative support programs and/or functions.

The faculty and staff of each institution shall be involved in developing assessment processes and included in the structure by which those processes are implemented and used for improvement.

Each institution shall link its substantive budget allocations and other major academic and administrative decisions to its planning and assessment processes to improve institutional effectiveness. In addition, institutional planning, assessment, and improvement processes are expected to contribute to the realization of the USG vision, mission, goals, and strategic initiatives.

A current copy of each institution's strategic plan shall be maintained in the University System Office. The plan will contain a description of the planning structure and process by which institutional priorities are set as well as the institution's current priorities and goals. The plan shall also describe the processes used for assessing and improving institutional effectiveness.

2.10 Presidents' Meetings

When directed by the Chancellor, the presidents of the University System of Georgia (USG) institutions shall convene in order to make recommendations to the Chancellor and through the Chancellor to the Board of Regents regarding all educational and administrative matters of concern to the USG as a whole.

2.11 Title of Emeritus or Emerita

The title of President Emeritus or President Emerita may be conferred only by the Board of Regents on the recommendation of the Chancellor. A President of a University System of Georgia (USG) institution may, at his or her discretion, confer the title of emeritus or emerita on any retired faculty member or administrative officer who, at the time of retirement, had ten or more years of honorable and distinguished USG service.

3.1 General Policy on Academic Affairs

The Chancellor, the University System Office of Academic Affairs and the University System of Georgia (USG) presidents, their administrative officers and faculties shall develop, adapt, and administer the academic methods and procedures deemed by them to be most effective in promoting efficient operations and the advancement of learning.

Proper functions of the academic authorities include the following:

1. Prescribing the teaching load to be carried by each member of the faculty;
2. Determining the maximum and minimum number of students permitted in a class; and,
3. Defining the nature and form of academic records to be kept concerning members of the faculties and administrative personnel.

Each USG institution president and his or her administrative officers, faculty, and staff shall promote effective higher education and efficient service having in view resources available to the institution. USG academic authorities shall choose the appropriate ways and means that are best adapted to achieve the ends desired. The Board of Regents will hold institutions accountable for their results.

Each institution must maintain accreditation by an accreditation agency recognized by the United States Department of Education as a reliable authority regarding the quality of education or training offered by the institutions they accredit and ensure that all programs requiring accreditation by law, regulation, or Board of Regents' Policy are appropriately accredited.

3.2.1 Faculty Membership

In all University System of Georgia (USG) institutions, the faculty will consist of the Corps of Instruction and the administrative officers.

3.2.1.1 Corps of Instruction

Full-time professors, associate professors, assistant professors, instructors, lecturers, senior lecturers, principal lecturers, and teaching personnel with such other titles as may be approved by the Board, shall be the Corps of Instruction. Full-time research and extension personnel and duly certified librarians will be included in the Corps of Instruction on the basis of comparable training. Persons holding part-time and adjunct appointments or other honorary titles shall not be considered to be members of the faculty.

3.2.1.2 Administrative Officers

Faculty status of full-time administrative officers will necessarily vary with the size and complexity of the institution. Administrative officers shall be appointed by the President of the institution and shall hold office at the pleasure of the President.

To ensure accountability and effective academic management, the President shall consult with the USG chief academic officer on significant personnel actions involving the institution's chief academic officer to include appointment, qualifications for the position, and termination.

A faculty member who has academic rank and rights of tenure in the Corps of Instruction and who accepts an appointment to an administrative office, other than President, shall retain the responsibilities and privileges of faculty membership, his or her academic rank, and rights of tenure as an ex officio member of the Corps of Instruction, but shall have no rights of tenure in the administrative office to which he or she has been appointed.

The additional salary, if any, for the administrative position shall be stated in the employment contract and shall not be paid to the faculty member when he or she ceases to hold the administrative position.

3.2.1.3 Other Faculty Members

Research and Comprehensive Universities

In addition to the Corps of Instruction, the faculty will include the President, administrative and academic deans, registrar, librarian, and chief fiscal officer of the institution and other full-time administrative officers as the institution may designate as having ex officio faculty status.

State Universities and State Colleges

In addition to the Corps of Instruction, the faculty will consist of the President of the institution and other full-time administrative officers as the institution may designate as having ex officio faculty status.

3.2.2 Regents' Awards for Excellence in Teaching and Student Success

The Board of Regents rewards excellence in teaching and student success through a system-wide awards program.

Each institution is invited to annually nominate one teaching faculty member for each of the following awards: Felton Jenkins, Jr., Hall of Fame Faculty Award; Regents' Award for the Scholarship of Teaching and Learning; and Regents' Award for Excellence in Online Teaching. Additionally, each institution is invited to annually nominate one faculty or staff member for the Regents' Excellence in Student Success Award and one academic department or program for each of the following awards: the Regents' Excellence in Teaching Department/Program Award and the Regents' Department/Program Excellence in Student Success Award. The USG Chief Academic Officer shall publish specific procedures, nomination guidelines, and award criteria.

In addition to the Regents' Awards for Excellence in Teaching and Student Success, institutions shall develop and implement systematic programs to recognize and reward faculty and staff for excellence in teaching and service to students and professional staff for outstanding job performance and innovation on the job.

3.2.3 Faculty Meetings, Rules, and Regulations

The faculty council, senate, assembly, or other comparable governance body at all USG institutions shall meet and shall appoint a secretary who shall keep a record of the proceedings. All meetings should comply with all applicable laws and regulations, including the Georgia Open Records Act and Georgia Open

Meetings Act.

The faculty or the council, senate, assembly, or other comparable faculty governance body at an USG institution, shall, subject to the approval of the President of the institution:

1. Make statutes, rules, and regulations for its governance;
2. Provide committees as may be required;
3. Make statutes, rules, and regulations for students regarding admission, suspension, expulsion, classes, courses of study, the learning environment, and requirements for graduation; and,
4. Make regulations necessary or proper for the maintenance of high educational standards.

A copy of each institution's statutes, rules, and regulations made by the faculty shall be filed with the Chancellor and shall be published, implemented, and disseminated in accordance with applicable accreditation regulations. The faculty shall have primary responsibility for those aspects of student life that relate to the educational process, subject to the approval of the President of the institution.

3.2.3.1 University System of Georgia Faculty Council

The University System of Georgia Faculty Council (USGFC) shall provide a faculty voice on academic and educational matters and Board of Regents' policies related to the profession, including but not limited to tenure and promotion, academic freedom, and post-tenure review. The USGFC shall be mindful and respectful of matters that are more appropriately handled at the institutional level but may make recommendations that have University System level impact or implications.

Membership of the USGFC shall be comprised of one voting representative from each USG institution who is a member of that institution's faculty and selected by a process determined by the faculty or faculty body of that institution. A copy of each institution's process to determine its USGFC representative shall be maintained at the institution level and provided to the University System Office upon demand. The organization and governance of the USGFC shall be implemented according to policies and procedures established by the membership of the USGFC in the USGFC by-laws in consultation with and approved by the Chancellor or the Chancellor's designee.

Nothing in this policy or the USGFC by-laws shall supersede the authority and responsibilities of institutional presidents provided by Board of Regents' Policy. With respect to matters specific to their institutions, institution presidents remain the official medium of communication between their institutional faculties and the Chancellor.

3.2.4 [Reserved]

3.3.1 Core Curriculum: Core IMPACTS

The USG core curriculum, Core IMPACTS, is designed to ensure that students acquire essential knowledge in foundational academic areas and develop career-ready competencies. There are seven Core IMPACTS areas. As presented in the table below, IMPACTS is a mnemonic for students to appreciate the impact of the overall core curriculum.

Students at all institutions must meet the Core IMPACTS requirements in all specified areas. However, institutions have considerable flexibility to tailor courses that meet these requirements to their institutional missions. Students must complete all Core IMPACTS requirements in order to earn associate of arts, associate of science, nexus, bachelor of arts, or bachelor of science degrees.

The Core IMPACTS framework establishes common system-wide Learning Outcomes and Career-Ready Competencies for each area, ensuring that courses completed in an area at one institution or through eCore are fully transferable to the same area at any other USG institution. Students do not have to complete all of the requirements for a Core IMPACTS area to transfer credit within that area. In some cases, a student may transfer from a sending institution that has a higher amount of credit in a core area than the receiving institution to which the student is transferring. In those cases, students should still get full credit for courses at the receiving institution, with the excess credit being applied to another core area.

System-wide Learning Outcomes and Career-Ready Competencies have been established for each Core IMPACTS area. To be included in a Core IMPACTS area, courses must address the approved Learning Outcomes and Career-Ready Competencies for that area. More details are available in the Academic and Student Affairs Handbook.

Each institution's Core IMPACTS requirements must add up to 42 semester credit hours, with minimum credit hours in each area as follows:

Core IMPACTS	Area Shorthand	Credit Hours
Institutional Priority	Institution	At least 3 credit hours
Mathematics & Quantitative Skills	Mathematics	At least 3 credit hours
Political Science & U.S. History	Citizenship	At least 3 credit hours
Arts, Humanities & Ethics	Humanities	At least 6 credit hours
Communicating in Writing	Writing	At least 6 credit hours
Technology, Mathematics & Sciences*	STEM	At least 7 credit hours*
Social Sciences	Social Sciences	At least 3 credit hours

*At least 4 of the STEM credit hours must be in a lab science course. Given the importance of the STEM disciplines, any institution that wishes to drop STEM below 10 hours must make a compelling intellectual case that its core proposal will not lead to students knowing less about STEM. [An example of such a compelling case might be if the institution proposed to put 3 or more hours of math in the Institution area and 7 hours of natural science in the STEM area.]

(BoR Minutes, October 2009, October 2014, October 2015; March 2016; October 2023)

3.3.2 Academic Approval for Off-Campus Instructional Sites

An “off-campus instructional site” is a site located geographically apart from the main campus at which an institution provides instruction and where students go to access support services. An off-campus instructional site is not independent of the institution’s main campus.

Institutions wishing to offer courses or degree programs externally must adhere to the guidelines, criteria, and nomenclature contained in guidelines issued by the Chancellor or his or her designee, which are maintained in the Academic and Student Affairs Handbook. The designation of an off-campus instructional location as a campus, center, or consortium requires approval by the Board of Regents through its Committee on Academic Affairs.

The procedures for approving facilities for off-campus instruction are outlined in the Board of Regents’ Policy on Off-Campus Institutional Sites. Institutions shall not initiate requests for new off-campus instructional facilities prior to the approval of related academic proposals unless authorized by the Chief Academic Officer to proceed concurrently during the academic review process.

It is desirable in most instances to have the closest qualified institution respond to off-campus credit course needs. In cases where requests for services exceed the qualifications or ability of the closest institution, attempts should be made to have such requests met by other qualified USG institutions. Prior to the offering of off-campus course work, the President of the institution proposing such work will notify the president of any other USG institution located in closer geographic proximity to the site proposed for the off-campus course work. In the event that the involved institutions are unable to arrive at a mutual agreement on the offering of off-campus credit courses, the matter will be referred to the Chancellor for final resolution.

3.3.3 Distance Education

“Distance education” is defined as a formal educational process in which the majority of the instruction in a course occurs when the student and instructor are not in the same place and the instruction is delivered

using technology. Instruction may be synchronous or asynchronous. No institution may offer programs completely online prior to the Board of Regents' approval of the academic program or programs to be offered completely online.

3.3.4 United States and Georgia History and Constitutions

All USG institutions shall give instruction in the history of the United States, in the history of Georgia, and in the essentials of the United States Constitution and the Constitution of Georgia. For students first enrolling in the 2025-2026 academic year or after, institutions must create learning outcomes in instruction/assessment that address key concepts to include the following primary sources:

- Declaration of Independence
- United States Constitution and Bill of Rights
- Articles of Confederation
- Federalist Papers
- Gettysburg Address
- Emancipation Proclamation
- Letter from Birmingham Jail
- Georgia Constitution and Bill of Rights

No undergraduate student shall receive a certificate of graduation or a degree without successfully completing coursework or passing a satisfactory examination on the history of the United States, the history of Georgia, and the provisions and principles of the United States Constitution and the Constitution of Georgia. This provision complies with O.C.G.A. Section 20-3-68.

3.3.5 University System and Technical College System of Georgia Articulation Agreement

The articulation agreement is based on the principles of serving student needs, avoiding duplication of mission, using state resources efficiently, and expanding opportunities for post-secondary attainment in

Georgia.

A Post-secondary Oversight Council comprised of appropriate System Office staff from the TCSG and USG will meet on a regular basis to assure compliance with this articulation agreement, address other articulation issues if they arise, and encourage the development of programs and policies to support Georgia's college completion goals.

3.3.5.1 Associate Degrees

Associate of Applied Science Degrees

In order to minimize duplication of program offerings across TCSG and USG, the following procedures are required for all new Associate of Applied Science (A.A.S.) degrees. All new A.A.S. degrees proposed for implementation at USG institutions will be submitted through the following process:

- The USG institution submits the degree proposal to the USG System Office. If the degree duplicates an existing AAS degree at a TCSG institution near the proposing USG institution, the proposed degree must have a letter of support signed by the respective TCSG college president.
- USG System Office staff will present the proposal to the TCSG System Office for review by System Office staff.
- If recommended by TCSG System Office staff, the proposal will be reviewed by the TCSG Board.
- The TCSG Board will return the proposal to USG with a recommendation for support or nonsupport.
- USG System Office staff will share the recommendation from the TCSG Board with the USG Board. The USG Board will take final action on the proposal.

Associate of Arts (A.A.) and Associate of Science (A.S.) degrees are primarily for students who intend to transfer to another institution for completion of a four-year degree program. These degrees are generally awarded through successful completion of a planned program of study at USG institutions.

Associate of Arts Degrees (A.A.)

TCSG institutions will not offer Associate of Arts degrees.

Associate of Science Degrees (A.S.)

All new Associate of Science degrees proposed for implementation at TCSG colleges, regardless of delivery system will be submitted through the following process:

- The TCSG institution submits the degree proposal to the TCSG System Office. The proposed degree must have an articulation agreement signed by the respective TCSG and USG institutions' presidents.
- TCSG System Office staff will present the proposal to the USG System Office for review by System Office staff.
- If recommended by USG System Office staff, the proposal will be reviewed by the Board of Regents

(BOR).

- The BOR will return the proposal to TCSG with a recommendation for support or non-support.
- TCSG System Office staff will share the recommendation from the BOR with the TCSG Board. The TCSG Board will take final action on the proposal.

Bachelor Degrees

Bachelor degrees are offered only through USG institutions. Technical certificates and diplomas are generally awarded for the successful completion of a planned program of study through the colleges of TCSG. These programs are typically not designed for transfer.

3.3.5.2 General Education Course Transfer

This policy outlines the mechanisms through which TCSG general education courses are approved for transfer to USG institutions and is set forth to ensure that students who transfer between TCSG and USG institutions will not be required to repeat the course work approved for transfer that was successfully completed at another institution.

USG institutions and TCSG institutions will accept general education courses for transfer between their respective institutions as articulated in the TCSG USG Course Transfer Chart referenced in the USG Academic and Student Affairs Handbook. Courses will only be accepted from institutions accredited by a United States Department of Education recognized accrediting agency. Both the USG and the TCSG are committed to and responsible for assuring that faculty teaching these courses meet the comprehensive standards for faculty qualifications required by each institution's accrediting agency.

New TCSG general education courses proposed to be added to the TCSG USG Course Transfer Chart for transfer to USG institutions into any of the Core IMPACTS domains will follow the same review procedure required for new Core Curriculum courses proposed by USG institutions:

- The TCSG System Office staff will present the proposed course(s) to the USG System Office.
- The USG System Office will convene a meeting of the appropriate disciplinary Regents Academic Advisory Committee(s). Non-voting faculty designated from the TCSG will be invited to participate.
- Course(s) approved by a Regents Academic Advisory Committee for transfer into any of the Core IMPACTS domains will be recommended to the USG General Education Council for review.
- Course(s) approved by the USG General Education Council will be reviewed by System Office staff who will submit the courses to the USG Board of Regents for final action.

Upon receipt of USG Board of Regents approval for the designated course(s), TCSG colleges will clearly publicize the designated approval categories to TCSG students, and the USG will update the TCSG USG Course Transfer Chart and notify all USG institutions.

This same process would apply to any TCSG courses already on the USG Course Transfer Chart that have

been significantly modified.

3.3.6 Academic Credit Earned Through Extra-Institutional and Prior Learning

University System of Georgia (USG) institutions shall provide students with opportunities to be evaluated and earn academic credit for assessed extra-institutional and prior learning toward the completion of a degree program, including course credit earned from military experience.

Once transcribed to the student record, credits awarded for extra-institutional and prior learning at a USG institution shall be applied toward a degree program, regardless of how the credit was earned. Credits awarded for extra-institutional and prior learning by one USG institution shall transfer as the designated course to another USG institution if a student has passed a higher-level course in the course sequence offered at the previously attended USG institution.

Institutions shall maintain a review process for extra-institutional and prior learning that adheres to the institutional accrediting agency's policies and guidelines, minimizes the number of credits that do not contribute to progress toward a degree program, and does not improperly affect student eligibility for financial aid. Additional guidance for awarding credit for extra-institutional or prior learning is provided in the Academic & Student Affairs Handbook.

3.3.6.1 Course Credit Earned from Military Experience

Each USG institution shall maintain a policy and procedures that outline the awarding of academic credit for appropriate courses in the curriculum for military experience to students who are veterans or military service members based on the guidelines contained in the Academic & Student Affairs Handbook. When awarding credit, USG institutions shall reference the Joint Service Transcript (JST), DD-214, or transcripts from the Army/American Council on Education Registry Transcript System (AARTS), Community College of the Air Force (CCAF), Coast Guard Institute (CGI), and other appropriate transcripts that summarize the skills and experiences obtained during military service. In evaluating military transcripts, institutions should consult the American Council on Education (ACE) Guide to determine the course recommendation made by that organization.

3.3.6.2 Course Credits for Standardized

Examinations

Each USG institution shall maintain a policy and procedures that outline the awarding of academic credit for appropriate courses in the curriculum for successful completion of college-level curricula and standardized examinations offered by nationally recognized organizations, such as Advanced Placement Program (AP), the International Baccalaureate Program (IB), the College Level Examination Program (CLEP), and DANTES Subject Standardized Test Program (DSST). The policy and procedures shall apply to both in-state and out-of-state students and comply with the guidelines set forth in the Academic & Student Affairs Handbook.

A student may opt not to accept credits. If a student believes that the assessment of his or her work from standardized examination and subsequent awarding of credits is in error, the student may file an appeal with the appropriate academic department office and request a re-assessment. As with other academic matters, if the issue is not satisfactorily resolved at the department level, the student may then appeal to the dean of the respective school or college, with a final appeal to the vice president for academic affairs, whose decision in the matter will be final.

3.3.7 Learning Support Programs

Each USG institution that admits students required by Board of Regents or USG policy to enroll in Learning Support courses as they attempt core curriculum courses shall provide a program or programs to support the academic needs of students who enroll in Learning Support. Institutions may set higher standards for placement and the program may include other Learning Support components. The USG chief academic officer will issue administrative procedures regarding the operation of these programs.

3.4.1 Semester System

All University System of Georgia (USG) institutions shall operate on the semester system.

3.4.2 Uniform Academic Calendar

The academic calendar for each USG institution shall consist of two semesters, each with at least 15 weeks of instructional time, as defined by federal regulations. The 15 weeks of instructional time shall not include registration or scheduled breaks.

All USG institutions, with the exception of Medical School and Dental School at Augusta University and the College of Veterinary Medicine and School of Law at the University of Georgia, shall begin and end classes for fall semester and spring semester within the prescribed periods set forth in the Academic & Student Affairs Handbook. Each institution will determine all other necessary dates for the semester, including the

possibility of flexible scheduling within and between semesters. Each term must be separated by a minimum of one day.

The President of a USG institution or his or her designee has the authority to set the Academic Calendar for the institution within the parameters of this policy. Requests for exceptions to this policy must be submitted in writing by the President of the institution and approved in writing by the USG Chief Academic Officer.

3.4.3 Religious Holidays

Each USG institution shall establish a process for evaluating requests for leave to observe religious holidays.

3.4.4 Instructional Time

A minimum of 750 minutes of instruction or equivalent is required for each semester credit hour. A course offered in fewer than 15 instructional weeks shall contain the same total hours (contact hours, preparation time, content, and requirements) as the same course offered in the standard 15-week semester.

3.5.1 Grade Point Average

All University System of Georgia (USG) institutions shall be on a 4.00 grade point average (GPA) system, calculated to and truncated at two significant digits.

3.5.1.1 Grades Approved in Determining the Grade Point Average

The following grades are approved for use in institutions in the determination of the Grade Point Average:

Grade	Grade Point Average
A	Excellent (4.00)
B	Good (3.00)
C	Satisfactory (2.00)
D	Passing (1.00)
F	Failure (0.00)

WF	Withdrew failing (0.00)
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The University of Georgia and Georgia State University shall be on the following grade point average system, calculated to and truncated at two significant digits, with the following numeric equivalents.

Grade	Grade Point Average
A	4.00
A-	3.70
B+	3.30
B	3.00
B-	2.70
C+	2.30
C	2.00
C-	1.70
D	1.00
F	0.00

In addition, Georgia State University will be allowed to use an A+ designation, with the equivalent numerical value of a 4.30. The University of Georgia and Georgia State University shall not use plus/minus grades in the calculation of the HOPE Scholarship grade point average.

3.5.1.2 Cumulative Grade Point Average

The cumulative grade point average in each USG institution will be calculated by dividing the number of hours scheduled in all courses attempted in which a grade of A, B, C, D, F, or WF has been received into the number of grade points earned on those hours scheduled. The cumulative grade point average will be recorded on the student's permanent record. Institutional credit shall in no way affect the cumulative grade point average.

Other averages may be computed by each institution for internal uses as may be required.

3.5.2 Symbols Not Included in Determining the Grade Point

Average

The following symbols are approved for use by USG institutions in the cases indicated, but shall not be included in the determination of the GPA:

“I” indicates that a student was doing satisfactory work but, for non-academic reasons beyond his or her control, was unable to meet the full requirements of the course. The requirements for removal of an “I” are left to the respective institutions. However, if an “I” is not satisfactorily removed after three academic terms of residence, the symbol “I” will be changed to the grade “F” by the appropriate official.

“IP” indicates that credit has not been given in courses that require a “CP” continuation of work beyond the term for which the student signed up for the course. This symbol cannot be substituted for an “I.”

“K” indicates that a student was given credit for the course via a credit by examination program approved by the respective institution’s faculty (e.g., CLEP, AP, Proficiency). “K” credit may be provided for a course the student has previously audited if the institutional procedures for credit by examination are followed.

“S” indicates that credit has been given for completion of degree requirements other than academic course work. The use of this symbol is approved for dissertation and thesis hours, student teaching, clinical practicum, internship, and proficiency requirements in graduate programs. Exceptions to the use of this symbol for academic course work must be submitted to the USG chief academic officer for approval.

“U” indicates unsatisfactory performance in an attempt to complete degree requirements other than academic course work. The use of this symbol is approved for dissertation and thesis hours, student teaching, clinical practicum, internship, and proficiency requirements in graduate programs. Exceptions to the use of this symbol for academic course work must be submitted to the USG chief academic officer for approval.

“V” indicates that a student was given permission to audit this course. Students may not transfer from audit to credit status or vice versa. Students may register, however, on a credit basis for a course that has previously been audited.

“W” indicates that a student was permitted to withdraw without academic penalty. Each institution, following guidance outlined in the Academic and Student Affairs Handbook, shall determine the last date within a term for withdrawals without academic penalty. Exceptions in cases of hardship will be determined by the appropriate official of the respective institution.

“WM” indicates a student was permitted to withdraw under the Board of Regents policy for military service refunds as provided in Board Policy. The use of this symbol indicates that this student was permitted to withdraw without penalty at any time during the term.

3.5.3 Grade Point Average Upon Academic Renewal

Undergraduate students who are either returning to a University System of Georgia (USG) institution or are transferring to a USG institution may be eligible for Academic Renewal, which signals the initiation of a new grade point average to be used for determining academic standing. This provision allows USG degree-seeking students who experienced earlier academic difficulty to make a fresh start and have one final opportunity to earn an associate or bachelor's degree.

3.6.1 Creation of Academic Programs

New degree programs to include nexus, associate, bachelor's, master's, and doctoral degrees shall not be added to curricula of a University System of Georgia (USG) institution unless recommended by the President of the institution and the Chancellor and approved by the Board of Regents.

USG institutions that offer programs that provide academic credit but award certificates, post-baccalaureate certificates, or post-graduate level certificates rather than degrees must notify the USG chief academic officer pursuant to guidelines set forth in the Academic and Student Affairs Handbook.

3.6.2 Termination of Academic Programs

The termination of academic programs, degrees, or majors shall be submitted to the Chancellor for review and recommendation for action by the Board of Regents. Institutions must notify the USG Executive Chief Academic Officer at least two years prior to a formal request to terminate programs, degrees, or majors as outlined in the Academic and Student Affairs Handbook, including a teach-out plan in accordance with applicable accreditation policies.

3.6.2.1 Temporary Suspension of Academic Programs

A temporary suspension of an academic program, degree, or major may be approved by a president for a period not to exceed two (2) academic years to allow for program review, to consider enrollment problems, to deal with faculty shortages, or for other similar reasons. The imposition and removal of a temporary suspension shall be reported to the USG Executive Chief Academic Officer.

3.6.3 Comprehensive Academic Program Review

Each USG institution shall conduct comprehensive academic program reviews for Career Associates, Associate degrees with a designated major, bachelor degrees and graduate degrees. Consistent with efforts in institutional effectiveness and strategic planning, each USG institution shall develop procedures to evaluate the effectiveness of its academic programs to address the quality, viability, and productivity of efforts in teaching and learning, scholarship, and service as appropriate to the institution's mission. Institutional review of academic programs shall involve analysis of both quantitative and qualitative data, and institutions must demonstrate that they make judgments about the future of academic programs within a culture of evidence. Planning and conduct of academic program reviews shall be used for the progressive improvement and adjustment of programs in the context of the institution's strategic plan and in response to findings and recommendations of the reviews. Adjustment may include program enhancement, maintenance at the current level, reduction in scope, or, if fully justified, consolidation or termination.

3.7 Research

The Board of Regents shall continue efforts to provide adequate funds for increased research programs of the highest quality at University System of Georgia (USG) institutions through state appropriations and other outside sources.

In addition, the Board has approved the following special research centers:

1. The Agricultural Experiment Stations of the University of Georgia.
2. The Georgia Tech Research Institute (GTRI) of the Georgia Institute of Technology in Atlanta.
3. The Marine Resources Program of the University of Georgia with three units:
 - The Marine Institute on Sapelo Island;
 - The Marine Resources Extension Center on Skidaway Island; and,
 - The Skidaway Institute of Oceanography on Skidaway Island.

3.8.1 General

The faculty shall recommend to the president of the institution the candidates for degrees that the institution has been authorized by the Board to confer. A record of all degrees awarded shall be filed in the office of the Registrar of the institution conferring the degree.

Absent the approval of the USG chief academic officer, no degree program shall exceed the following credit

hours, exclusive of physical education activity/basic health or orientation course hours that the institution may require:

1. Associate degrees shall consist of 60 credit hours;
2. Bachelor's degrees shall consist of 120 credit hours;
3. Nexus degrees shall consist of 60 credit hours; and
4. Master degrees shall consist of 30 credit hours

3.8.2 Associate Degrees

3.8.2.1 Transfer Degrees

Associate of Arts (A.A.) and Associate of Science (A.S.) degrees are primarily intended to be transfer degrees leading to the baccalaureate degree, although some provide students with a recognized two-year degree credential and employment opportunities upon graduation. All A.A. and A.S. degrees shall consist of 60 semester credit hours; 42 hours of the required core curriculum coursework as outlined in Board Policy, 18 hours of lower division requirements related to preparatory or prerequisite work for a bachelor's degree field of study, and do not include institutional requirements in physical education, activity, basic health, or orientation. Associate degrees beyond 60 credit hours require the approval of the USG chief academic officer.

Associate degrees with a major field of study are subject to USG policies on comprehensive program review and all applicable accreditation standards for a distinct program of study. Distinct transfer associate-level degree programs of study must have appropriate student learning outcomes, must be assessed, must demonstrate continuous improvement based on assessment results, and may be advertised as available programs of study at the institution.

3.8.2.2 Career Degrees

Career degrees include the Associate of Applied Science (A.A.S.) and Associate of Science in allied health areas (A.S. in designated health fields).

Career degrees are primarily designed to prepare students for employment upon graduation. A.A.S. degrees are generally awarded through successful completion of a planned program of study at Technical College System of Georgia institutions. USG institutions that have been approved by the Board of Regents to offer career associate degrees must designate specific disciplinary areas of study (e.g., A.A.S. in Criminal Justice or A.S. in Nursing) that are considered distinct programs of study. Career degrees are subject to Board of Regents and USG policies on comprehensive program review and all applicable accreditation standards for a distinct program of study. Career degree programs of study may be advertised as available programs of study at the institution.

3.8.3 Nexus Degrees

Nexus degrees are comprised of 42 hours of general education and 18 credit hours of specialty requirements that consist of 12 credit hours of upper division courses (e.g. 3000-4000) and 6 credit hours of substantive experiential learning. The substantive experiential learning must have significant emphasis on developing competencies and capabilities in a strategic career field aligned to the talent demand areas and needs of the state of Georgia. Nexus degrees are subject to Board of Regents and USG policies on comprehensive program review and all applicable accreditation standards for a distinct program of study.

3.8.4 Bachelor Degrees

Bachelor of Arts (B.A.) and Bachelor of Science (B.S.) degrees are comprised of general education and designated major of study requirements. Bachelor degrees consist of 120 credit hours and have a coherent program of study. Bachelor degrees are subject to Board of Regents and USG policies on comprehensive program review and all applicable accreditation standards for a distinct program of study. Bachelor degrees beyond 120 credit hours require the approval of the USG chief academic officer.

3.8.5 Master Degrees

Master degrees are comprised of 30 hours of a coherent program of study beyond the bachelor's degree. Master degrees are subject to Board of Regents and USG policies on comprehensive program review and all applicable accreditation standards for a distinct program of study. Master degrees beyond 30 credit hours require the approval of the USG chief academic officer.

3.8.6 Ph.D. Programs

Ph.D. programs shall be limited to research universities. Comprehensive universities do not normally offer Ph.D. degrees. In exceptional cases, however, they may offer the Ph.D. when:

1. The program supports the central mission of that university;
2. There is demonstrated demand for the program;
3. There is demonstrated need for graduates of the program; and,
4. There is assurance of high academic quality.

All such program proposals will be subject to Board approval processes for graduate programs. The USG chief academic officer will seek counsel from appropriate USG leaders and other research universities, and then make recommendations to the Chancellor and the Board of Regents as to whether a comprehensive university has met these criteria.

In the case of applied doctorates, the Chancellor may recommend exceptions to the above policy under guidelines adopted by the USG chief academic officer.

3.8.7 Diplomas Earned at Institutions Under a Previous Name

Upon request, a USG institution may issue a certificate to a graduate who received a diploma under a previous name of the institution in line with the requirements set forth in the Academic & Student Affairs Handbook in order to memorialize the individual's status as an alumnus or alumna of the institution.

3.8.8 Honorary Degrees

Honorary degrees are subject to approval by the Board of Regents. Honorary degrees may be conferred by USG research, comprehensive, state universities and state colleges to persons of notable achievement in an academic field, the arts and letters, the professions, or public service. An institutionally approved process for advancing candidates for consideration in a timely fashion shall include recommendations by a faculty committee and selection by the president of a candidate to be communicated to the Chancellor. Honorary degrees may be conferred upon candidates recommended by the Chancellor and approved by the Board of Regents.

Current elected or appointed national office holders or officials of the State of Georgia to whom the USG institutions are directly or indirectly answerable, as well as persons who are announced candidates for national or state elective offices are ineligible for honorary degrees. Current Regents and all current USG employees are also ineligible.

3.9 Academic Advisement

Academic advising is an ongoing process across each University System of Georgia (USG) institution to ensure student success from admission to graduation. Each USG institution shall maintain an academic advising framework to develop cognitive and non-cognitive skills in each student that promote a productive academic mindset and result in a clear understanding of educational, professional, and personal goals and a plan to achieve those goals.

The USG Chief Academic Officer shall establish guidelines in the Academic and Student Affairs Handbook related to academic advisement.

3.9.1 Undergraduate Academic

Advisement

Each USG institution shall maintain a collaborative framework for undergraduate academic advising that enables each undergraduate student to establish a clear purpose for the student's college studies by choosing a degree program or one of a small number of affinity groups of disciplines (academic focus areas), and follow a clear course sequence organized into a degree pathway to graduation that is informed by design principles that are aligned with student success and completion.

The academic advising framework shall also include provisions for advising students throughout their undergraduate education, including provisions for monitoring and documenting student progress toward educational goals and providing outreach for students who are at risk of not meeting educational goals.

3.10 Academic Textbooks

The University System of Georgia (USG) Chief Academic Officer shall establish guidelines in the Academic & Student Affairs Handbook regarding the designation and sale of textbooks required for coursework at USG institutions, including provisions that:

1. Promote increased communication between students, faculty, and college bookstores concerning the use of textbooks in the classroom, the designation of required versus recommended texts, textbook costs (including a designation of free and low-cost textbooks and textbook alternatives), textbook adoption schedules, alternative acquisition methods, and other factors affecting the designation and sale of textbooks in order to increase the options available to students in meeting their cost of education while maintaining academic rigor and quality of instruction;
2. Ensure that bookstore operations, whether managed internally or outsourced to private vendors, offer the best value to students in acquiring textbooks and actively promote alternative options to help minimize student cost;
3. Require a review process at the institution for determining if faculty may use self-authored texts in their classroom; and,
4. Prohibit faculty from reselling sample texts provided by publishers or profiting from any financial incentives offered by publishers in the assignment of specific texts.

4.1.1 Institutional Responsibility

Admission, discipline, promotion, graduation, and formulation of all rules and regulations pertaining to students of University System of Georgia institutions are matters to be handled by the institutions within the framework of policies and regulations issued by the Board of Regents. Students failing to comply with

Board of Regents' or institution rules, regulations, or directives may face disciplinary actions.

4.1.2 Financial Needs Analysis

Applicants for student financial aid programs that are based on need must file an acceptable needs analysis which has been approved by the United States Department of Education.

University System of Georgia (USG) institutions shall accept and process the Free Application for Federal Student Aid (FAFSA) for federal and state student aid programs. USG institutions may elect to accept and process other needs analysis systems approved by the United States Department of Education.

4.1.3 Student Voting Privileges

Students are encouraged to vote in all federal, state, and local elections. A student whose class schedule would otherwise prevent him or her from voting will be permitted an excused absence for the interval reasonably required for voting.

4.1.4 Fraternities and Sororities

Each University System of Georgia institution may decide whether social fraternities and sororities shall be established at the institution and whether each social fraternity or sorority shall be local only or affiliated with national groups. Each institution may promulgate rules and regulations concerning the establishment, organization, governance, and discipline of social fraternities and sororities.

4.1.5 Students with Disabilities

The Americans with Disabilities Act (ADA) requires colleges or universities to make necessary modifications to ensure that the institution does not discriminate or have the effect of discrimination against a qualified student with a disability. The USG is committed to providing equal educational opportunities to all students, and offers students with disabilities a variety of services and accommodations to ensure that both facilities and programs are accessible.

The USG has established sets of common standards and procedures for evaluating and administering accommodations for students with disabilities, which can be found in the Academic Affairs Handbook.

The policy is pursuant to the provisions of the Americans with Disabilities Act. The USG is a "public entity" within the meaning of the ADA, 42 U.S.C. § 12131, and 28 C.F.R. § 35.104, and, therefore, subject to Title II of the ADA, and its implementing regulations, 28 C.F.R. Part 35. It is also a "recipient" of "federal financial assistance" within the meaning of Section 504, 29 U.S.C. § 794, and 34 C.F.R. § 104 and is therefore

subject to Section 504 and the relevant implementing regulations, 34 C.F.R. Part 104 (BoR Minutes, November 2008).

4.1.6 Admission of Persons Not Lawfully Present in the United States

A person who is not lawfully present in the United States shall not be eligible for admission to any University System institution which, for the two most recent academic years, did not admit all academically qualified applicants (except for cases in which applicants were rejected for non-academic reasons).

4.2 Undergraduate Admissions

Individuals seeking undergraduate admission to any University System of Georgia (USG) institution shall meet the requirements for one of the categories listed below and any additional requirements that may be prescribed by the institution. Meeting minimum requirements does not guarantee admission to any USG institution.

These policies must be applied in accordance with the standards, procedures, and guidelines provided in the Academic & Student Affairs Handbook. Any exceptions to these admission policies may be made only with written approval of the USG Chief Academic Officer.

4.2.1 Admission Requirements for Programs Leading to an Associate or Baccalaureate Degree

These policies must be applied in accordance with the standards, procedures, and guidelines provided in the Academic & Student Affairs Handbook.

4.2.1.1 Freshman Requirements

At its April 16, 2024 meeting, the Board of Regents voted to continue a waiver of Policy 4.2.1.1, Freshman Requirements, for the 2024-25 and 2025-26 academic years. For those academic years, first-year undergraduate admissions will be test optional for 23 of the 26 University System of Georgia institutions. Standardized test scores (SAT or ACT) will be required at Georgia College & State University, the Georgia Institute of Technology, and the University of Georgia.

Freshman Requirements apply to first-time freshmen and individuals who have not earned the equivalent of 30 semester hours of transferable postsecondary credit. Students with fewer than 30 semester hours of transferable postsecondary credit must meet the Freshman Requirements at the institution to which they are transferring.

Students applying for freshman admissions to a USG institution must meet the following criteria and additional guidelines as set forth in the [Academic & Student Affairs Handbook](#).

Academic Record

Applicants from a public school regulated by a school system and state department of education or a high school holding accreditation from an approved accrediting body must have graduated from the school and completed the USG's Required High School Curriculum (RHSC). Consult the [Academic & Student Affairs Handbook](#) for additional information about the RHSC.

Applicants graduating from non-accredited homeschools or high schools must meet the admission criteria required of other applicants but may demonstrate their graduation and completion of the RHSC in an alternative way. USG institutions shall establish a methodology to evaluate completion of the RHSC and high school graduation from non-accredited homeschools or high schools based on guidelines set forth in the Academic & Student Affairs Handbook and approved by the Chief Academic Officer.

The RHSC is comprised of the following units:

Subject	Units
Mathematics	4
English	4
Science	4
Social Science	3
Foreign Language/American Sign Language/Computer Science	2

USG institutions shall require a minimum high school grade point average (HSGPA).

SAT/ACT Scores

Research, comprehensive, and state universities shall establish minimum SAT and ACT score requirements of at least the following:

Test	Scores
SAT Administered March 2016 or Later	480 on the Evidence-Based Reading and Writing section, and 440 on the Math section

SAT Administered Prior to March 2016	430 on the Critical Reading section, and 400 on the Math section
ACT	17 on the English test or Reading test, and 17 on the Math test

Presidents of state colleges may elect whether to establish minimum SAT and ACT score requirements.

Freshman Index The Freshman Index (FI) is calculated using a combination of an applicant's SAT or ACT scores and HSGPA as set forth below:

SAT Administered March 2016 or Later

$FI = 500 \times (HSGPA) + 1.06 \times (\text{SAT Evidence-Based Reading and Writing section score} + \text{SAT Math section score}) - 74$

SAT Administered Prior to March 2016

$FI = 500 \times (HSGPA) + \text{SAT Critical Reading section score} + \text{SAT Math section score}$

ACT

$FI = 500 \times (HSGPA) + (42 \times \text{ACT Composite}) + 88$

Research, comprehensive, and state universities shall establish a minimum FI of at least the following:

Institution Sector	Minimum FI
Research Universities	2500
Comprehensive Universities	2040
State Universities	1940

Presidents of state colleges may elect whether to establish a minimum FI requirement.

For admission for Fall 2026 and later, SAT or ACT scores are required for all Research 1 and Research 2 institutions, and the USG designated liberal arts institution. All other institutions may require test scores based on the applicant high school grade point average. Minimum test scores and required grade point averages for admission are outlined in the [Academic & Student Affairs Handbook](#).

For applicants requiring test scores, institutions will calculate the Freshman Index (FI) and adhere to the minimum sector FI as outlined above.

4.2.1.2 International Freshman Requirements

Freshman applicants educated outside of the United States shall demonstrate academic preparation comparable to that required of applicants completing high school within the United States. Freshman applicants whose native language is not English shall be required to demonstrate proficiency in the English language.

4.2.1.3 Exceptions to Freshman Requirements

USG institutions may admit freshman applicants not meeting freshman requirements but showing evidence of college readiness using the following alternative categories.

Limited Admissions Category

In recognition of the fact that a limited number of applicants do not meet established standards but do demonstrate special potential for success, institutions are authorized to grant admission to a limited number of such applicants. Institutions shall establish minimum criteria for Limited Admission, which shall include the use of multiple measures whenever possible, such as interviews, portfolios, and records of experiential achievements. In addition, institutions shall require a high school diploma or state-issued high school equivalency diploma or certificate. Research, comprehensive, and state universities shall also require that applicants complete the RHSC and have at least the minimum SAT or ACT scores provided in the Freshman Requirements policy, as well as the minimum FI as specified in the [Academic & Student Affairs Handbook](#).

Presidential Exceptions

Each institution Presidents or his or her designee may grant exceptions to the Limited Admission requirements if the applicant shows promise for academic success and has at least a high school diploma or a state-issued high school equivalency diploma or certificate.

Presidential Exceptions are included as part of the institution's maximum percentage for Limited Admission.

Applicants with Outstanding Scores

Institutions may grant admission to applicants who demonstrate very high academic ability by achieving a Total SAT or Composite ACT score in the upper five percent of national college-bound seniors for the most recent test year and who show other evidence of college readiness.

Admission of Students with Disabilities

Because the core curriculum of each institution requires students to complete college-level courses in English, mathematics, social science, and science, all students must complete the RHSC in these areas. Applicants with disabilities that preclude the acquisition of a foreign language may petition for admission without this requirement according to procedures established by the USG.

Students with disabilities are expected to meet the sector's minimum SAT or ACT score requirements, but should request the appropriate testing accommodations from the agencies administering the SAT or ACT.

4.2.1.4 Dual Enrollment Requirements

Dual Enrollment provides academically talented high school students with the opportunity to enroll in college-level courses. Institutions shall establish criteria for the admission of high school students to participate in Dual Enrollment in accordance with the guidelines set forth in the [Academic & Student Affairs Handbook](#).

Each Early College represents an approved partnership between a Georgia public school system and a USG institution. Early College participants are eligible for enrollment in college courses while they are enrolled in an Early College.

4.2.1.5 Transfer Requirements

Institutions shall establish minimum transfer admission criteria of at least the following:

Institution Sector	Minimum Transfer GPA
Research Universities	2.30
Comprehensive and State Universities	2.00
State Colleges	Eligible to continue or return to sending institution

The transfer GPA is based on transferable credit hours from postsecondary institutions previously attended. It is obtained by dividing the total number of transferable credit hours attempted at all postsecondary institutions previously attended into the total number of quality points for those courses. It excludes institutional credit hours (such as Learning Support courses) and vocational course hours.

Students with fewer than 30 transferable semester credit hours must meet the freshman admission requirements at the institution to which they are applying.

4.2.1.6 International Transfer Requirements

Transfer applicants educated outside of the United States shall demonstrate academic preparation comparable to that required of applicants completing their coursework within the United States. Transfer applicants whose native language is not English shall be required to demonstrate proficiency in the English language.

4.2.1.7 Exceptions to Transfer Requirements

In recognition of the fact that a limited number of transfer applicants do not meet established standards but do demonstrate special potential for success, institutions are authorized to grant admission to a

limited number of such applicants. Institutions shall use multiple measures whenever possible to assess potential for success. The number of applicants who may be granted admission is restricted by institutional sector as set forth in the [Academic & Student Affairs Handbook](#).

4.2.1.8 Non-Traditional Requirements

Institutions may admit as many non-traditional students as is appropriate based on institutional mission, academic programs, and success in retaining and graduating non-traditional students in accordance with the guidelines set forth in the [Academic & Student Affairs Handbook](#).

Non-Traditional Freshmen

An applicant who has been out of high school at least five years, whose high school class graduated at least five years ago, and who has earned fewer than 30 transferable semester credit hours may be evaluated as a non-traditional freshman.

Non-Traditional Transfers

An applicant who has been out of high school at least five years or whose high school class graduated at least five years ago, and who has earned 30 or more transferable semester credit hours may be evaluated as a non-traditional transfer.

4.2.1.9 Persons Aged 62 or Over

Pursuant to the provisions of the Georgia Constitution, the USG establishes the following rules with respect to enrollment of persons 62 years of age or older in USG programs. To be eligible for enrollment under this provision such persons:

1. Must be residents of Georgia, 62 years of age or older at the time of registration, and shall present a birth certificate or other comparable written documentation of age to enable the institution to determine eligibility.
2. May enroll as a regular or auditing student in courses offered for resident credit on a "space available" basis without payment of fees, except for supplies, laboratory or shop fees.
3. Shall meet all USG and institution undergraduate or graduate admission requirements. However, institutions may exercise discretion in exceptional cases where circumstances indicate that certain requirements such as high school graduation and minimum test scores are inappropriate. In those instances involving discretionary admission institutions will provide diagnostic methods to determine whether or not participation in Learning Support will be required prior to enrollment in regular credit courses. Reasonable prerequisites may be required in certain courses.
4. Shall have all usual student and institutional records maintained. However, institutions will not report such students for budgetary purposes.
5. Must meet all USG, institution, and legislated degree requirements if they are degree-seeking students.

6. May not enroll in dental, medical, veterinary, or law schools under the provisions of this policy.

4.2.2 Admission Requirements for Undergraduate Programs Not Leading to the Baccalaureate Degree

These policies must be applied in accordance with the standards, procedures, and guidelines provided in the [Academic & Student Affairs Handbook](#).

4.2.2.1 Admission to Career Programs

Admissions requirements for career certificates and career degrees (Associate of Applied Science degrees and Associate of Science degrees in allied health areas) depend upon the extent to which the general education component is based on Core Curriculum courses. There are two sets of admissions requirements, as specified in the [Academic & Student Affairs Handbook](#):

1. Programs with a Core-based general education component allowing more than 12 semester hours of Core curriculum course work; and,
2. Programs with non-Core general education components allowing 12 or fewer semester hours of Core Curriculum coursework.

Students admitted in the career degree or certificate category who have not completed a career degree may apply for admission to programs that lead to a baccalaureate degree if they meet regular or Limited Admission requirements. Students admitted in this category can only be admitted into a program leading to a baccalaureate if:

1. On admission to the institution they would have met the requirements for regular or Limited Admission; or,
2. They show exceptional promise and are admitted as a Presidential Exception. Students admitted in this category must fulfill all learning support and RHSC requirements

4.2.2.2 Admission of Non-Degree Students

Institutions may admit applicants to enroll as non-degree students for a maximum total of 18 semester credit hours, including institutional credit. ESL coursework does not count towards the 18 semester hour limit.

4.2.2.3 Admission of Postbaccalaureate Students

Institutions may admit applicants who have earned a baccalaureate degree from a regionally accredited institution to enroll as non-degree postbaccalaureate students in courses with no limitation on the number of hours of undergraduate credit these students can earn.

4.2.2.4 Admission of Transient Students

Institutions may admit applicants who are enrolled in another institution to temporarily enroll as transient students, as outlined in the [Academic & Student Affairs Handbook](#).

4.2.2.5 Admission of Auditors

Institutions shall establish criteria for the admission of applicants to register as auditors in accordance with the guidelines provided in the [Academic & Student Affairs Handbook](#).

4.2.3 Additional Admission Policies

4.2.3.1 Institution Admission Requirements

In addition to the Board of Regents' and USG admission requirements, each USG institution may establish additional requirements for admission to the institution or to special programs at the institution provided that the requirements are not less stringent than any Board of Regents' policy or guideline.

4.2.3.2 Referral of Students to Other Institutions

Institutions should assist Georgia applicants who have been denied admission in identifying another USG institution that more appropriately matches their academic credentials.

4.2.3.3 Right to Refuse Admission

An applicant may be declared eligible for admission, registration, enrollment, or re-enrollment at a USG institution only after satisfying all requirements established by the Board of Regents and the institution. The institution may consider the character and qualifications of the applicant in making admission decisions. In order that this examination and appraisal may be made, the applicant shall furnish to the institution such biographical and other information, including references, as may be required by the institution.

Each USG institution reserves the right to refuse admission to:

1. A non-resident of Georgia;
2. An applicant whose admission would cause the institution to exceed its maximum capacity;

3. An applicant whose request for admission is only to a program that is already filled;
4. An applicant whose transcript is from an unaccredited institution; or
5. An applicant who is otherwise ineligible for admission.

4.2.3.4 Right to Limit Admissions

The Chancellor may limit the number of students admitted to an institution.

4.2.3.5 Equal Opportunity in Admissions

All admissions processes and decisions shall be free of ideological tests, affirmations, and oaths, including diversity statements. No applicant for admission shall be asked to or required to affirmatively ascribe to or opine about political beliefs, affiliations, ideals, or principles, as a condition for admission.

4.3.1 Out-of-State and Out-of-Country Enrollment

Each USG institution is required to file an annual report detailing the number of out-of-state and out-of-country students enrolled during the previous academic year.

4.3.2 Classification of Students for Tuition Purposes

4.3.2.1 Description of Terms Used in the Policy

Terms used in the Tuition Classification Policy not found below can be found in the [Tuition Classification Glossary of Terms](#).

Dependent Student

An individual under the age of 24 who receives financial support from a parent or United States court appointed legal guardian.

Emancipated

A minor who, under certain circumstances, may be treated by the law as an adult. A student reaching the age of 18 shall not qualify for consideration of reclassification by virtue of having become emancipated unless he/she can demonstrate financial independence and domicile independent of his/her parents.

Independent Student

An individual who is not claimed as a dependent on the federal or state income tax returns of a parent or United States court appointed legal guardian, and whose parent or guardian has ceased to provide support and rights to that individual's care, custody, and earnings.

Student from a Homeless Situation

An individual defined as a "Student from a homeless situation" pursuant to Georgia Code Section 20-3-66(4).

4.3.2.2 United States Citizens

Independent Students

An independent student who has established and maintained a domicile in the State of Georgia for a period of at least twelve (12) consecutive months immediately preceding the first day of classes for the term shall be classified as in-state for tuition purposes.

No student shall gain or acquire in-state classification while attending any postsecondary educational institution in this state without clear evidence of having established domicile in Georgia for purposes other than attending a postsecondary educational institution in this state.

If an independent student classified as in-state for tuition purposes relocates out of state temporarily but returns to the State of Georgia within twelve (12) months of the relocation, such student shall be entitled to retain his/her in-state tuition classification.

Dependent Students

A dependent student shall be classified as in-state for tuition purposes if such dependent student's parent has established and maintained domicile in the State of Georgia for at least twelve (12) consecutive months immediately preceding the first day of classes for the term and:

1. The student has graduated from a Georgia high school; or,
2. The parent claimed the student as a dependent on the parent's most recent federal or state income tax return.

A dependent student shall be classified as in-state for tuition purposes if such student's United States court-appointed legal guardian has established and maintained domicile in the State of Georgia for at least twelve (12) consecutive months immediately preceding the first day of classes for the term, provided that:

1. Such appointment was not made to avoid payment of out-of-state tuition; and,
2. The United States court-appointed legal guardian can provide clear evidence of having established and maintained domicile in the State of Georgia for a period of at least twelve (12) consecutive months immediately preceding the first day of classes for the term.

If the parent or United States court-appointed legal guardian of a dependent student currently classified as

in-state for tuition purposes establishes domicile outside of the State of Georgia after having established and maintained domicile in the State of Georgia, such student may retain his/her in-state tuition classification so long as such student remains continuously enrolled in a public postsecondary educational institution in this state, regardless of the domicile of such student's parent or United States court-appointed legal guardian.

Student from a Homeless Situation

Any student from a homeless situation shall be classified as in-state for tuition purposes. Upon the classification of any such student as in-state for tuition purposes, such student shall maintain such classification until the earlier occurrence of the completion of a baccalaureate degree or ten years.

4.3.2.3 Non-Citizens

A non-citizen student shall not be classified as in-state for tuition purposes unless the student is legally in this state and there is evidence to warrant consideration of in-state classification as determined by the Board of Regents. Lawful permanent residents, refugees, asylees, or other eligible noncitizens as defined by federal Title IV regulations may be extended the same consideration as citizens of the United States in determining whether they qualify for in-state classification.

International students who reside in the United States under non-immigrant status conditioned at least in part upon intent not to abandon a foreign domicile shall not be eligible for in-state classification.

4.3.3 Tuition Differential Waivers

See [Section 7.3.4 of this Policy Manual](#) for instances in which an institution may waive the differential between in-state and either out-of-state tuition or out-of-country tuition.

4.3.4 Verification of Lawful Presence

Each University System institution shall verify the lawful presence in the United States of every successfully admitted person applying for resident tuition status, as defined in [Section 7.3](#) of this Policy Manual, and of every person admitted to an institution referenced in [Section 4.1.6](#) of this Policy Manual.

4.4.1 Regents' Opportunity Grants Program

The 1978 General Assembly (H.B. 1463) amended the law creating the Georgia Higher Education Assistance Authority so as to authorize the Board of Regents to award grants, scholarships, or cancelable

loans to economically disadvantaged students who are residents of Georgia enrolled in a graduate or professional degree program in a USG institution.

In compliance with provisions of this Act, the Board adopted the following criteria for the award of such scholarships:

1. Each institution shall submit an annual request to the Chancellor for a specific number of scholarships and grants based upon estimated numbers of eligible candidates in the following year. The Board of Regents shall annually allocate the available positions to the institutions based on the objectives and needs of the USG institutions. The Board of Regents will notify the Higher Education Assistance Authority of the total amount of funds they are to disburse to each institution.
2. To attract the most talented students from the target groups to USG programs, 100 scholarships and grants in the amount of \$5,000 each per academic year shall be offered. These scholarships and grants may be utilized as part of a total student financial aid package.
3. Each institution awarding the scholarships and grants shall be responsible for determining compliance with the intent and the terms of the law establishing the scholarships and shall maintain adequate records of students receiving scholarships and grants. A recipient does not have the right to transfer this scholarship to another USG institution. Each institution will make an annual report to the Chancellor on the utilization of these funds.
4. To remain eligible to receive funds under this program, the recipient must maintain good standing and minimum status of effective full-time graduate study, as defined by the institution in which enrolled.
5. The scholarships are renewable, and priority will be given to prior recipients who continue to meet eligibility criteria as defined by the awarding institution.
6. Each institution will determine the timing and amount of payments on the scholarship and grant award.

(BoR Minutes, April 12, 1978, p. 210-211)

4.5 Intercollegiate Athletics

This policy governs University System of Georgia (USG) institution establishment of intercollegiate athletics, expansion of sports, changes in intercollegiate athletic competition levels, and funding of intercollegiate athletics programs.

4.5.1 Purpose

Participation in and enjoyment of intercollegiate athletics are important components of the overall collegiate experience and also provide valuable benefits to the communities in which universities and colleges are located. The Board of Regents is committed to promoting such participation and opportunities within the mission, values, and goals of each USG institution. However, decisions made with respect to athletic programs may have significant financial implications for the institutions, and,

subsequently, affordability for USG students. These programs must be operated in an ethically and fiscally responsible manner consistent with the rules, regulations, and principles of the national intercollegiate athletic associations and the conferences with which the institutions are affiliated.

4.5.2 Board Oversight

The Board of Regents provides oversight and broad policy guidelines for the operation and budget activities of intercollegiate athletics programs in a manner consistent with the operation of other USG units.

4.5.3 Delegation of Authority

The President of each USG institution is assigned ultimate responsibility and authority for the operation, fiscal integrity, and personnel of the institution's athletics program, including appointment and supervision of the athletics director or directors. Each President is also responsible for ensuring that the institution's athletics program is in compliance with all applicable federal and state laws, in compliance with the regulations of any athletic conference affiliation, and that the mission, values, and goals of the athletics program are compatible with those of the institution.

4.5.4 Authorization and Approvals

Any USG institution that wants to establish an intercollegiate athletics program, expand its current intercollegiate athletics program, make a change in conference that requires significant program or resource expansion, or change competition levels, shall first obtain approval from the Board of Regents. Prior to any action on behalf of the institution, the President of the institution shall first notify the Chancellor of the scope of the intended change and the Chancellor shall determine if written notice to the Board is required. If it is determined that a formal review and approval by the Board is required, the institution shall submit for that approval a full proposal to the Board of Regents for integrated review as outlined in Section 4.5.5.

4.5.5 Criteria for Proposal of Athletics Expansion

Consideration will be given to proposals that:

1. Are based on an institution submission of a five-year operational and capital plan for intercollegiate athletics that includes projected expenditures and revenues and sources of funding including

- institutional funds, athletic fees, ticket sales, unrestricted endowment income, and other sources such as sponsorships, community giving, and alumni donations;
2. Demonstrate support and approval for the plan based upon widespread consultation with the institution academic and student governing bodies and community constituents;
 3. Stipulate that grants-in-aid will be administered in strict compliance with intercollegiate athletic rules and regulations and may be funded from athletic fee revenues, unrestricted endowment income, and other allowable funding sources;
 4. Assure that equitable athletic opportunity will be provided for members of both sexes, so that no person, on the basis of sex, will be excluded from participation in, be denied the benefits of, or be subject to discrimination in the overall intercollegiate athletics program of the institution;
 5. Stipulate that the operation of intercollegiate athletics cannot come at the expense of academic programs and essential activities at an institution or by diverting funds from other major institution functions;
 6. Discuss the facilities implications of any required changes in or additions to capital facilities in order to upgrade intercollegiate athletics; and,
 7. Ensure that all funds utilized in support of the intercollegiate athletics program will be allocated, administered, and expended directly under the authority of the institution President in strict compliance with intercollegiate athletics regulations and institutional guidelines for the establishment and conduct of institution intercollegiate athletics boards.

4.5.6 Monitoring

1. The USG shall annually review institutional intercollegiate athletics programs for financial and program soundness. To assist with this task, each President of an institution that participates in intercollegiate athletics shall furnish a report annually to the Chancellor that addresses academic, fiscal, and compliance issues associated with intercollegiate athletics. This annual report's format will be prescribed in guidelines issued by the University System Office.
2. Institutions will provide to the Chancellor copies of the annual reports submitted to the appropriate national intercollegiate athletic association and conferences regarding academic progress and graduation success rates of student-athletes.
3. The Chancellor will submit a summary of the institution reports to the members of the Board and will advise the Board Chair of any Board actions needed.
4. Each institution is to immediately notify the Chancellor of all NCAA/NAIA/NJCAA major infractions or investigations, conference investigations, or any other events or situations which might spark unusual public interest in the athletic program. As a part of the notification the institution should provide sufficient detail concerning the situation to ensure the USG can respond appropriately to inquiries.
5. Each institution is required to report to the USG chief business officer regarding all projected or known fiscal shortfalls, where current fiscal year intercollegiate athletic expenses are expected to exceed current fiscal year intercollegiate athletic revenues, as soon as it is determined, along with the reason or

reasons for the shortfall and the plan in both the short and long term for resolving the issue. Projected or actual use of institutional reserves in support of intercollegiate athletics must be highlighted in the required report.

6. There shall be an annual audit of any separately incorporated athletic association, with a copy of the audit to be filed with the USG chief audit officer.

4.5.7 Management of Athletic Affairs

Management and control of intercollegiate and intramural athletic affairs shall be the responsibility of the respective institutional authorities. Each institution participating in a program of intercollegiate athletics is expected to take the necessary steps to ensure that its management of the program is in compliance with the provisions of applicable federal laws and the regulations of any governing body and athletic conference with which it is affiliated.

4.5.8 Funding of Intercollegiate Athletic Programs

For the purpose of this policy, the USG has adopted the definitions of revenues and expenses provided by the NCAA for the Financial Reporting System as outlined below and to be further defined in the USG Business Procedures Manual. The NCAA Financial Reporting System aims to capture all revenues and expenses on behalf of an institution's intercollegiate athletics program, including those by outside entities (e.g. foundations, booster clubs) and institutions similarly shall include all intercollegiate athletics revenue and expense to include entities operating on behalf of the institution's athletics program.

As used in this Policy, "Athletics Operating Revenue" is the total revenue generated by the institution's intercollegiate athletics program. "Direct Institutional Support" is the direct financial support provided by the institution to the athletics programs (e.g., tuition funds) used to support intercollegiate athletic activities. "Subsidy" is the sum of direct institutional support and student fees and does not include the value of out-of-state tuition waivers. "Subsidy Percentage" is the subsidy divided by athletics operating revenue as defined in the USG Business Procedures Manual. "Athletics Operating Expense" is the total expense spent by the institution's intercollegiate athletics program. Athletics Operating Revenue, Direct Institutional Support, Subsidy, Subsidy Percentage, and Athletic Operating Expense shall be further defined in the USG Business Procedures Manual.

Institutions may expend Education & General fund resources on behalf of the institution's intercollegiate athletics program except as noted: Institutions must not expend Fund 10000 state appropriations on athletics, must not expend Education & General fund resources in support of athletic scholarships, and must not expend Education & General fund resources or student athletic fee revenue for the direct

compensation of intercollegiate student-athletes for the use of such student athlete's Name, Image, and Likeness (NIL).

A. A form will be provided to ensure a standardized reporting format for each institution to annually report its intercollegiate athletics revenues and expenses in accordance with Section 4.5.6.1.

B. The subsidy percentage shall not exceed:

- 10% for NCAA DI-A institutions affiliated with the ACC, Big Ten, Big 12, or SEC; often referred to as the Power 4 (effective July 1, 2025, this percentage cap rises to 20%);
- 65%: NCAA DI-A institutions affiliated with other conferences;
- 75% for NCAA Division I-AA institutions;
- 80% for NCAA Division II institutions;
- 85% for NAIA and NJCAA institutions.

C. Except for the Power 4 institutions, total athletic operating expenses may not increase by more than 5% annually unless approved in advance by the Chancellor.

D. Effective July 1, 2016, each institution exceeding the allowable subsidy percentage in the prior fiscal year shall submit to the Chancellor a plan for approval that reduces the subsidy over a fiscal year period, not to exceed four years, until the subsidy percentage complies with the requirements of subsection B. Failure to be in compliance in four years shall, at the discretion of the Chancellor, result in athletics programming mandates from the Chancellor including but not limited to reduction or change in sport offerings, change in conference affiliation, and change in governing body or division membership. Any institutions below these caps will have one year to get back in compliance.

In limited circumstances, the president may seek approval from the Chancellor to exceed the allowable subsidy percentage not to exceed a period of three years. This request must be supported by a sound business case and demonstrate how the institution will return to compliance.

4.6.1 [Reserved]

[Reserved]

4.6.2 Violations of State or Federal Law

A student in any University System of Georgia (USG) institution who is charged with, or indicted for, a felony or crime involving moral turpitude may be suspended pending the disposition of the criminal charges against him or her. Upon request, the student shall be accorded a hearing, as provided in this

Policy Manual and any related institution policy, where he or she shall have the burden of establishing that his or her continued presence as a member of the student body will not be detrimental to the health, safety, welfare, or property of other students or members of the campus community or to the orderly operation of the institution. Upon final conviction, the student shall be subject to appropriate disciplinary action.

4.6.3 Student Organization Responsibility for Drug Abuse

The use of marijuana, controlled substances, or other illegal or dangerous drugs constitutes a serious threat to the public health, welfare, and academic achievement of students enrolled in the University System of Georgia (USG). Therefore, all student organizations, including but not limited to societies, fraternities, sororities, clubs, and similar groups of students which are affiliated with, recognized by, or which use the facilities under the jurisdiction of USG institutions, are responsible for enforcing compliance with local, state, and federal laws by all persons attending or participating in their respective functions and affairs, social or otherwise.

As provided by the Student Organization Responsibility for Drug Abuse Act, any such student organization which, through its officers, agents, or responsible members, knowingly permits, authorizes, or condones the manufacture, sale, distribution, possession, serving, consumption or use of marijuana, controlled substances, or other illegal or dangerous drugs at any affair, function, or activity of such student organization, social or otherwise, violates the laws of this State and, after being afforded the constitutional requirements of due process, shall have its recognition as a student organization withdrawn and shall be expelled from the campus for a minimum of one calendar year from the date of determination of guilt.

Such organization shall also be prohibited from using any property or facilities of the institution for a period of at least one year. Any lease, rental agreement, or other document between the Board of Regents or the institution and the student organization that relates to the use of the property leased, rented, or occupied shall be terminated for the student organization knowingly having permitted or authorized the unlawful actions described above.

All sanctions imposed by this policy shall be subject to review procedures authorized by the Board of Regents' Policy on Application for Discretionary Review.

An appeal to the Board of Regents shall not defer the effective date of the adverse action against the student organization pending the Board's review unless the Board so directs. Any such stay or suspension by the Board shall expire as of the date of the Board's final decision on the matter.

4.6.4 Alcohol and Drugs on Campus

In accordance with Georgia laws governing the manufacture, sale, use, distribution, and possession of alcoholic beverages, illegal drugs, marijuana, controlled substances, or dangerous drugs on college campuses and elsewhere, including the Drug-Free Postsecondary Education Act of 1990, the Board of Regents encourages its institutions to adopt programs designed to increase awareness of the dangers involved in the use of alcoholic beverages, marijuana, or other illegal or dangerous drugs by University System of Georgia (USG) students and employees. Such programs shall stress individual responsibility related to the use of alcohol and drugs on and off the campus.

To assist in the implementation of such awareness programs and to enhance the enforcement of state laws at USG institutions, each institution shall adopt and disseminate comprehensive rules and regulations consistent with local, state, and federal laws concerning the manufacture, distribution, sale, possession, or use of alcoholic beverages, marijuana, controlled substances, or dangerous drugs on campus and at institutionally-approved events off campus.

Disciplinary sanctions for the violation of such rules and regulations shall be included as a part of each institution's disciplinary code of student conduct. Disciplinary sanctions for students convicted of a felony offense involving the manufacture, distribution, sale, possession, or use of marijuana, controlled substances, or other illegal or dangerous drugs shall include the forfeiture of academic credit and the temporary or permanent suspension or expulsion from the institution. All sanctions imposed by the institution shall be subject to review procedures authorized by Board of Regents' Policy on Application for Discretionary Review.

The rules and regulations adopted by each institution shall also provide for relief from disciplinary sanctions previously imposed against one whose convictions are subsequently overturned on appeal or otherwise.

4.6.5 Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings

(This policy will take effect Fall Semester, 2020)

This Policy establishes minimum procedural standards for investigations and resolutions of alleged student conduct violations, which each institution must incorporate into its respective student conduct policies. The purpose of this Policy is to ensure uniformity in the quality of investigations while providing for due process that affords fairness and equity in all student conduct investigations. This Policy is not intended to infringe or restrict rights guaranteed by the United States Constitution including free speech under the First Amendment, or the due process clauses of Fifth and Fourteenth Amendments.

These procedures apply to matters relating to student misconduct, except matters relating to academic dishonesty, which may be covered under separate institutional policies. Institutions shall inform students of their procedures governing student misconduct complaints and investigations. For the purposes of this Policy the term Complainant means an individual who is alleged to be a victim of conduct that would violate any Board or other applicable institution policy. The term Respondent means an individual who is alleged to have engaged in behavior that would violate any Board or other applicable institution policy. Other individuals who report information to an institution regarding alleged policy violations are deemed Reporters.

Institutions may establish to what extent the procedures outlined in this Policy may apply to Reporters.

4.6.5.1 Reports of Student Misconduct

Institutions must provide clear notice to students and other campus community members as to how to file complaints of misconduct.

Complaints to the appropriate department and/or person(s) should include as much information as possible – such as: (1) the type of misconduct alleged; (2) the name and contact information of the individual(s) accused of misconduct; (3) the date(s), time(s), and place(s) of the misconduct; (4) the name(s) and contact information of any individual(s) with knowledge of the incident; (5) whether any tangible evidence has been preserved; and (6) whether a criminal complaint has been made.

Information from complaints may be shared as necessary to investigate and to resolve the alleged misconduct. Complaints shall be investigated and resolved as outlined below. The need to issue a broader warning to the community in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) shall be assessed in compliance with federal law.

Where appropriate, Complainants may file a law enforcement report as well as an institutional report, but are not required to file both.

Confidentiality:

Where a Complainant (where applicable) requests that their identity be withheld or the allegation(s) not be investigated, the institution should consider whether or not such request(s) can be honored while still promoting a safe and nondiscriminatory environment for the institution and conducting an effective review of the allegations. The institution should inform the requesting party that the institution cannot guarantee confidentiality and that even granting requests for confidentiality shall not prevent the institution from reporting information or statistical data as required by law, including the Clery Act.

Retaliation:

Anyone who has made a report or complaint, provided information, assisted, participated or refused to participate in any investigation or resolution under applicable Board or institution policy shall not be

subjected to retaliation. Anyone who believes they have been subjected to retaliation should immediately contact the appropriate department or individual(s) for that institution. Any person found to have engaged in retaliation shall be subject to disciplinary action, pursuant to the institution's policy.

False Complaints/Statements:

Individuals are prohibited from knowingly giving false statements to an institution official. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a hearing, in violation of applicable Board or institution policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated pursuant to the institution's policy.

Amnesty:

Students should be encouraged to come forward and report violations of the law and/or student code of conduct notwithstanding their choice to consume alcohol or drugs. Information reported by a student during the conduct process concerning their consumption of drugs or alcohol will not be voluntarily reported to law enforcement; nor will information that the individual provides be used against the individual for purposes of conduct violations. Nevertheless, these students may be required to meet with staff members regarding the incident and may be required to participate in appropriate educational program(s). The required participation in an educational program under this amnesty procedure will not be considered a sanction. Nothing in this amnesty procedure shall prevent a university staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

4.6.5.2 Process for Investigating and Resolving Disputed Reports

Jurisdiction:

Each institution shall take necessary and appropriate action to protect the safety and well-being of its community. Accordingly, student conduct should be addressed when such acts occur on institution property, at institution-sponsored or affiliated events, or otherwise violate the institution's student conduct policies, regardless as to where such conduct occurs. If the student has admitted responsibility and has voluntarily decided to participate in the informal process, the procedures outlined in this section will not apply.

Access to Advisors:

The Respondent and Complainant (where applicable), as parties to these proceedings, shall have the right to have an advisor (who may or may not be an attorney) of the party's choosing, and at their own expense, for the express purpose of providing advice and counsel. The advisor may be present during meetings and proceedings during the investigatory and/or resolution process at which his or her advisee is present. The advisor may advise their advisee in any manner, including providing questions, suggestions, and guidance

on responses to any questions posed to the advisee, but shall not participate directly during the investigation or hearing process.

Initial Evaluation of Student Conduct Reports:

Regardless of how an institution becomes aware of alleged misconduct, the institution shall ensure a prompt, fair, and impartial review and resolution of complaints alleging student misconduct. Where a report of student misconduct has been made to the appropriate department and/or person, the institution shall review the complaint to determine whether the allegation(s) describes conduct in violation of the institution's policies and/or code of conduct. If the reported conduct would not be a violation of the institution's policies and/or code of conduct, even if true, then the report should be dismissed. Otherwise, a prompt, thorough, and impartial investigation, and review shall be conducted into each complaint received to determine whether charges against the Respondent should be brought.

Any report that involves allegation(s) of conduct that could lead to the suspension or expulsion of the Respondent(s) in an initial violation must be promptly reported to the Assistant Vice Chancellor for Student Affairs or designee by the institution. The Assistant Vice Chancellor for Student Affairs or designee will work with the institution to determine whether any interim measure(s) are necessary, to determine if an investigator needs to be assigned, and may collaboratively supervise the investigation with the appropriate institution professional (e.g., the Title IX Coordinator, Dean of Students). If an allegation is not initially identified as one that could lead to suspension or expulsion of the Respondent(s), but facts arise during the course of the investigation that would require notice to the Assistant Vice Chancellor for Student Affairs or designee, then the institution shall report that case to the Assistant Vice Chancellor for Student Affairs or their designee prior to proceeding.

Interim Measures

Interim measures may be implemented by the institution at any point after the institution becomes aware of the alleged student misconduct and should be designed to protect any student or other individual in the USG community. To the extent interim measures are imposed, they should minimize the burden on both the Complaint (where applicable) and the Respondent, where feasible. Interim measures may include, but are not limited to:

1. Change of housing assignment;
2. Issuance of a "no contact" directive;
3. Restrictions or bars to entering certain institution property;
4. Changes to academic or employment arrangements, schedules, or supervision;
5. Interim suspension; and
6. Other measures designed to promote the safety and well-being of the parties and the institution's community.

An interim suspension should only occur where necessary to maintain safety and should be limited to

those situations where the respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the Complainant (where applicable) or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

Before an interim suspension is issued, the institution must make all reasonable efforts to give the Respondent the opportunity to be heard on whether the Respondent's presence on campus poses a danger. If an interim suspension is issued, the terms of the suspension take effect immediately. The Respondent shall receive notice of the interim suspension and the opportunity to respond to the interim suspension.

Within three business days of receiving a challenge the institution will determine whether the interim suspension should continue.

Investigation

Throughout any investigation and resolution proceedings, a party shall receive written notice of the alleged misconduct, shall be provided an opportunity to respond, and shall be allowed to remain silent or otherwise not participate in or during the investigation and resolution process without an adverse inference resulting. If a party chooses to remain silent or otherwise not participate in an investigation, the investigation may still proceed and policy charges may still result and be resolved. Timely and equal access to information that will be used during the investigation will be provided to the Complainant (where applicable) and Respondent.

Where the potential sanctions for the alleged misconduct may involve a suspension or expulsion (even if such sanctions were to be held "in abeyance," such as probationary suspension or expulsion) the institution's investigation and resolution procedures must provide the additional minimal safeguards outlined below.

1. The Complainant (where applicable) and Respondent shall be provided with written notice of the complaint/allegations, pending investigation, possible charges, possible sanctions, and available support services. The notice should also include the identity of any investigator(s) involved. Notice should be provided via institution email to the address on file.
2. Upon receipt of the written notice, the Respondent shall have at least three business days to respond in writing. In that response, the Respondent shall have the right to admit or to deny the allegations, and to set forth a defense with facts, witnesses, and supporting materials. A non-response will be considered a general denial of the alleged misconduct. Any Complainant (where applicable) shall also be provided three business days to respond to or to supplement the notice.
3. If the Respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.
4. If at any point the investigator determines there is insufficient evidence to support a charge or to

warrant further consideration of discipline, then the complaint should be dismissed.

5. An investigator shall conduct a thorough investigation and should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any party's proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.
6. The initial investigation report shall be provided to the Respondent and the Complainant (where applicable). This report should clearly indicate any resulting charges (or alternatively, a determination of no charges), as well as the facts and evidence in support thereof, witness statements, and possible sanctions. For purposes of this Policy, a charge is not a finding of responsibility, but indicates that there is sufficient evidence to warrant further consideration and adjudication.
7. The final investigation report should be provided to the misconduct panel or hearing officer for consideration in adjudicating the charges brought against the Respondent. A copy shall also be provided to the respondent and Complainant (where applicable) before any hearing. The investigator may testify as a witness regarding the investigation and findings, but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the proceedings outside of providing testimony during the hearing.

Resolution/Hearing

In no case shall a hearing to resolve charge(s) of student misconduct take place before the investigative report has been finalized.

Where the Respondent indicates that they contest the charges, the matter shall be set for a hearing and once the investigative report has been finalized and copies provided to the Respondent and Complainant (where applicable); however, the Complainant (where applicable) and Respondent may have the option of selecting informal resolution as a possible resolution in certain student misconduct cases where they mutually agree, except where deemed inappropriate by the Vice President for Student Affairs (or their designee) or the System Director.

Where a case is not resolved through informal resolution or informal resolution is not available due to the nature of the charges, the Respondent shall have the option of having the charges heard either by an administrator (Hearing Officer) or a Hearing Panel. If an administrative hearing is requested, the Respondent shall use their discretion to determine whether the case should be heard by a Hearing Panel. Notice of the date, time, and location of the hearing shall be provided to the Respondent and Complainant (where applicable) at least five business days prior to the hearing. Notice shall be provided via institution email where applicable. Hearings shall be conducted in person or via conferencing technology as reasonably available. Additionally, the following standards will apply to any such hearing:

The Respondent and Complainant (where applicable) shall have the right to present witnesses and evidence to the hearing officer or panel. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard. The Respondent and Complainant (where applicable) shall have the right to confront any witnesses, including the other party, by submitting written questions to

the Hearing Officer or Hearing Panel for consideration. Advisors may actively assist in drafting questions. The Hearing Officer or Hearing Panel shall ask the questions as written and will limit questions only if they are unrelated to determining the veracity of the charge leveled against the Respondent(s). In any event, the Hearing Officer or Hearing Panel shall err on the side of asking all submitted questions and must document the reason for not asking any particular questions.

1. Where the Hearing Officer or Hearing Panel determines that a party or witness is unavailable and unable to be present due to extenuating circumstances, the Hearing Officer or Hearing Panel may establish special procedures for providing testimony from a separate location. In doing so, the Hearing Officer or Hearing Panel must determine whether there is a valid basis for the unavailability, ensure proper sequestration in a manner that ensures testimony has not been tainted, and make a determination that such an arrangement will not unfairly disadvantage any party. Should it be reasonably believed that a party or witness who is not physically present has presented tainted testimony, the Hearing Officer or Hearing Panel will disregard or discount the testimony.
2. Formal judicial rules of evidence do not apply to the investigatory or resolution process.
3. The standard of review shall be a preponderance of the evidence.
4. Institutions should maintain documentation of the proceedings, which may include written findings of fact, transcripts, audio recordings, and/or video recordings.
5. Following a hearing, both the Respondent and Complainant (where applicable) shall be simultaneously provided a written decision via institution email (where applicable) of the outcome and any resulting sanctions. The decision should include details on how to appeal, as outlined below. Additionally, the written decision must summarize the evidence relied on in support of the outcome and the rationale for the resulting sanction. The same form will be completed, regardless of whether the student opts for a hearing panel or an administrative proceeding.

4.6.5.3 Reports of Sexual Misconduct

Initial Evaluation of Sexual Misconduct Reports:

Upon notice of the alleged Sexual Misconduct the institution's Title IX Coordinator ("Coordinator") will assess whether a formal investigation, informal resolution, or dismissal would be appropriate. In making this determination, the Coordinator will assess whether the allegation(s), if true, would rise to the level of prohibited conduct, whether a Formal Complaint must be filed, whether an investigation is appropriate in light of the circumstances, whether the parties prefer an informal resolution, and whether any safety concerns exist for the campus community. The need to issue a broader warning to the community in compliance with the Clery Act shall be assessed in compliance with federal law.

Confidentiality:

Where a Complainant requests that their identity be withheld or the allegation(s) not be investigated, the Coordinator should consider whether or not such request(s) can be honored in a manner consistent with the institution's obligations to promote a safe and nondiscriminatory environment. The institution should

inform the Complainant that the institution cannot guarantee confidentiality. Honoring a Complainant's request for confidentiality shall not prevent the institution from reporting information or statistical data as required by law, including the Clery Act.

Retaliation:

Anyone who has made a report or complaint, provided information, assisted, participated, or refused to participate in any manner in the Sexual Misconduct process, shall not be subjected to retaliation. Anyone who believes that they have been subjected to retaliation should immediately contact the Coordinator or their designee. Any person found to have engaged in retaliation shall be subject to disciplinary action.

False Complaints/Statements:

Individuals are prohibited from knowingly making false statements or knowingly submitting false information to a system or institution official. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a hearing, shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) under the appropriate institutional process.

Amnesty:

Students should be encouraged to come forward and to report Sexual Misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by a student during the Sexual Misconduct process concerning the consumption of drugs or alcohol will not be used against the particular student in a disciplinary proceeding or voluntarily reported to law enforcement; however, students may be provided with resources on drug and alcohol counseling and/or education, as appropriate. Nevertheless, these students may be required to meet with staff members regarding the incident and may be required to participate in appropriate educational program(s). The required participation in an educational program under this amnesty procedure will not be considered a sanction. Nothing in this amnesty provision shall prevent an institution staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

Jurisdiction:

Each institution shall take necessary and appropriate action to promote the safety and well-being of its community. Accordingly, Sexual Misconduct should be addressed when such acts occur on institution property, at institution-sponsored or affiliated events, or otherwise violates the institution's student conduct policies, regardless as to where such conduct occurs.

Access to Advisors:

1. **For Formal Title IX Complaints:** Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's

choosing. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process, including providing questions, suggestions and guidance to the party, but may not actively participate in the process except to conduct cross-examination at the hearing as outlined in the Resolution/Hearing section below. If a party chooses not to use an advisor during the investigation, the institution will provide an advisor for the purpose of conducting cross-examination on behalf of the relevant party. All communication during the Sexual Misconduct process will be between the institution and the party and not the advisor. The institution will copy the party's advisor prior to the finalization of the investigation report when the institution provides the parties the right to inspect and review directly related information gathered during the investigation. With the party's permission, the advisor may be copied on all communications.

2. **For Non-Title IX Sexual Misconduct Complaints:** Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing at the party's own expense. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process but may not actively participate in the process. All communication during the Sexual Misconduct process will be between the institution and the party and not the advisor. With the party's permission, the advisor may be copied on all communications.

Interim Measures:

Interim measures may be implemented at any point after the institution becomes aware of an allegation of Sexual Misconduct and should be designed to protect any student or other individual in the USG community. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter Sexual Misconduct and retaliation. Interim measures must be implemented consistent with the provisions in applicable Board and institutional policies and procedures.

An interim suspension should only occur where necessary to promote safety and should be limited to those situations where the Respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the Complainant or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

Before an interim suspension is issued, the institution must make reasonable efforts to give the Respondent the opportunity to be heard on whether the Respondent's presence on campus poses a danger. If an interim suspension is issued, the terms of the interim suspension take effect immediately. The Respondent shall receive notice of the interim suspension and the opportunity to respond to the interim suspension.

Within three business days of receiving a challenge the institution will determine whether the interim suspension should continue.

4.6.5.4 Process for Investigating and Resolving Sexual Misconduct Reports

Investigation

Throughout any investigation and resolution proceeding, a party shall receive written notice of the alleged Sexual Misconduct, shall be provided an opportunity to respond, and shall be allowed the right to remain silent or otherwise not participate in or during the investigation and resolution process without an adverse inference resulting. If a party chooses to remain silent or otherwise not participate in the investigation or resolution process, the investigation and resolution process may still proceed, and policy violations may result.

Until a final determination of responsibility, the Respondent is presumed to have not violated the Sexual Misconduct Policy. Prior to the finalization of the investigation report, timely and equal access to information directly related to the allegations that has been gathered during the investigation and may be used at the hearing will be provided to the Complaint, the Respondent, and a party's advisor (where applicable).

Formal judicial rules of evidence do not apply to the investigation process, additionally the standard of review throughout the Sexual Misconduct process is a preponderance of the evidence.

1. The parties shall be provided with written notice of the: report/allegations with sufficient details, pending investigation, possible charges, possible sanctions, available support services and interim measures, and other rights under applicable institutional policies. For the purposes of this provision sufficient details include the identities of the parties involved, if known, the conduct allegedly constituting Sexual Misconduct, and the date and location of the alleged incident, if known. This information will be supplemented as necessary with relevant evidence collected during the investigation. The notice should also include the identity of any investigator(s) involved. Notice should be provided via institution email to the party's institution email.
2. Upon receipt of the written notice, the parties shall have at least three business days to respond in writing. In that response, the Respondent shall have the right to admit or deny the allegations, and to set forth a defense with facts, witnesses, and supporting materials. A Complainant shall have the right to respond to and supplement the notice. Throughout the Sexual Misconduct process the Complainant and the Respondent shall have the right to present witnesses and other inculpatory and exculpatory evidence.
3. If the Respondent admits responsibility, the process may proceed to the sanctioning phase or may be informally resolved, if appropriate.
4. An investigator shall conduct a thorough investigation and should retain written notes and/or obtain

written or recorded statements from each interview. The investigator shall also keep a record of any party's proffered witnesses not interviewed, along with a brief, written explanation of why the witnesses were not interviewed.

5. An investigator shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
6. The initial investigation report shall be provided to the Complainant, the Respondent, and a party's advisor (if applicable). This report should fairly summarize the relevant evidence gathered during the investigation and clearly indicate any resulting charges or alternatively, a determination of no charges. For purposes of this Policy, a charge is not a finding of responsibility.
7. The Complainant and the Respondent shall have at least 10 calendar days to review and respond in writing to the initial investigation report and directly related information gathered during the investigation. The investigator will review the Complainant's and the Respondent's written responses, if any, to determine whether further investigation or changes to the investigation report are necessary.
8. The final investigation report should be provided to the Complainant, the Respondent, and a party's advisor, if applicable, at least 10 calendar days prior to the Hearing. The final investigation report should also be provided to all Hearing Panel members for consideration during the adjudication process.

Resolution/Hearing

The Respondent and the Complainant, as parties to the matter, may have the option of selecting informal resolution as a possible resolution in certain cases where the parties agree, and it is deemed appropriate by the institution. Where a matter is not resolved through informal resolution a hearing shall be set. All Sexual Misconduct cases shall be heard by a panel of faculty and/or staff. All institutional participants in the Sexual Misconduct resolution process shall receive appropriate annual training as directed by the System Director or Coordinator and required by the Clery Act and Title IX.

In no case shall a hearing to resolve a Sexual Misconduct allegation take place before the investigation report has been finalized. The investigator may testify as a witness regarding the investigation and findings but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the proceedings outside of providing testimony during the hearing. All directly related evidence shall be available at the hearing for the parties and their advisors to reference during the hearing.

Relevant facts or evidence that were not known or knowable to the parties prior to the issuance of the final investigative report shall be admissible during the hearing. The institution will determine how the facts or evidence will be introduced. The admissibility of any facts or evidence known or knowable by the parties prior to the issuance of the final investigative report, and which were not submitted during the investigation, shall be determined by the institution in compliance with the obligation to provide both parties an equal opportunity to present and respond to witnesses and other evidence. Notice of the date, time, and location of the hearing as well as the selected hearing panel members shall be provided to the

Complainant and the Respondent at least 10 calendar days prior to the hearing. Notice shall be provided via institution email to the parties' institution email. Parties may attend the hearing with their advisor.

Hearings shall be conducted in-person or via video conferencing technology. Where the institution determines that a party or witness is unable to be present in person due to extenuating circumstances, the institution may establish special procedures to permit that individual to provide testimony from a separate location. In doing so, the institution must determine whether there is a valid basis for the individual's unavailability, require that the individual properly sequester in a manner that ensures testimony has not been tainted, and make a determination that such arrangement will not unfairly disadvantage any party. Should it be reasonably believed that the individual presented tainted testimony, the hearing panel will disregard or discount the testimony. Parties may also request to provide testimony in a separate room from the opposing party, so long as no party is unfairly disadvantaged, and they have the opportunity to view the testimony remotely and submit follow-up questions.

At all times participants in the hearing process, including parties, a party's advisor, and institution officials, are expected to act in a manner that promotes dignity and decorum throughout the hearing. Participants are expected to be respectful to others and follow procedural formalities outlined by this Policy and the institution. The institution reserves the right to remove any participant from the hearing environment if the participant refuses to adhere to the institution's established rules of decorum.

Each institution shall maintain documentation of the investigation and resolution process, which may include written findings of fact, transcripts, audio recordings, and/or video recordings. Any documentation shall be maintained for seven years.

Additionally, the following standards will apply to Title IX and Non-Title IX Sexual Misconduct hearings respectively:

A. Title IX Hearings

1. Where a party or a witness is unavailable, unable, or otherwise unwilling to participate in the hearing, including being subject to cross-examination, the hearing panel shall not draw an adverse inference against the party or witness based solely on their absence from the hearing or refusal to subject to cross-examination.
2. The parties shall have the right to present witnesses and evidence at the hearing.
3. The parties shall have the right to confront any witness, including the other party, by having their advisor ask relevant questions directly to the witness. The Hearing Officer shall limit questions raised by the advisor when they are irrelevant to determining the veracity of the allegations against the Respondent(s). In any such event, the Hearing Officer shall err on the side of permitting all the raised questions and must document the reason for not permitting any particular questions to be raised.
4. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, shall be deemed irrelevant, unless such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or consent between the parties during the alleged

incident.

5. The hearing panel shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
6. Formal judicial rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.
7. Following a hearing, the parties shall be simultaneously provided a written decision via institution email of the hearing outcome and any resulting sanctions or administrative actions. The decision must include the allegations, procedural steps taken through the investigation and resolution process, findings of facts supporting the determination(s), determination(s) regarding responsibility, and the evidence relied upon and rationale for any sanction or other administrative action. The institution shall also notify the parties of their right to appeal as outlined below.

B. Non-Title IX Sexual Misconduct Hearings

1. The parties shall have the right to present witnesses and evidence at the hearing. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard.
2. The parties shall have the right to confront any witnesses, including the other party, by submitting written questions to the Hearing Officer for consideration. Advisors may actively assist in drafting questions. The Hearing Officer shall ask the questions as written and will limit questions only if they are irrelevant to determining the veracity of the allegations against the Respondent(s). In any such event, the Hearing Officer shall err on the side of asking all submitted questions and must document the reason for not asking any particular questions.
3. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior, shall be deemed irrelevant, unless such questions and evidence are offered to prove that someone other than the Respondent committed the alleged conduct or consent between the parties during the alleged incident.
4. The hearing panel shall not access, consider, disclose, or otherwise use a party's records made or maintained by a physician, psychiatrist, psychologist, or other recognized professional made in connection with the party's treatment unless the party has provided voluntary written consent. This also applies to information protected by recognized legal privilege.
5. Formal judicial rules of evidence do not apply to the resolution process and the standard of evidence shall be a preponderance of the evidence.
6. Following a hearing, the parties shall be simultaneously provided a written decision via institution email of the hearing outcome and any resulting sanctions or administrative actions. The decision must include the allegations, procedural steps taken through the investigation and resolution process, findings of facts supporting the determination(s), determination(s) regarding responsibility, and the evidence relied upon and rationale for any sanction or other administrative action. The institution shall also notify the parties of their right to appeal, as outlined below.

4.6.5.5 Possible Sanctions

In determining the severity of sanctions or corrective actions the following should be considered: the frequency, severity, and/or nature of the offense; history of past conduct; an offender's willingness to accept responsibility; previous institutional response to similar conduct; strength of the evidence; and the wellbeing of the university community. The institution will determine sanctions and issue notice of the same, as outlined above.

The broad range of sanctions includes: expulsion; suspension for an identified time frame or until satisfaction of certain conditions or both; temporary or permanent separation of the parties (e.g., change in classes, reassignment of residence, no contact orders, limiting geography of where parties can go on campus) with additional sanctions for violating no-contact orders; required participation in sensitivity training/awareness education programs; required participation in alcohol and other drug awareness and abuse prevention programs; counseling or mentoring; volunteering/community service; loss of institutional privileges; delays in obtaining administrative services and benefits from the institution (e.g., holding transcripts, delaying registration, graduation, diplomas); additional academic requirements relating to scholarly work or research; financial restitution; or any other discretionary sanctions directly related to the violation or conduct.

For suspension and expulsion, the institution must articulate, in its written decision, the substantial evidence relied upon in determining that suspension or expulsion were appropriate. For purposes of this Policy substantial evidence means evidence that a reasonable person might accept to support the conclusion.

4.6.5.6 Appeals

Appeals may be allowed in any case where sanctions are issued, even when such sanctions are held "in abeyance," such as probationary or expulsion. Where the sanction imposed includes a suspension or expulsion (even for one held in abeyance), the following appellate procedures must be provided.

The Respondent (and in cases involving sexual misconduct or other forms of discrimination and/or harassment, the Complainant) shall have the right to appeal the outcome on any of the following grounds: (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing (or appeal), because such information was not known or knowable to the person appealing during the time of the hearing (or appeal); (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing (or appeal), including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by a conflict of interest or bias by the Title IX Coordinator, Conduct Officer, investigator(s), decision makers(s); or (3) to allege that the finding was inconsistent with the weight of the information. The appeal must be made in writing, must set forth one or more of the bases outlined above, and must be submitted within five business days of the date of the final written decision. The appeal should be made to the institution's

President or their designee.

The appeal shall be a review of the record only, and no new meeting with the Respondent or any Complainant is required. The President or their designee may affirm the original finding and sanction, affirm the original finding but issue a new sanction of greater or lesser severity, remand the case back to any lower decision maker to correct a procedural or factual defect, or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The President or their designee's decision shall be simultaneously issued in writing to the parties within a reasonable time period. The President or their designee's decision shall be the final decision of the institution.

Should the Respondent or Complainant (where applicable) wish to appeal the final institutional decision, they may request review by the Board of Regents in accordance with the Board of Regents' Policy on Discretionary Review.

Appeals received after the designated deadlines above will not be considered unless the institution or Board of Regents has granted an extension prior to the deadline. If an appeal is not received by the deadline the last decision on the matter will become final.

4.6.5.7 Recusal/Challenge for Bias

Any party may challenge the participation of any institution official, employee or student panel member in the process on the grounds of personal bias by submitting a written statement to the institution's designee setting forth the basis for the challenge. The designee shall not be the same individual responsible for investigating or adjudicating the conduct allegation. The written challenge should be submitted within a reasonable time after the individual knows or reasonably should have known of the existence of the bias. The institution's designee will determine whether to sustain or deny the challenge and, if sustained, the replacement to be appointed.

4.7 Student Appeals

Student appeals of final decisions of University System of Georgia institutions are governed by the Board of Regents' Policy on Application for Discretionary Review.

4.8.1 Immunizations Against Disease During an Outbreak or Epidemic

During an epidemic or a threatened epidemic of any disease preventable by immunization at a University System of Georgia (USG) institution, and when an emergency has been declared by appropriate health authorities of this State, the President of the institution, in conjunction with the Chancellor and appropriate

health authorities, may promulgate rules and regulations specifying diseases against which immunizations may be required.

Any individual who cannot show proof of immunity or adequate immunization and refuses to be immunized shall be excluded from any USG institution or facility until valid evidence of immunization against the disease is presented or the epidemic or threat no longer constitutes a significant public health danger.

4.8.2 Immunization Requirements for Students

Each USG institution shall implement immunization requirements for all new students (first-year, transfers, and others) as directed by policy consistent with recommendations provided by the Advisory Committee on Immunization Practices, developed collaboratively by the Board of Regents of the University System of Georgia and the Division of Public Health of the Georgia Department of Human Resources. Such policies shall be on file in each institution's office of student affairs.

Each institution shall make information regarding required and recommended immunizations available to every new student, using information developed by the Division of Public Health in concert with the Office of Student Services of the Board of Regents of the University System of Georgia.

Specific institutions or departments, with concurrence of the president and the Chancellor, may require some immunizations not required for all new students by this policy. Institutions are also authorized to impose additional immunization requirements for students when, in the opinion of the president of the institution and with concurrence of the Chancellor and appropriate public health authorities, there is a substantial risk of exposure to other communicable diseases preventable by vaccination (BoR Minutes, 1990-91, p.114).

Pursuant to legislation enacted in 2003, all students residing in campus housing are required to sign a document stating that they have received a vaccination against meningococcal disease or reviewed the information provided by the institution (BoR Minutes, October 2003).

4.9 University System Student Advisory Council

The University System Student Advisory Council shall provide a forum for communication and recommendation between University System of Georgia (USG) students, the Chancellor, and, as appropriate, the Board of Regents, concerning matters that are important in providing information and

assistance in programs and activities of USG institutions.

The Council shall meet at least once annually with the Chancellor or the Chancellor's designee and the Chancellor's staff for the purpose of discussing plans and growth of the USG and various matters connected therewith. The Council should prepare an annual report to be presented to the Board of Regents at a spring meeting.

Membership of the Council shall be composed of duly elected student body presidents, or equivalent elected officers, of USG institutions. The organization and governance of the Council shall be according to policies and procedures established by the members of the Council in consultation with the Chancellor or the Chancellor's designee and approved by the Board of Regents.

5.1 General Policy

The Board of Regents recognizes that public service, including lifelong education and economic development support activities, are fundamental responsibilities of all colleges and universities; that they are important means by which the USG extends and applies the knowledge available in its instruction and research programs to the needs and problems of Georgia citizens, government, businesses, and organizations, and; that such programs can assist the state and nation in providing solutions to major challenges.

Public service includes a wide array of assistance that the USG and its member institutions provide to the state and the community. Such service can be academic or nonacademic, provided under contract or informally, and funded through external, internal, or a combination of sources, depending on the extent of the assistance and the availability of funds.

The Chancellor shall identify statewide needs and develop system-wide initiatives using the USG's collective networked resources to meet USG public service responsibilities. Presidents shall identify local and mission-related needs and develop methods to respond to these. The Chancellor shall periodically provide to the Board a comprehensive assessment of the way in which the USG and its institutions are applying their resources to serving the people, governments, businesses, and organizations of Georgia (BoR Minutes, October 2002).

5.1.1 Service Agreements with Local and State Agencies

As part of the USG's mission of public service, institutions are encouraged to provide expertise and services to local governments or state agencies, as needed and appropriate.

The Chancellor delegates to the presidents of the institutions the authority to sign service agreements

between the institution and a government or agency. The president must report monthly to the University System Office that a service agreement has been signed. As part of that report, the president should provide:

1. A summary of the service that the institution has contracted for;
2. The agency or agencies involved;
3. The length of the agreement; and,
4. The amount of money that the institution will receive for the service.

The University System Office shall provide a summary of the service agreements to the Board at each meeting through the Committee on Education, Research, and Extension (BoR Minutes, October 2002).

5.2 Lifelong Education

Lifelong education, which encompasses continuing education, provides educational offerings both for upgrading knowledge and skills needed to progress in occupations, and for personal enrichment options important to more meaningful and happier lives, which is a separate function from the offering of traditional college degrees.

Through its Georgia LEADS (Lifelong Education and Economic Development Services) program, the University System Office shall provide leadership and coordination to result in a widely dispersed and easily available program of lifelong education offerings, including both noncredit and credit offerings, which both respond to the needs of citizens, government, businesses, and organizations and leverage the resources of USG institutions to maximize efficiency and effectiveness. Emphasis should be placed on institutional collaboration for professional and personal development programs using streamlined methods for sharing continuing education units and revenue when cooperating to offer programs.

The Chancellor shall issue and periodically review guidelines implementing this policy. These guidelines shall be based on:

1. State-level needs assessment;
2. Communication with businesses, agencies, and organizations;
3. Efficient marketing;
4. Ease of access and admission;
5. Collaboration both within the System and with other educational partners;
6. Geographic responsibilities of institutions;
7. New and emerging technologies;
8. Financial incentives; and,
9. Innovative educational models that address the needs of the state and its people.

Non-credit lifelong education courses shall not be included in the workload of faculty members, but a reasonable degree of participation that does not interfere with their regular duties shall be considered as a

contribution to the institution in the faculty evaluation process (BoR Minutes, October 2002).

5.3 Economic Development

The Board of Regents finds that the USG and its institutions have a major role in the current and long-term health of the state's economy, in that the USG produces much of the talent and technology required to advance and expand Georgia's economic base. The Board's goal is to develop sustainable intellectual resources through market-driven partnerships between education, business, and government.

The Chancellor shall develop a comprehensive program that organizes and communicates the close relationship between the USG and the economy of Georgia, and that develops and implements programs linking the USG's intellectual resources to the state's business community in innovative ways.

Examples of programs that should be supported include:

1. Education programs for knowledge workers in high-demand yet low-supply fields;
2. Research-driven economic development resulting in lab-to-market enterprises; and,
3. Development of engineering, scientific, and social service applications.

(BoR Minutes, October 2002)

5.4.1 Cooperative Extension Service

The Cooperative Extension Service of the University of Georgia College of Agriculture and Environmental Sciences, created by the Smith-Lever Act passed by Congress in 1914, provides for the United States Department of Agriculture to join with the University of Georgia in conducting off-campus education programs relating to agriculture, family and consumer sciences, and youth development throughout the State of Georgia.

5.4.2 The Rural Development Center

The Rural Development Center, located in Tifton, is an educational and public service unit of the Cooperative Extension Service of the University of Georgia College of Agriculture and Environmental Sciences. The purpose of the center is to assist Georgia's rural citizens and communities in realizing their maximum social and economic development through utilizing the resources of local, state, and federal government agencies and private organizations.

The programs of the center are directed toward the realization of four principal objectives:

1. The increase of agricultural and forest production efficiency;
2. The development of advanced marketing techniques and improved utilization of farm and forest

commodities;

3. The realization of comprehensive community development; and

4. The continuation of training and utilization.

5.4.3 The Georgia Tech Research Institute

The Georgia Tech Research Institute, a public service unit of the Georgia Institute of Technology, undertakes a broad spectrum of engineering, scientific, economic, and other technical research and development services for customers in industry, government, and academia around the state, nation and world.

5.4.4 The Georgia Public Library Service

The Georgia Public Library Service supports Georgia's libraries by providing a broad range of services, including consulting services, technical assistance and public library automation. GPLS serves library patrons in all 159 Georgia counties, creating a statewide "borderless library" that provides equal access to information for all Georgians. The Chancellor is authorized to adopt and implement rules and regulations for the Georgia Public Library Service.

6.28 Artificial Intelligence in Academic Contexts

All institutions within the University System of Georgia shall develop and implement policies or procedures that govern the ethical, responsible, and secure use of artificial intelligence (AI) in academic contexts. This ensures consistent standards and best practices throughout the system while permitting institutional flexibility to meet specific needs and circumstances. Policies, procedures, or guidance should address, at minimum, the following areas:

- Definition and scope of AI within the institution's context
- Ethical principles and guidelines concerning the use of AI
- Accountability and responsible use of AI-generated content
- Professional development for faculty and staff, along with educational options for students regarding AI ethics, responsible use, and potential risks

- Privacy and security of student information
- Human oversight and control of AI in research processes
- Responsible use of AI in scholarly communications
- Point of contact for questions or concerns regarding the policy as well as for guidance on the use of AI

Guidance on the use of artificial intelligence should be integrated into existing academic integrity policies and codes of conduct for all enrolled students, ensuring that clear procedures are established to address violations.

Policies or procedures should align with the guidelines outlined in the [Artificial Intelligence Guidelines: A USG IT Handbook Companion Guide](#) and should be applied in accordance with the standards, procedures, and guidelines provided in the Academic & Student Affairs Handbook. Institutional policies should be submitted to the Executive Vice Chancellor and Chief Academic Officer for evaluation and approval before implementation.

6.1 Seals

All changes in the seals of the University System of Georgia (USG) institutions shall be submitted to the Board for approval.

6.2 Use of Institution Names, Symbols, and Trademarks

The name, logo, or trademark of any University System of Georgia (USG) institution may only be used for products, projects, events, and services officially sponsored by the USG or a USG institution. The name, logo, or trademark of any USG institution shall not be used by an independent business enterprise that is not under the complete control of the USG, excluding approved Cooperative Organizations, to imply an official relationship with the institution or USG.

6.3.1 Preamble

The USG is dedicated to teaching, research, and the extension of knowledge to the public. The personnel at its institutions recognize the production of new knowledge and the dissemination of both old and new knowledge as two of their major objectives.

Inherent in these objectives is the need to encourage the development of new and useful devices and processes, the publication of scholarly works, and the development of computer software. Such activities:

1. Contribute to the professional development of the faculty, staff or students involved;

2. Enhance the reputation of the institutions concerned;
3. Provide additional educational opportunities for participating students; and,
4. Promote the general welfare of the public at large.

Patentable inventions and materials often come about because of activities of USG faculty, staff, or students who have been aided wholly or in part through the use of USG resources. It becomes significant, therefore, to insure the utilization of such inventions for the public good and to expedite their development and marketing. The rights and privileges, as well as the incentive, of the inventor or creator must be preserved so that his/her abilities and those of other faculty, staff, or students at USG institutions may be further encouraged and stimulated.

The USG recognizes and encourages the publication of scholarly works as an integral part of the processes of teaching, research, and service. The Board of Regents acknowledges that faculty, staff, or students regularly prepare for publication, usually through individual effort and initiative, articles, pamphlets, books, and other scholarly works that may be subject to copyright and that may generate royalty income for the author. Publication may also result from work supported either partially or completely by the institution. With the advent of innovative techniques and procedures, the variety and number of materials which might be created in an institution community have increased significantly, causing the ownership of such copyrightable materials to become increasingly complex.

The USG recognizes the need for enhanced development and dissemination of software technology as a means of expressing both old and new knowledge. Inasmuch as the Board is aware of the dynamic nature of software and that the value of intellectual property comes from the ability of its owner to control its use and that such value is directly related to the degree of protection it enjoys under the law, the Board encourages USG institutions to protect such expressions of knowledge by the utilization of appropriate intellectual property laws and the creation of comprehensive software technology transfer policies and procedures.

In many instances, Intellectual Property will become, in whole or in part, the property of the Board of Regents. When this policy speaks to ownership of Intellectual Property by institutions, the Board shall be the owner, and unless ownership has been transferred by the Board to an affiliated nonprofit organization, authority to further allocate or to dispose of rights in such Intellectual Property is hereby delegated to the presidents of the institutions. Management of the Board's institution-specific or institutionally-identifiable intellectual property is entrusted to the presidents (BoR Minutes, February, 2007).

The foregoing considered, the Board of Regents of the University System of Georgia does hereby establish the following policy with respect to the development, protection, and transfer of rights to Intellectual Property resulting from the work of its faculty, staff, or students.

6.3.2 Definitions

6.3.2.1 Intellectual Property

Intellectual Property shall be deemed to refer to patentable materials, copyrighted materials, trademarks, software, and trade secrets, whether or not formal protection is sought.

6.3.2.2 Patentable Materials

Patentable Materials shall be deemed to refer to items other than software that reasonably appear to qualify for protection under the patent laws of the United States or other protective statutes, including Novel Plant Varieties and Patentable Plants, whether or not patentable thereunder.

6.3.2.3 Copyrighted Materials

Copyrighted Materials shall include the following:

1. Books, journal articles, texts, glossaries, bibliographies, study guides, laboratory manuals, syllabi, tests, and proposals;
2. Lectures, musical or dramatic compositions, and unpublished scripts;
3. Films, filmstrips, charts, transparencies, and other visual aids;
4. Video and audio tapes or cassettes;
5. Live video and audio broadcasts;
6. Programmed instructional materials;
7. Mask works; and,
8. Other materials or works other than software that qualify for protection under the copyright laws of the United States (See 17 U.S.C. § 102 et seq.) or other protective statutes whether or not registered thereunder.

6.3.2.4 Software

Software shall include one or more computer programs existing in any form, or any associated operational procedures, manuals or other documentation, whether or not protectable or protected by patent or copyright. The term “computer program” shall mean a set of instructions, statements, or related data that, in actual or modified form, is capable of causing a computer or computer system to perform specified functions.

6.3.2.5 Trademarks

Trademarks shall include all trademarks, service marks, trade names, seals, symbols, designs, slogans, or logotypes developed by or associated with the USG or any of its institutions. (See 15 U.S.C. § 1127.)

6.3.2.6 Trade Secrets

Trade Secrets means information including, but not limited to, technical or nontechnical data, a formula, a pattern, a compilation, a program, a device, a method, a technique, a drawing, a process, financial data, financial plans, product plans, or a list of actual or potential customers or suppliers that:

1. Derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and
2. Is the subject of efforts that are reasonable under the circumstances to maintain its secrecy (See O.C.G.A. § 10- 1-761).

6.3.2.7 Patentable Plant

Patentable Plant means an asexually reproduced distinct and new variety of plant (See 35 U.S.C. § 161).

6.3.2.8 Mask Work

Mask Work means a series of related images, however fixed or encoded:

1. Having or representing the predetermined, three dimensional pattern of metallic, insulating, or semiconductor material present or removed from the layers of a semiconductor chip product; and,
2. In which series the relation of the images to one another is that each image has the pattern of the surface of one form of the semiconductor chip product (See 17 U.S.C. § 901).

6.3.2.9 Novel Plant Variety

Novel Plant Variety means a novel variety of sexually reproduced plant (See 7 U.S.C. § 2321 et seq).

6.3.3 Determination of Rights and Equities in Intellectual Properties

6.3.3.1 Sponsor-Supported Efforts

The grant or contract between the sponsor and the institution, under which Intellectual Property is produced, may contain specific provisions with respect to disposition of rights to these materials. The sponsor may:

1. Specify that the materials be placed in the public domain;

2. Claim reproduction, license-free use, or other rights; or,
3. Assign all rights to the institution. In those cases where royalty income is realized by the institution, the inventor or creator may appropriately share in the royalty income. The nature and extent of inventor or creator participation in royalty income, however, shall be subject to sponsor and institution regulations.

6.3.3.2 Institution-Assigned Efforts

Ownership of Intellectual Property developed as a result of assigned institutional effort shall reside with the institution. However, sharing of royalty income with the inventor or creator is authorized as an incentive to encourage further development of Intellectual Property. The nature and extent of inventor or creator participation in royalty income, however, shall be subject to institution regulations.

6.3.3.3 Institution-Assisted Individual Effort

Ownership of Intellectual Property developed by faculty, staff, or students of the institution where the institution provides support of their efforts or use of institution resources in more than a purely incidental way, unless such resources are available without charge to the public, shall be shared by the inventor or creator and the institution. The nature and extent of inventor or creator participation in royalty income, however, shall be subject to institution regulations.

6.3.3.4 Individual Effort

Ownership rights to Intellectual Property developed by faculty, staff, or students of the institution shall reside with the inventor or creator of such Intellectual Property provided that:

1. There is no use, except in a purely incidental way, of institution resources in the creation of such Intellectual Property, unless such resources are available without charge to the public.
2. The Intellectual Property is not prepared in accordance with the terms of an institution contract or grant.
3. The Intellectual Property is not developed by faculty, staff or students as a specific institution assignment. The general obligation to produce scholarly and creative works does not constitute a specific assignment for this purpose. The nature and extent of the use of institution resources shall be subject to institution regulations and shall be determined by the institution.

6.3.3.5 Other Efforts

Ownership rights to Intellectual Property developed under any circumstances other than those listed in Sections 6.3.3.1 through 6.3.3.4 above shall be determined on an individual basis and approved by the president of the institution or his/her designated representative. The nature and extent of inventor or creator participation in royalty income, however, shall be subject to institution regulations.

6.3.4 Institutional Procedures

Each USG institution is required to develop policies and procedures for the administration of this Intellectual Property Policy. Each president shall appoint an institutional Intellectual Property committee, consisting of no fewer than three (3) or more than nine (9) members, one of whom shall be designated by the president to serve as chair. In each case the committee shall include a representative of the Office of Fiscal Affairs of that institution. The committee shall meet as necessary, and shall act in an advisory capacity to the president or his/her designee. Faculty, staff and students shall promptly report to the committee in writing, through the appropriate channels, all Intellectual Property invented or created by them that is reasonably likely to have commercial value.

The Intellectual Property committee of each institution shall recommend to the president or his/her designee the rights and equities in intellectual property created by faculty, staff, or students of the institution. Each institution's policies shall provide for an appeal procedure within the institution in the event of a disagreement as to the ownership and use of such materials.

In the implementation of its policies and procedures, each institution may elect, through its Intellectual Property committee and with the approval of the president, any of the following courses.

1. Develop and manage its licensing program through an independent assistance organization so as to secure competent evaluation of Intellectual Property, expeditious filing of applications for patents or other protection and aggressive licensing and administration of Intellectual Property.
2. Develop and manage its licensing program through an affiliated nonprofit corporation such as the Georgia State University Research Foundation, Inc., the Georgia Tech Research Corporation, or other nonprofit organizations established for this purpose.
3. Develop and manage independently its own licensing program.
4. Release Intellectual Property to which the institution has title or an interest to the inventor or creator for management and development as a private venture after the execution of an agreement providing for a suitable division of royalty income.

The foregoing notwithstanding, each institution may establish individual committees to address patents, copyrights, or software, or any of them. Each such committee shall be appointed by the president and consist of no fewer than three (3) nor more than nine (9) members, one of whom shall be a representative of the Office of Fiscal Affairs of that institution. They shall carry out the same functions as the Intellectual Property committee with respect to each type of intellectual property.

6.3.5 Trademarks

All trademarks of University System of Georgia (USG) institutions and those arising out of research by USG institutions constitute property of the Board of Regents of the University System of Georgia and shall be

made in the name of the Board of Regents of the University System of Georgia. Applications for registration, use, and licensing of such trademarks shall be governed by the policies of the Board.

Trademarks arising out of research done by a USG institution pursuant to an agreement with a cooperative organization shall be the property of such cooperative organization and such organization may file all appropriate applications and other documents necessary to protect such trademarks and may exercise all other rights consistent with ownership of the trademarks.

Authorization by the Board of Regents shall be required for the private or commercial use by any person, firm, association, corporation, institution, or other entity of any trademark developed by or associated with the USG or any of its institutions.

The presidents of USG institutions are authorized to execute on behalf of the Board of Regents:

1. Certain applications for trademark and service mark registration;
2. Declarations of continuing use;
3. Declarations concerning use of specimens;
4. Conversions of applications from Principal to Supplemental Register;
5. Applications for renewal; and,
6. License agreements that permit the manufacture, sale, use, or distribution of services or goods bearing USG trademarks representative of the institution.

Notice of trademark and service mark applications shall be sent to the Chancellor within ten days after filing.

License agreements shall name the Board of Regents as licensor, and shall be effective for the period of time as specified in the agreement. All such license agreements shall be executed on forms approved by the Attorney General, and, if not, shall be null and void and of no effect whatsoever. Funds derived from such license agreements shall remain at the institution, shall be used for educational purposes, and shall not inure to the benefit of any individual. A signed or conformed copy of each license agreement shall be filed in the office of the chief business officer of the institution.

The content of licensing agreements authorized as aforesaid shall follow the following guidelines:

1. Trademarks bearing reference to the USG or any of its educational institutions shall not be depicted upon or affixed to any services, goods, or items in a manner which may cause embarrassment or ridicule to the Board of Regents or its institutions.
2. University system trademarks shall not be licensed for the manufacture, sale, promotion, advertisement, or distribution of the following services, items, materials, or articles:
 - religious services, goods, or artifacts;
 - sexually-oriented devices or goods;
 - goods which make unfavorable reference to the race, sex, national origin, or disability of any person;
 - toilet seats and the like; or,

- any item which does not meet minimum standards of quality and good taste as determined solely by the Board of Regents.

For purposes of this policy, the term trademark shall include all trademarks, trade names, seals, symbols, slogans, emblems, designs, and logotypes developed by or associated with the University System or any of its institutions or representatives of the same, whether registered, or not yet registered by the Board of Regents under federal and state trademark statutes.

6.3.6 Filing of Institutional Policies

Each institution shall file its Intellectual Property policy with the Office of Legal Affairs in the University System Office.

6.4 Political Interference

The Board of Regents is unalterably opposed to political interference or domination of any kind or character in the affairs of any University System of Georgia (USG) institution. Accordingly, USG institutions shall remain neutral on social and political issues unless such an issue is directly related to the institution's core mission.

6.5 Freedom of Expression and Academic Freedom

The rights guaranteed by the First Amendment, to the U.S. Constitution including the right to freedom of speech, the right to the free exercise of religion, and the right peaceably to assemble are of the utmost importance, and the University System of Georgia (USG) is committed to protecting those rights. In the context of higher education, the constitutionally protected right to freedom of speech includes both academic freedom and freedom of expression. USG and all of its institutions shall vigorously protect those freedoms.

USG and its institutions shall foster an environment where all members of the USG community are free to share ideas and opinions, even those that some may find offensive. Ideas and opinions should be openly and freely debated and discussed, both inside and outside of the classroom, without fear of suppression or reprisal. The USG community should promote intellectual debates, not close them off, and must uphold the values of civility and mutual respect while doing so.

While narrow restrictions to freedom of speech will apply for expression that violates the law or USG or institutional policies, freedom of expression protections are broad. Any necessary limitations will be

enforced by USG or institutional administration. Individual members of the USG community shall not attempt to prevent or otherwise interfere with the free expression of others, no matter how objectionable they may find the expressed ideas or opinions.

Similarly, USG is strongly committed to protecting the academic freedom rights of faculty and students. Along with those rights comes an individual responsibility to fulfill obligations in the classroom, in research, and as public citizens.

6.5.1 Academic Freedom

As a public system of higher education, USG is committed to protecting the academic freedom rights of faculty and students in teaching, research, publishing, and other academic activities. All institutions within USG must vigorously promote the open exchange of ideas and protect academic freedom on their campuses.

USG values diversity of intellectual thought and expression for all. While faculty and students must be encouraged to exercise their rights to academic freedom, they must also understand that, along with those rights comes the responsibility to respect the individuality and beliefs of all. Members of the USG community should always seek to foster and defend intellectual honesty, freedom of inquiry, and instruction on and off campus.

Academic freedom is a bedrock of higher education, but it is not unlimited. Faculty academic freedom extends only to classroom material and discussions, research, publications, and other academic activities that are germane to the subject matter being taught, researched, written about, or presented. Faculty members must be careful not to introduce into their teaching controversial matters that have no relation to their subject.

Students should be provided an environment conducive to learning, be free from faculty or institutional coercion to make personal political or social choices, and be evaluated based on their academic performance, not factors that are irrelevant to that performance such as their personal beliefs. Similarly, faculty and staff have the right to be unburdened by irrelevant factors such as ideological tests, affirmations, and oaths, and should instead be hired and evaluated based on relevant factors such as their achievement and the success of students.

Finally, faculty hold a special position in the community that carries both privileges and obligations. Because faculty are scholars and educators, the public may judge their profession and their institutions by their utterances. Therefore, faculty should always strive to be accurate, exercise appropriate restraint, show respect for the opinions of others, and make every effort when they are expressing their personal opinions to indicate that they are speaking for themselves as private citizens rather than on behalf of their institutions.

This commitment to protecting the academic freedom rights of all faculty and students, as well as

ensuring that all faculty and students respect the academic freedom rights of others, is crucial to USG's mission of providing the best educational opportunities to all Georgians.

6.5.2 Institution Freedom of Expression Policies

As public institutions of higher education, USG institutions must promote free expression and academic freedom on their campuses. To that end, the unrestricted outdoor areas of institutions are deemed public forums for the campus community of each institution. For purposes of this policy, the campus community means students, faculty, staff, and their invited guests. While institutions may need to enact policies to promote campus safety, to ensure the proper functioning of the academic environment and institution activities, or to further other important institution objectives, those policies should not unduly burden the free expression rights of students, faculty, and staff.

Institutions may maintain and enforce reasonable time, place, and manner restrictions narrowly tailored to serve a significant institutional interest. Such restrictions must employ clear, published, content- and viewpoint-neutral criteria, and provide for ample alternative means of expression. Finally, any such restrictions may include reservation requirements, if needed, but must also allow for members of the campus community to spontaneously and contemporaneously assemble or distribute literature.

Institutions can designate accessible, high-traffic locations on campus as public forum areas for individuals or groups who are not members of the campus community and can require these individuals or groups to comply with reasonable time, place, and manner restrictions, including reservation requirements. Institutions may not consider the content or viewpoint of expression when requiring or assigning use of public forum areas.

USG institutions must place their student free expression policies and procedures in the student handbook and make the same publicly available online. Student orientation programs must incorporate these policies and procedures as well as related training in civil discourse, open inquiry, robust debate, intellectual diversity, and respect for others. Finally, institutions must develop materials, programs, and procedures to ensure that faculty and staff understand the institutional policies and duties regarding free expression on campus. No institution orientation or training for students or employees may include ideological tests, affirmations, or oaths, including diversity statements.

6.6 Non-Discrimination and Anti-Harassment

Equal opportunity and decisions based on merit are fundamental values of the University System of

Georgia (USG). The Board of Regents prohibits discrimination on the basis of an individual's age, color, disability, genetic information, national origin, race, religion, sex, or veteran status ("protected status"). No individual shall be excluded from participation in, denied the benefits of, or otherwise subjected to unlawful discrimination, harassment, or retaliation under, any USG program or activity because of the individual's protected status; nor shall any individual be given preferential treatment because of the individual's protected status, except that preferential treatment may be given on the basis of veteran status when appropriate under federal or state law.

6.7 Sexual Misconduct Policy

In accordance with federal and state law including, Title IX of the Education Amendments of 1972 ("Title IX") and Title VII of the Civil Rights Act of 1964 (Title VII), the University System of Georgia (USG) prohibits discrimination on the basis of sex in any of its education programs or activities or in employment. The USG is committed to ensuring the highest ethical conduct of the members of its community by promoting a safe learning and working environment. To that end, this Policy prohibits Sexual Misconduct, a form of sex discrimination, as defined herein.

USG institutions are committed to reducing incidents of Sexual Misconduct, providing prevention tools, conducting ongoing awareness and prevention programming, and training the campus community in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") and the Violence Against Women Act ("VAWA"). Prevention programming and training will promote positive and healthy behaviors and educate the campus community on consent, sexual assault, sexual harassment, alcohol and drug use, dating violence, domestic violence, stalking, bystander intervention, and reporting.

When Sexual Misconduct does occur, all members of the USG community are strongly encouraged to report it promptly through the procedures outlined in this Policy. The purpose of this Policy is to ensure uniformity throughout the USG in reporting and addressing Sexual Misconduct. This Policy applies to all members of the USG community. This Policy is not intended to infringe or restrict rights guaranteed by the United States Constitution including free speech under the First Amendment, or the due process clauses of Fifth and Fourteenth Amendments.

Reporting Structure

Title IX Coordinators ("Coordinators") at USG institutions shall have a direct reporting relationship to both the institution's President or the President's designee and the USG Assistant Vice Chancellor for Student Affairs or their designee. The President of each institution shall determine the organizational and operating reporting relationships for the Coordinators at the institution and exercise oversight of institutional issues relating to Sexual Misconduct. However, the Assistant Vice Chancellor for Student Affairs or designee shall have authority to direct the Coordinators' work at each institution as needed to address system-wide issues or directives. The President of each institution shall consult with the Assistant Vice Chancellor for

Student Affairs on significant personnel actions involving Coordinators, to include but not be limited to, appointment, evaluation, discipline, change in reporting structure, and termination.

6.7.1 Definitions and Prohibited Conduct

Community: Students, faculty, and staff, as well as contractors, vendors, visitors and guests.

Complainant: An individual who is alleged to have experienced conduct that violates this Policy.

Consent: Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion; by ignoring or acting in spite of objections of another; or by taking advantage of the incapacitation of another where the respondent knows or reasonably should have known of such incapacitation. Minors under the age of 16 cannot legally consent under Georgia law.

Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent.

Consent can be withdrawn at any time by a party by using clear words or actions.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such relationship shall be determined based on the totality of the circumstances including, without limitation to: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

Domestic Violence: Violence committed by a current or former spouse or intimate partner of the alleged victim; by a person with whom the alleged victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner, or by a person similarly situated to a spouse of the alleged victim.

Incapacitation: The physical and/or mental inability to make informed, rational judgments. It can result from mental disability, sleep or any state of unconsciousness, involuntary physical restraint, status as a minor under the age of 16, or from intentional or unintentional taking of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.

Nonconsensual Sexual Contact: Any physical contact with another person of a sexual nature without the person's consent. It includes but is not limited to the touching of a person's intimate parts (for example, genitalia, groin, breasts, or buttocks); touching a person with one's own intimate parts; or forcing a person to touch his or her own or another person's intimate parts. This provision also includes "Fondling" as defined by the Clery Act.

Nonconsensual Sexual Penetration: Any penetration of the vagina, anus, or mouth by a penis, object, tongue, finger, or other body part; or contact between the mouth of one person and the genitals or anus of another person. This provision also includes "Rape, Incest, and Statutory Rape" as defined by the Clery Act.

Confidential Employees: Institution employees who have been designated by the institution to talk with a Complainant or Respondent in confidence. Confidential Employees must only report that the incident occurred and provide date, time, location, and name of the Respondent (if known) without revealing any information that would personally identify the alleged victim. This minimal reporting must be submitted in compliance with Title IX and the Clery Act. Confidential Employees may be required to fully disclose details of an incident in order to ensure campus safety.

Privileged Employees: Individuals employed by the institution to whom a complainant or alleged victim may talk in confidence, as provided by law. Disclosure to these employees will not automatically trigger an investigation against the complainant's or alleged victim's wishes. Privileged Employees include those providing counseling, advocacy, health, mental health, or sexual-assault related services (e.g., sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers) or as otherwise provided by applicable law. Exceptions to confidentiality exist where the conduct involves suspected abuse of a minor (in Georgia, under the age of 18) or otherwise provided by law, such as imminent threat of serious harm.

Reasonable Person: An individual who is objectively reasonable under similar circumstances and with similar identities to the person being evaluated by the institution.

Reporter: An individual who reports an allegation of conduct that may violate this Policy but who is not a party to the complaint.

Respondent: An individual who is alleged to have engaged in conduct that violates this Policy.

Responsible Employees: Those employees who must promptly and fully report complaints of or information regarding sexual misconduct to the Coordinator. Responsible Employees include any administrator, supervisor, faculty member, or other person in a position of authority who is not a Confidential Employee or Privileged Employee. Student employees who serve in a supervisory, advisory, or managerial role are in a position of authority for purposes of this Policy (e.g., teaching assistants, residential assistants, student managers, orientation leaders).

Sexual Exploitation: Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited.

Examples of sexual exploitation may include, but are not limited to, the following:

1. Invasion of sexual privacy;
2. Prostituting another individual;
3. Non-consensual photos, video, or audio of sexual activity;
4. Non-consensual distribution of photo, video, or audio of sexual activity, even if the sexual activity or capturing of the activity was consensual;
5. Intentional observation of nonconsenting individuals who are partially undressed, naked, or engaged in sexual acts;
6. Knowingly transmitting an STD or HIV to another individual through sexual activity;
7. Intentionally and inappropriately exposing one's breasts, buttocks, groin, or genitals in non-consensual circumstances; and/or
8. Sexually-based bullying.

Sexual Harassment (Student on Student): Unwelcome verbal, nonverbal, or physical conduct based on sex (including gender stereotypes), determined by a Reasonable Person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to participate in or to benefit from an institutional education program or activity.

Sexual Harassment (Other Than Student on Student): Unwelcome verbal, nonverbal, or physical conduct, based on sex (including gender stereotypes), that may be any of the following:

1. Implicitly or explicitly a term or condition of employment or status in a course, program, or activity;
2. A basis for employment or educational decisions; or
3. Is sufficiently severe, persistent, or pervasive to interfere with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or to benefit from an institutional program or activity.

The USG also prohibits unwelcome conduct determined by a Reasonable Person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to a USG education program or activity in violation of Title IX.

Sexual Misconduct: Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, nonconsensual sexual contact, nonconsensual sexual penetration, sexual exploitation, sexual harassment and stalking.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

For the purposes of this definition:

1. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors,

observes, surveils, threatens, or communicates to or about a person, or interferes with person's property.

2. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily, require medical or other professional treatment or counseling.

6.7.2 Reporting Sexual Misconduct

USG encourages the reporting of all Sexual Misconduct as soon as possible. While there is no statute of limitations on an institution's ability to respond to a report, the ability to respond diminishes with time as information and evidence may be more difficult to secure.

6.7.2 (A) Institutional Reports

An institutional report occurs when the institution has notice of a complaint. That notice occurs in two instances:

1. When a Responsible Employee receives a complaint; or
2. When the Title IX Coordinator or their designee receives a complaint.

Any individual may make a report, but the institution does not have notice of the report until information is known to a Responsible Employee or the Coordinator. The report may be made directly to the Coordinator in multiple formats to include: writing, email, phone, letter, fax, interview, or other method that provides the basis of the complaint of sexual misconduct. There is no specific information required to constitute a report; however, the report should contain as much information as can be provided. Reporting options should be included on the Title IX website.

Complainants, or anyone with knowledge of Sexual Misconduct, may file a report with a Responsible Employee or the Coordinator. That Responsible Employee must provide a complete reporting of all information known to them to the Coordinator. Responsible Employees informed about Sexual Misconduct allegations should not attempt to resolve the situation, but must notify and report all relevant information to the Coordinator as soon as practicable.

Upon receipt of an institutional report, the Coordinator will contact the Complainant. That contact will discuss the availability of supportive measures, the invitation to discuss their wishes with respect to implementation of supportive measures, and explain the process of filing a complaint. An institutional report does not automatically prompt an investigation.

The Coordinator's identity and contact information shall be published by each institution prominently on the institution's website, as well as in any relevant publication. Each institution may choose to have Deputy Title IX Coordinators to whom reports may be made, as well.

The Coordinator shall notify the Assistant Vice Chancellor for Student Affairs or their designee of any

allegation(s) of Sexual Misconduct that could, standing alone as reported, lead to the suspension or expulsion of the Respondent(s). The Assistant Vice Chancellor for Student Affairs or their designee will work with the institution to determine whether any support services or interim measure(s) are necessary. If an allegation is not initially identified as one that would lead to the suspension or expulsion of the Respondent(s), but facts arise during the course of the investigation that could lead to the Respondent's suspension or expulsion, the Title IX Coordinator shall notify the Assistant Vice Chancellor for Student Affairs or designee. The Assistant Vice Chancellor for Student Affairs or designee shall have the discretion to oversee the handling of the complaint.

6.7.2 (B) Confidential Reports

Confidential Employees or Privileged Employees may receive reports of Sexual -based Misconduct without the requirement to report that information to the Coordinator, except as dictated by law or professional standards. Upon request by the Complainant, Confidential Employees and Privilege Employees may make a report to the Coordinator within the degree of specificity dictated by the Complainant.

Nothing in this provision shall prevent an institution staff member who is otherwise obligated by law (i.e, the Clery Act) to report information or statistical data as required.

6.7.2 (C) Law Enforcement Reports

Because Sexual Misconduct may constitute criminal activity, a Complainant also has the option, should the Complainant so choose, of filing a report with campus or local police, for the Complainant's own protection and that of the surrounding community. The institution may assist the Complainant in reporting the situation to law enforcement officials. Filing a criminal report does not automatically constitute an institutional report.

6.7.2 (D) Anonymous Reports

Each institution shall provide a mechanism by which individuals can report incidents of alleged Sexual Misconduct anonymously. Individuals should understand, however, that it will be more difficult for the institution to respond and to take action upon anonymous reports.

6.7.2 (E) Complaint Consolidation

Each institution may consolidate complaints as to allegations of Sexual Misconduct against more than one Respondent, by more than one Complainant against one or more Respondents, or cross-complaints between parties, where the allegations of Sexual Misconduct arise out of the same facts or circumstances.

Parties shall have the opportunity to request or object to the consolidation; however, the institution shall have the authority to make the final determination. For the purpose of this Policy consolidation may occur

during the investigation and/or the adjudication phases of the Sexual Misconduct process.

6.7.2 (F) Complaint Dismissal

Each institution is permitted, but not required, to dismiss complaints on the following grounds:

1. The alleged conduct, even if proved, would not constitute sexual misconduct;
2. The Complainant notifies the Coordinator in writing that they would like to withdraw the complaint;
3. The Respondent is no longer enrolled or employed by the institution; or
4. There are circumstances that prevent the institution from gathering evidence sufficient to reach a determination regarding the complaint.

The parties shall receive simultaneous written notice of the dismissal and the reason(s) for the dismissal. The parties shall have a right to appeal the institution's decision to dismiss the complaint.

6.7.2 (G) Retaliation

Anyone who has made a report or complaint, provided information, assisted, participated or refused to participate in any manner in the Sexual Misconduct Process, shall not be subjected to retaliation. Anyone who believes that they have been subjected to retaliation should immediately contact the Coordinator or their designee. Any person found to have engaged in retaliation in violation of this Policy shall be subject to disciplinary action.

6.7.2 (H) False Complaints

Individuals are prohibited from knowingly making false statements or knowingly submitting false information to a system or institution official. Any person found to have knowingly submitted false complaints, accusations, or statements, including during a hearing, in violation of this Policy shall be subject to appropriate disciplinary action (up to and including suspension or expulsion) and adjudicated under the appropriate institutional process.

6.7.2 (I) Amnesty

Individuals should be encouraged to come forward and to report Sexual Misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by a student during an investigation concerning the consumption of drugs or alcohol will not be used against the particular student in a disciplinary proceeding or voluntarily reported to law enforcement; however, students may be provided with resources on drug and alcohol counseling and/or education, as appropriate. Nevertheless, these students may be required to meet with staff members in regards to the incident and may be required to participate in appropriate educational program(s). The required participation in an educational program under this amnesty procedure will not be considered a sanction.

Nothing in this amnesty provision shall prevent an institution staff member who is otherwise obligated by law (the Clery Act) to report information or statistical data as required.

6.7.3 Responding to Reports of Sexual Misconduct

6.7.3 (A) Support Services

Once the Title IX Coordinator has received information regarding an allegation of Sexual Misconduct the parties will be provided written information about support services. Support services are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without charge that are made available to the Complainant and Respondent before or after the filing of a complaint or where no complaint has been filed. Support services include counseling, advocacy, housing assistance, academic support, disability services, health and mental services, and other services, available at the student's institution. Available support services should also be listed on the institution's Title IX website.

6.7.3 (B) Interim Measures

Interim measures may be implemented at any point after the institution becomes aware of an allegation of Sexual Misconduct and should be designed to protect any student or other individual in the USG community. Such measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the campus community, or deter Sexual Misconduct and retaliation. Interim measures must be provided consistent with the provisions in applicable Board and institutional policies and procedures.

6.7.3 (C) Emergency Removal

Emergency removal should only occur where necessary to maintain safety and should be limited to those situations where the Respondent poses a serious and immediate danger or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the Complainant or the campus community; the nature, duration, and severity of the risk; the probability of potential injury; and whether less restrictive means can be used to significantly mitigate the risk.

6.7.3 (D) Jurisdiction

Each USG institution shall take necessary and appropriate action to protect the safety and well-being of its

community. Sexual misconduct allegedly committed is addressed by this Policy when the misconduct occurs on institution property, or at institution-sponsored or affiliated events, or off-campus, as defined by other Board or institution conduct policies.

6.7.3 (E) Advisors

Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing at the party's own expense. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process, including providing questions, suggestions and guidance to the party, but may not actively participate in the process except as outlined in BOR 6.7.4 (E). All communication during the Sexual Misconduct process will be between the institution and the party and not the advisor. With the party's permission, the advisor may be copied on all communications.

6.7.3 (F) Informal Resolutions

Allegations of Sexual Misconduct may be resolved informally. The Complainant, the Respondent, and the institution must agree to engage in the informal resolution process and to the terms of the informal resolution. The Complainant(s) and the Respondent(s) have the option to end informal resolution discussions and request a formal process at any time before the terms of an informal resolution are reached. However, matters resolved informally shall not be appealable.

6.7.3 (G) Timeframe

Efforts will be made to complete the investigation and resolution within 120 business days. Temporary delays and limited extensions may be granted by the institutions for good cause throughout the investigation and resolution process. The parties will be informed in writing of any extension or delay and the applicable reason. The institution shall keep the parties informed of the status of the investigation.

6.7.4 Responding to Reports of Sexual Harassment Pursuant to Title IX

The implementing Title IX regulations require special handling of complaints of sexual harassment, as defined in the regulations and listed below. The following section outlines the required specialized handling of these matters that may differ from an institution's handling of Sexual Misconduct, as defined in this Policy. Unless expressly mentioned in this section, other provisions of this Policy shall apply to all alleged Sexual Misconduct.

Other Title IX sex-discrimination allegations are handled pursuant to other applicable Board and/or

institutional policies.

6.7.4 (A) Definition of Sexual Harassment

Under Title IX sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning the provision of an aid, benefit, or service of the institution on an individual's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; or
3. "Sexual assault" as defined by the Clery Act and "dating violence," "domestic violence," and "stalking" as defined by the VAWA Amendments.

6.7.4. (B) Jurisdiction

Alleged misconduct is addressed by Title IX when the misconduct occurs against a person in the United States on institution property, or at institution-sponsored or affiliated events where the institution exercises substantial control over both the Respondent and the context, or in buildings owned or controlled by a student organization that is officially recognized by the institution.

6.7.4 (C) Formal Complaints

A Formal Complaint is a written document filed by the Complainant or signed by the Coordinator alleging sexual harassment, as defined by Title IX and its implementing regulations, against a Respondent and requesting that the institution open an investigation. In order to file a Formal Complaint, the Complainant must be participating in or attempting to participate in the education program or activity of the institution occurring within the United States at the time of the filing.

6.7.4 (D) Informal Resolution

Formal Complaints may be resolved informally, except in the instance of an allegation by a student against an institution employee. The following must be met in order to proceed with the informal resolution process:

1. The parties have received written notice of the allegations
2. The parties have received written explanation of the informal process to include, but not limited to:
 - a. Written agreement of the parties to initiate the informal resolution process;
 - b. Written notice that the parties may withdraw from the process at any time prior to the agreement of the terms of the resolution;

c. Written notice that the final resolution precludes any further institutional actions on the allegations

3. The institution has agreed to engage in the informal resolution process.

6.7.4 (E) Advisors

Both the Complainant and the Respondent, as parties to the matter, shall have the opportunity to use an advisor (who may or may not be an attorney) of the party's choosing. The advisor may accompany the party to all meetings and may provide advice and counsel to their respective party throughout the Sexual Misconduct process but may not actively participate in the process except to conduct cross-examination at the hearing. If a party chooses not to use an advisor during the investigation, the institution will provide an advisor for the purpose of conducting cross-examination on behalf of the relevant party.

All communication during the Sexual Misconduct process will be between the institution and the party and not the advisor. The institution will copy the party's advisor prior to the finalization of the investigation report when the institution provides the parties the right to inspect and review directly related information gathered during the investigation. With the party's permission, the advisor may be copied on all communications.

6.7.5 Investigations

All Sexual Misconduct investigations involving a student Respondent, shall follow the investigation process set forth in Section 4.6.5, Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings.

All Sexual Misconduct investigations involving an employee Respondent, shall be addressed utilizing Board and institutional employment policies and procedures including Human Resources Administrative Practice Manual, Prohibit Discrimination & Harassment .

6.10 Tobacco and Smoke-Free Campuses

The University System of Georgia (USG) is committed to providing a safe, healthy, and amicable environment for all students, employees, and persons visiting USG campuses. This policy applies to all persons who enter USG Properties. Violation of this policy may result in corrective action under student conduct or human resource policies and visitors refusing to comply may be asked to leave campus. Signage to help inform the campus communities and visitors of these prohibitions should be placed throughout campus.

6.7.6 Hearings, Possible Sanctions and Appeals

All Sexual Misconduct hearings, sanctions, and appeals involving a student Respondent, shall follow the hearing and resolution process set forth in this Policy and Section 4.6.5, Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings.

All Sexual Misconduct adjudication involving an employee Respondent, shall be addressed utilizing Board and institutional employment policies and procedures including Human Resources Administrative Practice Manual, Prohibit Discrimination & Harassment .

6.8 Disruptive Behavior

Any student or employee, acting individually or in concert with others, who clearly obstructs or disrupts or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, public service or other activity at any University System of Georgia (USG) institution is considered by the Board to have committed an act of gross irresponsibility and shall be subject to disciplinary procedures, possibly resulting in academic dismissal or termination of employment.

6.10.1 Definitions

“USG Properties” is defined as property owned, leased, rented, in the possession of, or in any way used by the USG or its affiliates, including all areas indoors and outdoors, buildings, and parking lots.

“Tobacco Products” is defined as cigarettes, cigars, pipes, all forms of smokeless tobacco, clove cigarettes, and any other smoking devices that use tobacco, such as hookahs, or simulate the use of tobacco, such as electronic cigarettes. This definition includes smoking devices which create an aerosol or vapor or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in this policy.

6.9 Programs Serving Minors

University System of Georgia (USG) institutions periodically conduct, sponsor, or host programs designed to serve minors who are not enrolled as students, including but not limited to camps, clinics, after school programs, and activities. Employees and volunteers associated with these programs who are reasonably anticipated to have direct contact or interaction with minor program participants must be appropriately pre-screened and trained. Institution presidents shall establish institution-level procedures to implement

this policy and related directives from the USG.

6.10.2 Prohibition of Tobacco Products

In accordance with the Georgia Smoke Free Air Act of 2005, the use of all forms of Tobacco Products on USG Properties is expressly prohibited. Further, the advertising, sale, or free sampling of Tobacco Products on USG Properties is prohibited unless specifically stated for research purposes. All events hosted by a USG entity and by outside groups on behalf of the USG shall be tobacco-free.

6.10.3 Exceptions

The President of each institution may define any exceptions to this policy, but exceptions should be limited and reflect the intent for USG campuses to be tobacco and smoke free unless needed for educational purposes or the advancement of research.

6.10.4 Resources for Tobacco Cessation

Resources to assist individuals with tobacco cessation, educational materials, and other wellness information will be provided by the USG. Such effort does not limit the amount of resources that a USG institution may provide for tobacco cessation and the positive enforcement of this policy.

6.11 Weapons

The University System of Georgia (USG) prohibits all weapons on property owned or leased by the USG and its institutions, except as specifically provided herein or as provided in federal or state law.

6.11.1 Exceptions

Prohibited weapons do not include sporting equipment possessed for legitimate use in formal or informal athletic or exercise activities.

Law enforcement officers, active military personnel, and other similar personnel may possess weapons as authorized by federal or state law to do so.

Any person who is 18 years of age or older or currently enrolled in classes in a USG institution may possess an electroshock weapon on the campus(es) of that institution but may only make use of such

electroshock weapon in defense of self or others.

Lawful weapons carriers may possess weapons while under the lawful weapons carrier's physical control in a motor vehicle, in a locked compartment in a motor vehicle, in a locked container in a motor vehicle, or in a locked firearms rack in a motor vehicle.

A lawful weapons carrier may carry a handgun in any building or on any real property owned or leased by the USG and its institutions; provided, however, that such exception shall:

- (i) Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;
- (ii) Not apply to any preschool or childcare space located within such buildings or real property;
- (iii) Not apply to any room or space being used for classes related to a college and career academy or other specialized school as provided for under Georgia Code Section 20-4-37;
- (iv) Not apply to any room or space being used for classes in which high school students are enrolled through a dual enrollment program, including, but not limited to, classes related to the "Move on When Ready Act" as provided for under Georgia Code Section 20-2-161.3;
- (v) Not apply to faculty, staff, or administrative offices or rooms where disciplinary proceedings are conducted; and
- (vi) Only apply to the carrying of handguns which are concealed.

6.11.2 Definitions

The terms listed below are defined for purposes of this Policy as follows:

"Weapon" means and includes any pistol, revolver, or any instrument designed or intended to propel a missile of any kind, or any dirk, bowie knife, switchblade knife, ballistic knife, any other knife having a blade of two or more inches, straight-edge razor, razor blade, spring stick, knuckles, whether made from metal, thermoplastic, wood, or other similar material, blackjack, any bat, club, or other bludgeon-type weapon, or any flailing instrument consisting of two or more rigid parts connected in such a manner as to allow them to swing freely, which may be known as a nun chahka, nun chuck, nunchaku, shuriken, or fighting chain, or any disc, of whatever configuration, having at least two points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart, or any instrument of like kind, and any stun gun or taser as defined in subsection (a) of Georgia Code Section 16-11-106. This paragraph excludes any of these instruments used for classroom work authorized by the faculty member.

"Handgun" means a firearm of any description, loaded or unloaded, from which any shot, bullet, or other missile can be discharged by an action of an explosive where the length of the barrel, not including any

revolving, detachable, or magazine breech, does not exceed 12 inches; provided, however, that the term “handgun” shall not include a gun which discharges a single shot of .46 centimeters or less in diameter.

“Electroshock weapon” means a stun gun or taser or similar commercially available device that is powered by electrical charging units and designed exclusively to be capable of incapacitating a person by electrical charge.

“Concealed” means carried in such a fashion that does not actively solicit the attention of others and is not prominently, openly, and intentionally displayed except for purposes of defense of self or others. Such term shall include, but not be limited to, carrying on one’s person while such handgun is substantially, but not necessarily completely, covered by an article of clothing which is worn by such person, carrying within a bag of a nondescript nature which is being carried about by such person, or carrying in any other fashion as to not be clearly discernible by the passive observation of others.

“Preschool or childcare space” means any room or continuous collection of rooms or any enclosed outdoor facilities which are separated from other spaces by an electronic mechanism or human-staffed point of controlled access and designated for the provision of preschool or childcare services, including, but not limited to, preschool or childcare services licensed or regulated under Article 1 of Chapter 1 of Title 20 of the Georgia Code.

6.12 Social Security Numbers

The Board of Regents and the USG are dedicated to ensuring the privacy and proper handling of confidential information pertaining to students and employees.

The Social Security number shall be required from all entering students for a permanent and lasting record. When possible, an alternative number will be assigned and used by institutions for all purposes that do not require the Social Security number. In no event shall grades be posted by using the Social Security number.

6.13 Interment of Persons on Campus

Because of the shortage of land areas available for campus growth, the land included in the campus of any University System of Georgia (USG) institution shall not be used for the interment of any person.

6.14 Use of Institutional Facilities and Property By Unaffiliated Outside Parties

A University System of Georgia (USG) institution may allow unaffiliated outside parties to use institution facilities for events that are not contrary to the mission of the institution. In such instances, the institution shall require:

- (i) reasonable compensation for use of all USG or institution resources required for the event; and
- (ii) the proper execution of a USG-approved license agreement. Such license agreement shall include appropriate indemnification and liability insurance provisions, unless said outside party is constitutionally prohibited from doing so.

All decisions related to use of institutional facilities open to any unaffiliated outside party must be made without regard to the content or viewpoint of the unaffiliated outside party's planned expressive activity.

Such use of an institutional facility may include a political campaign or similar event. An institution's facility use process must follow [BOR Policy 6.4](#) on Political Interference and [BOR Policy 8.2.18.3](#) on Employee Political Activities. Institutions should undertake reasonable efforts to ensure that no USG or institution trademarks or insignias are used or displayed before, during, or after the event unless otherwise approved by the Chancellor or designee. Incidental or inadvertent display of USG or institution trademarks or insignias during a campaign event shall not be deemed a violation of this policy and does not imply an endorsement of a political candidate or cause.

Use of institutional facilities under this policy is separate from, and does not qualify as, an institution's designation under [BOR Policy 6.5.2](#) on Institution Freedom of Expression Policies of certain accessible, high-traffic locations on campus as public forum areas for individuals or groups who are not members of the campus community. Use of institutional facilities by unaffiliated outside parties is also subject to reasonable time, place, and manner restrictions.

6.15 Campus Security and Police

It is essential to maintain the safety and security of the campus environment. Each University System of Georgia (USG) institution has the responsibility to employ security and police policies, standards, and practices to minimize the risk of disruption to the campus community.

6.15.1 Institution Police Departments

Each USG institution shall establish and maintain a department responsible for providing patrol, investigative, communication, administrative, and campus community outreach services, and shall designate an individual to serve as the director of public safety or Chief of Police. The director or Chief of Police will be assigned the management responsibility and authority for conducting and coordinating security and police services. The institution's director of public safety or Chief of Police shall consult with the USG Chief of Police on major organizational policies and procedures.

6.15.2 USG Chief of Police

The USG Chief of Police shall serve as a liaison to the Board of Regents on security and police service matters. The USG Chief shall maintain guidelines that all USG institutions should consider in the development and implementation of security and police services.

6.15.3 Chief of Police Certification Requirements

Each USG institution director of public safety or Chief of Police shall be certified in accordance with the Georgia Peace Officer Standards and Training Council (POST) rules and regulations. Prior to employment, candidates for director or Chief of Police positions must meet the requirements for entry into the state mandated police academy and be eligible to obtain POST certification within 12 months of employment. Any changes in the individual's name, title, certification status, and contact information shall be provided to the USG Chief of Police.

6.15.4 Chief of Police Reporting Requirements

Each USG institution director of public safety or Chief of Police shall have a direct reporting relationship to a vice president or more senior administrator of that institution. The President of each institution will determine the reporting relationship.

6.15.5 Personnel Actions: Chief of Police

The vice president or President of each USG institution shall consult with the USG Chief of Police on significant personnel actions involving the institution director of public safety or Chief of Police, including appointment, qualifications for the position, and termination.

6.15.6 Notification Requirements

Each USG institution shall notify the USG Chief of Police or his or her designee upon receipt of any reports of significant crimes or threats reported to or known by the institution and of any potential or actual events

that may disrupt the operations of the campus community.

6.15.7 Police Department Assessment Program

The USG Chief of Police is responsible for the administration of a recurring program to assess USG departments responsible for providing security and police services.

6.15.8.2 Retention of Weapon and Badge: Retiring Police Officer

A USG law enforcement officer may request permission to retain their department weapon and receive a department badge denoting service when they have served under honorable conditions as defined by OCGA 35-1-20, and, are either receiving state employee retirement system benefits, or leaving employment as a result of a line of duty disability from service to the University System of Georgia. Requests will be submitted to the USG institution police chief for review and approval upon verification the employee has met the required conditions. Police chiefs meeting the criteria may submit a request to the USG Police Chief.

6.16 Emergency Planning and Preparedness

Emergency preparedness and planning activities are essential for maintaining the safety and security of the campus environment at each University System of Georgia (USG) institution. Each USG institution shall develop and maintain an emergency action/response plan to guide the institution in responding to public health, natural, and man-made hazards with the goal of mitigating risks to staff, students, faculty, and property. Each institution shall provide an updated copy of their emergency action/response plan to the USG Chief of Police or his or her designee upon request.

Each USG institution shall designate an individual as a representative to coordinate emergency preparedness and planning activities, share information with the University System Office, and coordinate with the USG's emergency preparedness and planning activities. The institution shall provide the individual's name, title, and contact information to the USG Chief of Police.

The USG Chief of Police shall periodically update the Board of Regents on emergency planning and preparedness activities.

6.17.1 Definition

An organization is a cooperative organization if it:

1. Is organized or operated primarily:
 - for the purpose of soliciting gifts or assisting the University System of Georgia (USG) or a USG institution in soliciting gifts from third persons in the name of the USG institution or any of the institution's programs; or,
 - for soliciting grants and contracts or accepting grants or entering into contracts for research or services to be performed by or in conjunction with a USG institution or using the institution's facilities;
2. Bills or collects professional fees in the name of or on behalf of a USG employee who provides professional services within the scope of their employment by the institution;
3. Includes officials, faculty, staff, or employees of a USG institution as ex officio members of the organization's board of directors or other governing structure; or,
4. Is formally designated as a cooperative organization by the Board of Regents, the Chancellor, or by the President of the relevant USG institution. The Board of Regents, the Chancellor, or the President of the relevant USG institution may designate certain cooperative organizations that are required to follow the Regents' Guiding Principles for Cooperative Organizations.

6.17.2 Relationship Between Cooperative Organizations and the USG and its Institutions

A relationship, whether formal or informal, between the USG or a USG institution and a cooperative organization may be maintained only if:

1. The relationship is in the best interest of the USG or the USG institution as determined by the Board of Regents and the President of the relevant institution in consultation with the Chancellor;
2. The financial records of the cooperative organization, including any audits, are available for inspection by the Chancellor and the President of the USG institution or the President's designee;
3. Any use by the cooperative organization of the name of the USG or a USG institution, or of a symbol or trademark of the USG or a USG institution, is approved in advance by the Chancellor, the President of the USG institution, or the President's designee;
4. The cooperative organization annually presents evidence satisfactory to the President of the USG institution or the President's designee that the cooperative organization is adequately capitalized for any activities undertaken in the name of, for the benefit of, or in conjunction with the USG institution;
5. The cooperative organization annually presents evidence satisfactory to the President of the USG

institution or the president's designee of insurance or self-insurance adequate in form and amounts to cover foreseeable liability arising from activities undertaken in the name of, for the benefit of, or in conjunction with the USG institution;

6. There is a written general agreement or memorandum of understanding between the USG institution and the cooperative organization describing each party's responsibilities so that it is clear to third parties dealing with the cooperative organization that the organization is acting as a legal entity separate from the USG institution;
7. Actions of the USG institution's officials, faculty, staff, or employees pursuant to the relationship are consistent with policies established by the Board of Regents and the USG institution regarding conflicts of interest, outside activities, and other matters; and,
8. Not less than every two years, the President of the institution documents that he or she has reviewed the relationship between the institution and the cooperative organization and that all provisions of this policy are met to the President's satisfaction.

6.18 Sales of Institutional Products

No University System of Georgia (USG) institution shall enter into competition with private industry. USG institutions may provide goods and services connected with the institution's mission and goods and services customarily provided by institutions of higher education.

USG institutions are not prohibited from making sales on the wholesale market. However, in no event are such sales to be made to the general public.

6.19 Business Enterprises

University System of Georgia (USG) institutions shall not permit the operation of private business enterprises on their campuses except as otherwise provided by contract. All business enterprises operated on a campus of a USG institution shall be operated as auxiliary enterprises and shall be under the direct management, control, and supervision of the chief business officer of the institution.

6.20 Motor Vehicles

6.20.1 Passenger Automobiles

University System of Georgia (USG) institutions may purchase, lease, or otherwise acquire motor vehicles on a use-by-use basis subject to the Office of Planning and Budget Memorandum #10, "Rules, Regulations and Procedures Governing the Use and Assignment of Motor Vehicles, Purchase, Operation and Disposal of Motor Vehicles and Associated Record-keeping," and regulation by DOAS when approved by the

institution President and the Chancellor.

6.20.2 Institution-Owned Buses

Various departments and activities of each USG institution requiring the use of an institution-owned bus will be charged for the use of the bus at a rate adequate to cover all maintenance and operating expenses as well as the replacement cost of the bus. Money collected from such charges shall be placed in a revolving fund from which all maintenance and operating expenses of the bus shall be paid with the balance accumulating in the fund to an amount adequate for replacement of the bus.

6.20.3 Vehicle Regulations

USG institutions may adopt appropriate traffic regulations, including imposing reasonable penalties or fines for violations of the regulations.

6.21 Farming Operations

A University System of Georgia (USG) institution shall not operate any farms that are not essential to the teaching or research programs of the institution.

6.22 Identification of USG Institutions

Each University System of Georgia (USG) institution shall appropriately reflect its identity as a USG institution in its print and online materials. Each USG institution shall, to the fullest extent feasible, include in its print and online materials an appropriate statement and graphics approved by the University System Office describing the USG.

6.23 Institution Publications

All publications issued on behalf of any University System of Georgia (USG) institution shall be published only under proper supervision and authority of the President of the institution. All financial contracts pertaining to such publications shall be approved by the President or his or her designated representative.

6.24 Records Retention

Records retention guidelines have been adopted by the Board of Regents to establish consistent records retention practices by the University System Office and University System of Georgia (USG) institutions.

The guidelines consist of a list of record types organized into categories and should be consulted to determine the minimum retention time for a particular type of record.

The University System Office administers the records retention guidelines and is the source for information concerning implementation of the guidelines. The University System Office of Legal Affairs shall approve all additions to, deletions from, and revisions of the records retention guidelines.

6.25 Healthcare Information

As part of its broader mission and in support of the health and safety of the citizens of Georgia, the Board of Regents maintains personal healthcare information about its students, employees, patients, and others. The Board, its officers, and its employees are committed to protecting the privacy and confidentiality of this information. The Board fully supports and complies with all federal and state statutes and rules regulating the use, maintenance, transfer, and disposition of healthcare records and information.

6.26 Application for Discretionary Review

Any University System of Georgia (USG) student or employee aggrieved by a final decision of a USG institution may apply to the University System Office of Legal Affairs (USO Legal Affairs) for a review of the decision subject to the parameters set forth below. Review of the decision is not a matter of right, but is within the sound discretion of USO Legal Affairs. USO Legal Affairs may issue guidelines governing the process for review.

Applications from USG students are permitted for final institution decisions other than decisions on admissions (including program admissions), residency, student grades, and traffic citations, as the final decision on those matters rests with the President of the institution at which the appeal is heard. Applications from USG employees are limited to instances in which an employee is terminated, demoted, or otherwise disciplined in a manner that results in a loss of pay. Notwithstanding the foregoing, an application may be reviewed if (1) the record suggests that a miscarriage of justice might reasonably occur if the application is not reviewed; or, (2) the record suggests that the institutional decision, if not reviewed, might reasonably have detrimental and system-wide significance.

Each application for review shall be submitted in writing to USO Legal Affairs within 20 calendar days following the final institution decision. USO Legal Affairs may, in its discretion, deny the application for review or refer the application a Committee composed of the following USO administrators or a designee of each administrator: the chief legal officer, who shall serve as the Chair of the Committee; the chief academic officer; the chief operating officer, the chief human resources officer; the chief student affairs officer; and any other person or persons deemed appropriate by the Committee. Upon referral, the

Committee shall review the application and take any action that it deems appropriate.

The decisions of the USO Legal Affairs and the Committee shall be final and binding for all purposes. There shall be no recourse to the Chancellor or the Board of Regents from such decision; provided, however, that the Board of Regents' Committee on Organization and Law retains the authority to make an exception to this policy in its discretion. USO Legal Affairs shall periodically report to the Committee on Organization and Law regarding applications for discretionary review filed and their dispositions.

Nothing in this policy shall be construed to extend to any party substantive or procedural rights not required by federal or state law or any expectation of employment, admission, or additional due process rights. This policy is not part of due process rights afforded to students or employees of the University System; any such rights have been fully afforded upon the final institution decision. The Board of Regents reserves the right to change this policy at any time and to make such changes effective retroactively to any pending application.

6.27 Integrated Review

Proposals requiring approval by the Board of Regents or an officer thereof pertaining to an academic program, intercollegiate athletics, capital projects, and real property shall first be submitted for integrated review using a process determined by the Chancellor. University System of Georgia (USG) institutions shall ensure that proposals submitted for integrated review are consistent with the USG and institutional strategic plans, objectives, and mission while reflecting the prudent use of resources. Institutions should avoid public discussion, significant resource commitment, or long-term obligations involving projects submitted for integrated review until the project has received initial approval.

7.1.1 Appropriation and Allocation of Funds

The Board of Regents shall be the only medium through which formal requests shall be made for appropriations from the General Assembly and the Governor of the State of Georgia. The request shall be in full compliance with the instructions issued by the Governor's Office of Planning and Budget. The Board shall annually allocate funds to the University System of Georgia (USG) institutions at a meeting following the approval of the Appropriations Act and approve the budgets of the USG institutions, the University System Office, and pass-through and other attached organizations.

7.1.2 Accounting and Reporting

7.1.2.1 Procedures

Accounting and reporting procedures of the Board of Regents shall comply with accounting principles generally accepted in the United States of America (GAAP) applicable to public colleges and universities engaged in business-type activities, as prescribed by the Governmental Accounting Standards Board; federal, state, and local laws; Board of Regents' policies; and regulations approved by the Chancellor and published by the USG chief fiscal officer.

7.1.2.2 Deficits

When a situation develops that would create a deficit at an institution, the President of the institution shall take appropriate corrective action. If the President cannot take adequate corrective action to eliminate the deficit within the current fiscal year, he or she shall inform the Chancellor and the USG chief fiscal officer immediately.

7.1.2.3 Financial Report

The USG shall annually publish a USG consolidated financial report.

7.2 USG Budget

The University System of Georgia (USG) Budget shall be comprised of all funds received by USG institutions, the University System Office, and pass-through and other attached organizations used to provide services to support the goals, objectives, and mission of the System.

7.2.1 Educational and General Revenues and Expenditures

Education and general revenues and expenditures shall be defined as revenues received and expenditures made to support the teaching, research, and public service missions of USG institutions. Revenue and expenditures are classified as outlined in the [USG Business Procedures Manual Section 2](#) in accordance with guidelines developed by the National Association of College and University Business Officers.

7.2.2 Auxiliary Enterprises and Student Activities Revenues and

Expenditures

Auxiliary enterprises and student activities are functions and activities that relate to the mission of the USG institution including, but not limited to:

1. Housing;
2. Food Services;
3. Student Health Services;
4. Student Activities;
5. Intercollegiate Athletics (excluding intercollegiate athletics activity which is operated under the authority of a separately incorporated athletic association);
6. Parking;
7. Transportation;
8. Stores and Shops;
9. Vending and Other Services; and,
10. Student Activities (fee-based student activities and functions).

Auxiliary enterprise operations shall operate on a self-supported basis with revenues derived from student fees and other non-state sources, except as provided below. In no instance may Fund 10000 state appropriations be used to fund athletic auxiliary operations.

Each institution shall develop and update annually a five-year plan for each auxiliary enterprise operation that defines the level and manner of service to be provided, planned expenditures, and sources of revenue, including projected fee requirements. The format and content of each plan shall be determined by the USG chief fiscal officer.

Auxiliary enterprises shall be accounted for on the accrual basis of accounting. Section 15 of the USG Business Procedures Manual, Auxiliary Enterprise Funds, provides additional accounting criteria necessary for determining if auxiliary enterprises are functioning on as self-supporting basis.

Exceptions to the requirement that institutions operate their auxiliary enterprises on a self-supporting basis shall be recognized as follows:

1. Institutions may choose to operate some auxiliary enterprise activities on a loss basis, but must indicate in their five-year plans how the costs of such activities will be covered by revenues generated through other auxiliary operations and must also provide an alternative plan reflecting, rightsizing of operations, or the elimination or privatization of the auxiliary. Institutions that choose to operate auxiliary enterprise activities on a loss basis and use revenues generated through other auxiliary operations to subsidize these operations must annually reflect non-mandatory transfers to avoid auxiliary enterprise deficits. The Board of Regents may, upon recommendation of the Chancellor, direct the institution to eliminate or privatize the auxiliary.

2. Institutions may apply Education & General Fund resources (unrestricted institutional funds), excluding Fund 10000 state appropriations for athletics, to auxiliary enterprise operations where such expenditures can be justified as supporting the primary mission of the institution; however, use of general fund resources for auxiliary enterprise operations should be limited and must be approved in advance by the Chancellor under procedures established by the USG chief fiscal officer. The Board of Regents has determined that intercollegiate athletics supports the overall mission of the institution and has authorized the use of Education & General Fund resources in support of intercollegiate athletics as outlined in [Board Policies 4.5](#) and [7.2.2](#). Use of Education & General Fund resources for intercollegiate athletics, excluding Fund 10000 state appropriations, is authorized as outlined in [Board Policy 4.5](#) and as further defined in the [USG Business Procedures Manual](#). In no instance may Education & General Fund resources be used to support athletic scholarships. In no instance may Education & General Fund Resources or student athletic fee revenue be used for the direct compensation of intercollegiate student athletes for the use of such student athlete's name Image and Likeness (NIL). The use and amount of Education & General Fund resources applied to the support of auxiliary enterprise operations shall be included in the five-year plan.

7.2.3 Operating Budgets

Each USG institution shall prepare and submit to the Chancellor an annual operating budget within the limit of funds allocated by the State plus estimated internal revenue of the institution from all other sources. Operating budgets of separately incorporated athletic organizations are specifically excluded from this process, although the transfer of student fees to those separately incorporated organizations must be reflected as a single item in the budget submitted to the Chancellor.

7.2.4 Budget Amendments

Each USG institution is authorized to maintain and update its annual operating budgets throughout the fiscal year. Such updates may be made without prior approval of the Board of Regents.

Institutions shall report all budget amendments to the USG chief fiscal officer on a quarterly basis under procedures developed by his or her staff. The Chancellor and the USG chief fiscal officer reserves the right to require prior approval of the budget amendments at any USG institution that he or she determines has failed to manage its budget within available resources or in a manner consistent with Board of Regents' goals and priorities. The Chancellor or the USG chief fiscal officer may direct that the institution develop a remediation plan to assure more appropriate decisions on future budget changes.

7.2.5 Liability for Expenditure of

Budgets

Bonds of public officials authorizing expenditures for any purpose whatsoever that are in excess of budget amounts approved by the Board shall be liable for such unauthorized expenditures.

7.3.1 Tuition

7.3.1.1 Definitions

Tuition

“Tuition” is defined as payment required for credit-based instruction and related services and shall be charged to all students. Tuition rates for all University System of Georgia (USG) institutions and programs shall be approved annually no later than the May meeting by the Board of Regents to become effective the following fall semester. Exceptions to this requirement may be granted upon recommendation of the Chancellor and approval by the Board of Regents.

Tuition for undergraduate students enrolled at a USG institution shall be charged at the full rate for students enrolled for 15 credit hours or more, and at a per-credit-hour rate for students enrolled for less than 15 credit hours. Graduate tuition will be charged at the full rate for students enrolled for 12 credit hours, and at a per-credit-hour rate for students enrolled for less than 12 credit hours. Distance education courses and programs as defined in [Section 7.3.1.4](#) of this Policy Manual may be exempted from this policy and charged on a per-credit-hour basis.

Further, a “finish-in-four” tuition model that provides for a flat tuition based on 15 hours a semester will be charged at the University of Georgia, Georgia Institute of Technology, and Georgia College and State University for all undergraduate students taking in excess of six hours, to encourage students to graduate in four years. Students taking six hours or fewer will pay a flat rate that will be lower than the 15-hour rate.

A “finish-in-four” tuition model that provides for a flat tuition based on 15 hours a semester will be charged at Augusta University for all undergraduate students taking ten hours or more. Students enrolled at Augusta University taking less than ten hours will continue to be charged tuition on a per-credit-hour basis.

Students enrolled during the summer semester at Augusta University, Georgia College and State University, Georgia Institute of Technology, and the University of Georgia will be charged tuition on a per-credit-hour basis during the summer semester.

In-State Tuition

“In-State Tuition” is defined as the rate paid by students who meet the classification status requirements as provided in [Section 4.3](#) of this Policy Manual.

Out-of-State Tuition

“Out-of-State Tuition” is defined as the rate paid by students who do not meet the classification status requirements as provided in [Section 4.3](#) of this Policy Manual but can document that they meet the following criteria:

1. U.S. citizens, lawful permanent residents, refugees, asylees, and other eligible noncitizens as defined by federal Title IV regulations who are not able to establish sufficient domicile/residence in Georgia, and
2. Others who do not satisfy any of the criteria above but who have graduated from a high school in the United States.

Out-of-state tuition at all USG institutions shall be established by the Board, taking into consideration: out-of-state tuition rates of peer or comparable institutions and the full cost of instruction. The annual increase in the out-of-state tuition amount must be at least equal to the dollar increase amount in in-state tuition.

Out-of-Country Tuition

“Out-of-Country Tuition” is defined as the rate paid by students who do not meet the requirements for in-state classification and do not meet the requirements for out-of-state classification, as provided in [Section 4.3](#) of this Policy Manual.

The annual increase in the out-of-country tuition amount must be at least equal to the dollar increase amount in out-of-state tuition.

Semester

“Semester” is defined for the purposes of this section as the standard term of instruction for each USG institution for fall, spring, and summer. The summer semester shall be defined as the combined terms of instruction provided by USG institutions that begin after the completion of the spring semester and end prior to the start of the fall semester.

7.3.1.2 Graduate Tuition

USG institutions that offer graduate programs may request Board approval for graduate tuition rates as follows:

1. Each institution that offers graduate programs shall request a “core” graduate tuition rate that shall apply to all graduate courses and programs, based on market comparators for in-state and out-of-state tuition.
2. Each institution may request separate graduate tuition rates for specialized programs, subject to the provisions of [Section 7.3.1.3](#) of this policy manual.

The regular graduate tuition rates normally shall be charged to all graduate students. However, where a graduate student is classified as a research, teaching, or graduate assistant, the institution may waive all or

part of the graduate tuition and/or waive the differential between in-state and out-of-state graduate tuition or the differential between in-state and out-of-country graduate tuition. A registration fee of no less than \$25 shall be charged to all students for whom a full waiver is provided.

7.3.1.3 Professional Program Tuition

Board approval shall be required for in-state, out-of-state and and out-of-country differential tuition rates for nationally competitive graduate and professional programs, as deemed appropriate by the institution based upon the academic marketplace and the tuition charged by peer institutions with similar missions.

An institution seeking such approval from the Board shall provide the Board with an impact analysis and a plan for enhancing the quality of the program.

The professional program tuition rates normally shall be charged to all program students. However, the institution, on a degree program basis, may waive the graduate tuition in accordance with such policies noted or limit the waiver to the amount associated with the regular graduate tuition where a graduate student is:

1. Classified as a graduate assistant under Section 7.3.1.2 of this Policy Manual; or,
2. Eligible for an out-of-state tuition waiver under Section 7.3.4.1 of this Policy Manual.

7.3.1.4 Tuition for Distance Learning Courses and Programs

Board approval is required to charge special tuition rates for distance education courses and programs. For purposes of this policy, distance learning courses and programs that qualify for a special distance learning tuition rate shall be defined by the Board Treasurer, Chief Fiscal Officer. (BoR Minutes, Jan. 2017)

7.3.1.5 Tuition Agreements with Corporations, Organizations, and Other Legal Entities

USG institutions may enter into agreements with “customers,” defined as corporations, organizations, agencies, or other legal entities, for the delivery of credit courses and programs. These agreements enhance relationships between the USG, local businesses within the service area surrounding the institution, students, and faculty by allowing course delivery to be tailored to meet the needs of the customers and their employees or members so that students receive skills that are aligned with the needs of the customer and providing flexibility with respect to the location of the course delivery.

The course and program delivery shall be restricted to employees or members of the customer group and their dependents, except upon agreement between the institution and the customer to permit non-

members or non-employees to enroll in courses or programs on a space-available basis. Participating students are required to meet the minimum requirements for admission to the institution.

The amount institutions may charge for the course and program delivery shall be agreed upon between the institution and the customer and shall represent the reasonable and fair market value of the instruction, provided that the charges are not less than the total direct and indirect costs to the institution for the delivery of instruction and related services. Such costs may include, but are not limited to, course development, direct instruction, textbooks, consumables, non-instructional services, hardware, software, and indirect costs such as administrative overhead, maintenance, and security. Additionally, the amount charged must reflect all required mandatory fees to include, at a minimum, the Technology Fee.

The charges agreed upon between the institution and the customer shall be assessed to the customer on a per-seat, per-student, or per-agreement (flat-rate) basis to be levied and collected in either of the following manners as applicable:

1. The institution may directly charge and collect all agreed-upon tuition and other charges from the customer; or
2. The institution may directly charge and collect all agreed-upon tuition and other charges from a customer's participating employees in instances where the customer's internal policy requires its employees to pay tuition and all other charges directly to an institution in order for the employee to be eligible for possible future reimbursement by the customer.

In all cases, the collection of agreed-upon tuition and other charges must be in accordance with Board Policy 7.3.3, Tuition and Fee Payment and Deferral. The agreement, description of program content and delivery, and the pricing model must be approved by the Chancellor or designee(s) before any such agreement may be executed.

7.3.1.6 Tuition for Georgia's "Dual Enrollment" Program

Tuition for high school students participating in Georgia's "Dual Enrollment" program shall be charged on a per-credit-hour basis at all institutions. Institutions are to accept the amount reimbursed by the Georgia Student Finance Authority (GSFA) for Dual Enrollment tuition charges as full payment. Any tuition amount for Dual Enrollment not covered by the GSFA reimbursement shall be waived.

7.3.2 Student Fees and Special Charges

7.3.2.1 Mandatory Student Fees

“Mandatory student fees” are defined as fees that are assessed to all students, all undergraduate students, or all full-time undergraduate students on one or more campuses of a USG institution, including those fees due prior to registration that may be refunded later in the semester and fees for which the student receives a cash equivalent in the amount of the fee. Mandatory student fees may be required by the Board of Regents or by the institution subject to approval by the Board of Regents.

Mandatory student fees shall include, but not be limited to:

1. Intercollegiate athletic fees;
2. Student health service fees;
3. Transportation or parking fees (if the latter are charged to all students);
4. Student activity fees;
5. Technology fees;
6. Facility fees; and
7. Mandatory food service fees.

Purposes and rates for all mandatory fees shall be approved by the Board of Regents to become effective the following fall semester. All mandatory fees assessed to students enrolled in 12 credit hours or more shall be assessed at the Board-approved rate. Institutions may reduce mandatory fees on a per-credit-hour basis or on a tiered structure for students taking fewer than 12 credit hours or for students enrolled in summer courses.

All mandatory student fees collected by an institution, as well as any proposals to increase or create a mandatory student fee or to change the purpose of an existing mandatory student fee, shall be proposed and administered by the President of the institution and presented to an advisory committee composed of at least 50 percent students for advice, counsel, and a vote prior to the institution submitting the request to the Board of Regents. The advisory committee must include at least four students and institutions and Student Government Associations should make a concerted effort to include broad representation among the students appointed to the advisory committee. These procedures do not apply to special circumstances in which a general purpose fee is instituted system-wide by the Board of Regents.

Mandatory student fees shall be used exclusively to support the institution’s mission to enrich the educational, institutional, and cultural experience of students. All payments from funds supported by student mandatory fees shall be made according to approved business procedures and the appropriate business practices of the institution.

7.3.2.2 Elective Fees and Special Charges

Institution presidents are authorized to approve elective fees and special charges outlined below; however,

any fee or special charge that is required to be paid by any subgroup of students categorized solely by grade level or previous credit hours earned shall undergo the same approval process as mandatory student fees. Any elective fee or special charge that is required to be paid by all students in a specific degree program or in a specific course, with the exception of laboratory fees and supplemental course material fees, shall be approved by the Board, but shall not require review or vote by a mandatory student fee advisory committee.

Housing Fees

“Housing fees” are defined as fees paid by students who live in residential on-campus facilities. All housing fees shall be annually approved by the USG chief fiscal officer, to become effective the following fall semester.

Food Service Fees

“Food service fees” are defined as fees paid by students who elect to choose an institutional food service plan. Food service fees assessed to all undergraduate students, all full-time undergraduate students, or any subgroup of students based solely on grade level or previous credit hours earned, including food service fees due prior to registration that may be refunded later in the semester and food service fees for which the student receives a cash equivalent in the amount of the fee, are not considered an elective fee and must be approved by the Board of Regents as a mandatory student fee. Institutions may require meals plans for all students residing in on-campus housing regardless of academic grade level and such decision does not require approval by the Board of Regents.

All food service fees assessed to students shall be annually approved by the USG chief fiscal officer, to become effective the following fall semester. Food services operations must be structured with student affordability and operational efficiency as essential performance requirements. Institutions must be able to demonstrate that overhead costs are reasonable and comparable to peer institutions as a part of the fee approval process. Food service contracts with external suppliers must be procured and managed in accordance with procedures issued by the USG chief fiscal officer.

Other Elective Fees and Special Charges

“Other elective fees and special charges” are defined as those fees and charges that are paid selectively by students. These fees and charges may include, but are not limited to:

1. Resident hall deposits;
2. Penalty charges;
3. Non-mandatory parking fees and parking fines;
4. Library fines;
5. Laboratory fees;
6. Post office box rentals; and
7. Supplemental course material fees.

Institutional presidents may establish and adjust these fees, as appropriate, but must report any

establishments and adjustments to the Chancellor under procedures established by the USG chief fiscal officer prior to implementation of such fees.

Continuing Education Fees

Institutional presidents may establish fees for non-credit-hour courses and programs as defined in the [Board Policy on Lifelong Education](#).

7.3.2.3 Auxiliary and Fee Reserves

Institutions shall manage auxiliary and fee reserves prudently and to ensure self-supporting operations as specified in Board Policy 7.2.2, Auxiliary Enterprise Revenues and Expenditures. Institutions must periodically review the existing reserves within their various auxiliary and student fee funds to ensure affordability for students while also ensuring adequate reserves to maintain operations, manage risk, and fund related capital expenditures. The results of this analysis and planned use of reserves shall be provided to the USG Office of Fiscal Affairs annually along with any recommendations for changes to fees and operations.

7.3.3 Tuition and Fee Payment and Deferral

All tuition and fees are due and payable on or before the last day of the drop/add period for the specific academic term. Exceptions to the time of payment are as follows:

1. An institution may defer tuition and fees up to the amount authorized for a specific academic term for students whose fees are guaranteed and will be paid by an outside agency under a documented agreement with the institution;
2. An institution may defer tuition and fees up to the amount of the aid granted for a specified academic term for students who have an institution-administered loan or scholarship in process;
3. An institution may defer tuition and fees up to the limit stated in the certificate or other document for a specified academic term for foreign students who have a certificate or other acceptable documented evidence that payment will be made after a statement of charges from the student has been presented for payment;
4. An institution may elect to collect fees specifically for housing and dining on an installment basis, in advance of service provided;
5. An institution filing an approved plan with the Office of Fiscal Affairs may elect to collect tuition and fees on an installment basis, in advance of services provided.

7.3.4 Out-of-State and Out-of-Country

Tuition Waivers and Waiver of Mandatory Fees

7.3.4.1 Out-of-State and Out-of-Country Tuition Waivers

A USG institution may award out-of-state tuition and out-of-country differential waivers and assess in-state tuition for certain non-Georgia residents under the conditions listed below. Notwithstanding any provision in this policy, no person who is unable to show by the required evidence that they are lawfully in the United States shall be eligible for any waiver of tuition differential. Institutions shall comply with the procedures governing the award of out-of-state and out-of-country tuition waivers as established by the Executive Vice Chancellor for Academic Affairs and Chief Academic Officer. The policy regarding student classification status is contained in [Board of Regents' Policy 4.3](#).

Presidential Waivers

Presidential waivers may be awarded to out-of-state students or out-of-country students selected by the institution President or an authorized representative. The total number of Presidential Waivers in effect shall not exceed four percent for Augusta University, Georgia Institute of Technology, Georgia State University, and the University of Georgia, and two percent for all other USG institutions of the equivalent full-time students enrolled at the institution in the fall term immediately preceding the term for which the out-of-state or out-of-country tuition is to be waived. Institutions awarding presidential waivers in the spring term semester may use either the fall term one year prior or the fall term immediately prior when calculating the number of allowable waivers. The proportionate percentage of out-of-state and out-of-country tuition waived shall be used when determining the number of waivers in effect such that a full waiver of out-of-state or out-of-country tuition counts as one waiver, while a 50 percent waiver of out-of-state or out-of-country tuition counts as a 0.5 waiver.

Institution presidents may award Presidential Waivers at their discretion to students within the following categories:

1. Academic: Students who have demonstrated the potential to excel within a particular program of study offered by the institution as evidenced by scoring within the top half of students matriculating at the institution or the top half of students matriculating within the particular program of study to which the student has applied. Institutions shall determine the top half using the academic criteria (e.g., Freshman Index, standardized test scores, GPA, artistic ability) applicable either for general admission to the institution or for the particular program of study to which the student has applied.
2. Athletic: Students selected to participate in the institution's intercollegiate athletics program and who

have demonstrated the potential to succeed within a particular program of study offered by the institution. The percentage of waivers offered within the Athletic category shall not exceed 1/3 of the total number of Presidential Waivers which the institution is eligible to offer, i.e., four percent or two percent.

3. International: Non-citizen students, classified as out-of-state or out-of-country, who are not otherwise ineligible for a tuition differential waiver under this policy and who have demonstrated the potential to succeed within a particular program of study offered by the institution.

Institution presidents shall define institution-specific criteria and procedures for the awarding of and maintaining eligibility for Presidential Waivers and shall submit the institution-specific criteria and procedures for approval to the Chief Academic Officer no later than June 30 prior to the semester in which those criteria and procedures shall take effect. Extraordinary circumstances may arise justifying award of a Presidential Waiver under criteria not specified in this Policy but consistent with the policy intent and in support of the institution's mission. Presidents may offer an Academic Presidential Waiver in these circumstances but must first seek approval, on a one-time or standing basis, from the Chief Academic Officer. A student may be eligible under one or more Presidential Waiver categories but shall only be granted a waiver under one specific category and will only be counted within the category assigned by the institution. Institutions shall maintain evidence of said approval. Institutions shall maintain adequate documentation of waiver awards to validate that waiver recipients met the institutional criteria and complied with Board of Regents Policy.

Students receiving a Presidential Waiver must achieve a specified level of academic performance to maintain eligibility for the Presidential Waiver. Students receiving an Academic or International Presidential Waiver must maintain a 2.5 GPA calculated on a cumulative basis at the conclusion of each academic year as specified in the respective institution's approved procedures and using the same GPA method used to calculate Satisfactory Academic Progress (SAP). Students receiving an athletic Presidential Waiver must maintain SAP.

Failure to maintain the specified level of academic performance at the conclusion of the respective academic year shall result in the student being placed in a two-semester probationary period for waiver purposes. The student shall be eligible to maintain a waiver during this probationary period but shall be ineligible for the waiver if the student is not able to achieve the specified level of academic performance for the student's specific Presidential Waiver sub-category. The student is eligible to re-gain the waiver, subject to the institution's discretion and consistent with this Policy, should the student achieve the specified level of academic performance for the student's specific Presidential Waiver sub-category.

Border Residents

1. Border County Waivers: Graduate or undergraduate students domiciled in an out-of-state county bordering Georgia and enrolling in a program offered at a location approved by the Board of Regents for which the offering institution has been granted permission to award Border County Waivers; or,

2. **Border Residents Waivers:** Undergraduate students domiciled in another state bordering Georgia subject to the following conditions. Each year, the Chancellor shall review the enrollment levels at each USG institution to determine whether any USG institutions have sufficient excess capacity to increase recruitment of students from neighboring states. Should the Chancellor determine that cause exists to activate the Border Residents Waiver, the Chancellor or his designee will present the list of institutions to the Board of Regents' Committee on Academic Affairs for approval. If an institution is given permission to award the Border Residents Waiver, it will be allowed to do so for the next three academic years. Any undergraduate students receiving the Border Residents Waiver will remain qualified for the waiver so long as he or she is continuously enrolled during fall and spring semesters at the institution that awarded the waiver.

Economic Development

1. Students who are certified by the Commissioner of the Georgia Department of Economic Development as being part of a competitive economic development project.
2. As of the first day of classes for the term, an Economic Advantage Waiver may be granted under the following conditions:

U.S. Citizens, Permanent Residents, and Other Eligible Non-Citizens

A. Dependent Students

Dependent students providing clear and convincing evidence that the student's parent or U.S. court-appointed legal guardian relocated to the state of Georgia to accept full-time, self-sustaining employment. The relocation must be for reasons other than enrolling in an institution of higher education and appropriate steps to establish domicile in the state must be taken. The employment upon which the relocation was based must be held at the time the waiver is awarded.

B. Independent Students

Independent students providing clear and convincing evidence that they, or their spouse, relocated to the state of Georgia to accept full-time, self-sustaining employment. The relocation to the state must be for reasons other than enrolling in an institution of higher education and appropriate steps to establish domicile in the state must be taken. The employment upon which the relocation was based must be held at the time the waiver is awarded.

C. U.S. refugees, asylees, and other eligible noncitizens as defined by the federal Title IV regulations may be extended the same consideration for the economic advantage waiver as citizens and lawful permanent residents of the United States.

Waiver eligibility for the above qualifying students expires twelve (12) months from the date the waiver is awarded.

Non-Citizens

A. Dependent Students

Non-citizen dependent students providing clear and convincing evidence that the student's parent or U.S. court-appointed legal guardian relocated to the state of Georgia to accept full-time, self-sustaining employment and entered the state in a valid, employment-authorized status. The relocation must be for reasons other than enrolling in an institution of higher education and appropriate steps to establish domicile in the state must be taken. The employment upon which the relocation was based must be held at the time the waiver is awarded. Additionally, the non-citizen dependent student must provide clear evidence that the parent, or U.S. court-appointed legal guardian, is taking legally permissible steps to obtain lawful permanent resident status in the United States.

B. Independent Students

Non-citizen independent students must provide clear and convincing evidence that they, or their spouse, relocated to the state of Georgia to accept full-time, self-sustaining employment and entered the state in a valid, employment authorized status. The relocation must be for reasons other than enrolling in an institution of higher education and appropriate steps to establish domicile in the state must be taken. The employment upon which the relocation was based must be held at the time the waiver is awarded. Additionally, non-citizen independent students must provide clear evidence that they, or their spouse, are taking legally permissible steps to obtain lawful permanent resident status in the United States.

Waiver eligibility for the above qualifying students may continue provided full-time, self-sustaining employment in Georgia and the employment-authorized status are maintained. Furthermore, there must be continued evidence of Georgia domicile and efforts to pursue an adjustment to United States lawful permanent resident status.

3. Students who are employees of Georgia-based corporations or organizations that have contracted with the Board of Regents through USG institutions to provide out-of-state or out-of-country tuition differential waivers.
4. Students enrolled in a USG institution based on a referral by the Vocational Rehabilitation Program of the Georgia Department of Labor or the Department of Veterans Affairs.
5. Career consular officers, their spouses, and their dependent children who are citizens of the foreign nation that their consular office represents and who are stationed and living in Georgia under orders of their respective governments.

Employee

1. Full-time USG employees, their spouses, and their dependent children.
2. Full-time employees of the public schools of Georgia or the Technical College System of Georgia (TCSG), their spouses, and their dependent children.
3. Teachers employed full-time on military bases in Georgia

Military

1. Active duty military personnel, their spouses, and their dependent children who meet one of the following criteria:
 - A. The military sponsor is currently stationed in or assigned to Georgia;
 - B. The military sponsor previously stationed in or assigned to Georgia is reassigned outside of Georgia, and the student or students remain continuously enrolled in a Georgia high school, TCSG institution, or a USG institution;
 - C. The military sponsor is reassigned outside of Georgia and the spouse and dependent children remain in Georgia;
 - D. The military sponsor is stationed in a state contiguous to the Georgia border and resides in Georgia;
 - E. Dependent children of a military sponsor previously stationed in or assigned to Georgia within the previous five years;
 - F. Dependent children of a military sponsor if the child completed at least one year of high school in Georgia; or,
 - G. Any student utilizing VA educational benefits transferred from a currently serving military member, even if the student is no longer a dependent of the transferor.
2. Active members of the Georgia National Guard stationed or assigned to Georgia or active members of a unit of the U.S. Military Reserves based in Georgia, and their spouses and their dependent children.
3. Separated military members from a uniformed military service of the United States who meet one of the following:
 - A. Individuals who within 36 months of separation from such service enroll in an academic program and demonstrate intent to become domiciled in Georgia. This waiver may also be granted to their spouses and dependent children.
 - B. Any separated service member or any student utilizing transferred VA educational benefits and physically residing in the state.
 - C. Any individual as described in 38 U.S.C. 3679(c).

Reciprocal

1. Students selected to participate in programs offered through the Academic Common Market.
2. Any student who enrolls in a USG institution as a participant in an international or domestic direct exchange program that provides reciprocal benefits to USG students.
3. Any student who enrolls in a USG study-abroad program to include programs outside the State of Georgia but within the United States and study abroad programs outside the United States. Tuition and fees charged study abroad students shall be consistent with the procedures established in the USG Business Procedures Manual and as determined by the institution President.

Research and Comprehensive University Graduate Students

1. Graduate students attending a Research or Comprehensive University and as determined by the respective institution's approved procedures. The number of students currently receiving waivers under this category shall not exceed the number assigned below:

University of Georgia	160
Georgia Institute of Technology	140
Georgia State University	140
Augusta University	40
Georgia Southern University	20
Kennesaw State University	20
University of West Georgia	20
Valdosta State University	20

2. Medical and dental residents and medical and dental interns at Augusta University.

Non-Resident Students

As of the first day of classes for the term, a non-resident student can be considered for this waiver under the following conditions:

1. Students under 24.

- If the parent or United States court-appointed, legal guardian has maintained domicile in Georgia for at least 12 consecutive months and the student can provide clear and legal evidence showing the relationship to the parent or United States court-appointed, legal guardian has existed for at least 12 consecutive months immediately preceding the first day of classes for the term. Under Georgia Code, legal guardianship must be established prior to the student's 18th birthday; or
- If the student can provide clear and legal evidence showing a familial relationship to the spouse and the spouse has maintained domicile in Georgia for at least 12 consecutive months immediately preceding the first day of classes for the term.

2. Students 24 and Older.

- If the student can provide clear and legal evidence showing a familial relationship to the spouse and the spouse has maintained domicile in Georgia for at least 12 consecutive months immediately preceding the first day of classes for the term. This waiver can remain in effect as long as the student remains continuously enrolled.

This waiver can remain in effect as long as the student remains continuously enrolled regardless of the domicile of the parent, spouse, or United States court-appointed, legal guardian.

7.3.4.2 Waiver of Mandatory Fees

An institution may waive or reduce mandatory fees for:

1. Students who are enrolled for fewer than six credit hours;
2. Students enrolled in summer semesters;
3. Students who reside or are jointly enrolled at another institution;
4. Students enrolled in practicum experiences (e.g., student teachers) or internships located at least 50 miles from the institution;
5. Students enrolled in distance learning courses or programs who are not also enrolled in on-campus courses nor residing on campus. Such students shall be charged an Online Learning Fee that must equal or exceed the institution's Technology Fee plus fifty percent (50%) of all other Board approved institutional mandatory fees;
6. Students enrolled at off-campus centers, except that the institution shall be authorized to charge select fees to these students for special services subject to approval by the Board of Regents;
7. Students enrolled in a study abroad program and not enrolled on campus during that same semester; and,
8. Members of the armed services utilizing the military's tuition assistance programs or paying their own way to attend the institution.

Each USG institution shall document its student fee waiver strategy or plan. Upon request, USG institutions shall provide the student fee waiver plans to the Chancellor or his or her designee.

7.3.4.3 [Reserved]

7.3.4.4 Waiver of Fees for Georgia's "Dual Enrollment" Program

USG institutions shall waive any fee defined by the Board of Regents as a mandatory fee not covered by the per student state funds amount reimbursed by the Department of Education for high-school students participating in Georgia's Dual Enrollment program.

Additionally, institutions shall waive all fees defined by the Georgia Student Finance Commission as mandatory fees or noncourse related fees. The amount for student fees reimbursed to institutions by the Georgia Student Finance Authority under the Dual Enrollment program shall be accepted as full payment of the waived fees. As such, students are to be provided full access to the services supported by the waived fees. Dual Enrollment students participating in this program are specifically exempted and shall not be charged for health fees and mandatory commuter food service fees. As such, providing these Dual Enrollment students access to these services is not required. Institutions are required to provide Dual Enrollment student participants with all required books for the courses in which they are enrolled. Any fee

associated with providing required textbooks shall be waived by the institution.

7.3.5 Refunds

The policy for determining refunds to be made on institutional charges and other mandatory fees and elective fees and special charges (non-mandatory fees) at USG institutions, except for those institutions for which special refund policies have been approved by the Board of Regents follows the “institutional refunds” procedures, as defined in the 1998 Amendments to the Higher Education Act of 1965, P.L. 105-244, TITLE IV—STUDENT ASSISTANCE, PART G—GENERAL PROVISIONS, SEC. 485.

Tuition and fees awarded by scholarship or grant from an agency or authority of the State of Georgia on behalf of a student receiving a refund under this policy shall be reimbursed to such agency or authority.

The Chancellor is authorized and empowered to take or cause to be taken any and all such other and further action as, in the judgment of the Chancellor, may be necessary, proper, convenient or required in connection with the execution of this policy. Such authority may be further delegated to the President of the institution.

USG institution presidents are authorized and empowered to take or cause to be taken any and all such other and further action as may be necessary, proper, convenient, or required in connection with the execution of this policy.

7.3.5.1 Students Withdrawing from an Institution

The refund amount for students withdrawing from an institution shall be based on a pro rata percentage determined by dividing the number of calendar days in the semester that the student completed by the total calendar days in the semester. The total calendar days in a semester includes weekends, but excludes scheduled breaks of five or more days and days that a student was on an approved leave of absence.

The unearned portion shall be refunded up to the point in time that the amount earned equals 60 percent. Students who withdraw from the institution when the calculated percentage of completion is greater than 60 percent are not entitled to a refund of any portion of institutional charges.

7.3.5.2 Death of a Student

A refund of all nonresident fees, matriculation fees, and other mandatory fees shall be made in the event of the death of a student at any time during the academic session.

7.3.5.3 Military Service Refunds

Subject to institutional policies, full refunds of tuition and mandatory fees and pro rata refunds of elective fees are hereby authorized for students who are:

1. Military reservists (including members of the National Guard) who, after having enrolled in a USG institution and paid tuition and fees, receive orders to active duty or are reassigned for temporary duty or mandatory training that prevents completion of the term;
2. Commissioned officers of the United States Public Health Service Commissioned Corps (PHSCC) who receive deployment orders in response to a public health crisis or national emergency after having enrolled in a USG institution and paid tuition and fees;
3. Active duty military personnel who, after having enrolled in a USG institution and paid fees, receive reassignment or a temporary duty assignment or a training assignment that would prevent completion of the term; or,
4. Otherwise unusually and detrimentally affected by the activation of members of the reserve components or the deployment of active duty personnel of the Armed Forces of the United States who demonstrate a need for exceptional equitable relief.

7.4 Private Donations to the USG and Its Institutions

The Board of Regents, recognizing that public institutions are dependent, in part, on private funding (just as private institutions are partially dependent on public funding), encourages the institutions under its control to seek the support of alumni, friends, corporations, and other private individuals and organizations that might be interested in contributing to the welfare of the institutions, their students, and their faculties.

Funds raised from private donations may be used in support of the mission and objectives of the institution, including funds for student scholarships, salary supplements, construction of physical facilities, and gifts and grants for other purposes as may be designated by the donor. However, institutions are not authorized to commit any state funds for challenge or matching grants or gifts for the construction of facilities or for other purposes without prior approval of the Chancellor. The Board of Regents shall not consider gifts, contributions, or income from endowments held for the benefit of any University System of Georgia ("USG") institution in determining the allocation of state funds to that institution.

Private donations to a separately incorporated Cooperative Organization established pursuant to Board of Regents' Policy shall not be subject to control by the Board of Regents or the institution administration except as otherwise provided in Board Policy or by the Memoranda of Understanding established between institution and the Cooperative Organization.

A USG institution may not accept gifts of real property except as provided in Board of Regents' Policy 9.9,

Real Property Ownership and Asset Management. A USG institution may otherwise accept gifts, bequests, agreements, or declarations of trust that do not carry obligations to the institution that may conflict with state law or Board of Regents' Policy and that do not impose a financial burden on the institution beyond that which can be managed within the institution's current budget. If acceptance of the gift or donation would require the institution to incur additional cost that cannot be borne within the institution's current resources, the institution must obtain the approval of the Board of Regents before accepting the gift or donation.

Each institution must maintain a report of all gifts received by the institution and its cooperative organizations through private donations under procedures established by the USG Chief Fiscal Officer.

Each President is authorized to execute those documents necessary to provide proper fiscal management of those funds accepted under this authorization and, at his or her discretion, to further delegate the authority to execute such documents to the Chief Business Officer of the institution.

7.4.1 Naming of Places, Colleges, or Schools

The Board of Regents considers the naming of a place or an academic unit in honor of an individual, corporation, foundation, or organization to be one of the highest and most distinct honors that it can bestow. Namings may be authorized for outstanding and distinguished service, for philanthropic giving, or for both. The President of each institution should ensure that the proposed naming is consistent with the interest of the institution and the USG and is commensurate with the level of service or philanthropic giving from the person, persons, group, or groups for which the naming will be made. Namings authorized without associated fund raising should be the exception.

Naming of colleges and schools of all USG institutions and all real estate, facilities, and property owned or leased by the USG, including facilities constructed, donated, or acquired by affiliated organizations of the institutions, requires prior authorization by the Chancellor, the USG Chief Operating Officer, and the Board of Regents. All proposed namings shall be submitted to the USG Chief Operating Officer who shall distribute the proposal for integrated review and, in conjunction with the Chancellor, submit the request to the Board of Regents for approval.

Namings authorized by the Board of Regents shall not be modified without approval of the Board. If a situation occurs that may warrant the removal of a name that was previously approved by the Board of Regents, the decision whether to remove the name lies in the sole discretion of the Board in consultation with the Chancellor.

The President of an institution is authorized to name and to remove the name of interior spaces and academic units subordinate to colleges and schools, such as departments, without prior approval of the

Board. Institutions shall maintain a report on interior namings and naming removals.

The namings of facilities and features of an institution will endure only for the useful life of the facility or feature and not in perpetuity. If a facility or feature is substantially changed, a named facility or feature may no longer exist and the President, in his or her discretion, may seek Board of Regents' approval to transfer the name to a new facility or feature.

The Board of Regents will authorize external namings (places, colleges, and schools) to honor a living person only when that person has been disassociated from employment by the USG or from local, state, or federal government employment for at least two years prior to seeking Board of Regents' approval.

Institution Naming Policy:

Institutions shall also maintain their own naming policy, which should establish minimums for financial commitments corresponding to such naming opportunity that are benchmarked against institutions similar in size, scope, and mission. Each institution shall provide a copy of its naming policy to the USG Chief Operating Officer for approval.

7.5 Fund Management

Regulations on banking and investments will be published and distributed periodically to the various operating units in Section 9.0, Banking and Investments, of the University System of Georgia (USG) Business Procedures Manual.

7.5.1 Banking

All banking services for the Board of Regents are subject to the review and approval of the USG chief fiscal officer in accordance with the State of Georgia Depository Board and the Office of the State Treasurer Bank Policy. Banking includes establishing bank accounts, domestic and international; bank services provided; and bank fees. Merchant card services or stored value cards are not included in banking services. Service providers are subject to the State Depository Board's published Banking Guidelines, the State of Georgia Banking Agreement, and related statutory requirements for banking. All new bank accounts and expansion of services using a Board of Regents FEI# must be approved by the USG chief fiscal officer. The USG chief fiscal officer shall notify the Office of the State Treasurer (OST) of all approved banking providers for review and recommendation to the State Depository Board for inclusion in the State Bank Registry.

All depositories where funds of the Board of Regents are held in time and demand deposits shall be collateralized in accordance with OCGA §§ 45-8-12 and 45-8-13 with either a dedicated or pooled methodology as prescribed by the OST.

For domestic bank accounts, the President of each USG institution shall determine the recommended bank

or banks where funds are deposited through a best value competitive contract bid process to be undertaken every five years. This competitive bid process should include a pro forma analysis by the OST. Based on competitive bid results, the President shall request banking approval from the USG chief fiscal officer for the selected bank or banks.

For foreign bank accounts, institutions must verify and provide documentation that foreign banks: 1) are financially strong and stable, 2) offer security of deposits, 3) are convenient to the institution's foreign location, and 4) have fees and compensation terms that are rational to their marketplace. When possible, it may be prudent to consider competitive bids if multiple bank options that meet these criteria are available. Establishment of all foreign bank accounts should include a pro forma review by the OST. Once determined, the President shall request banking approval from the USG chief fiscal officer for the selected bank or banks. All foreign bank accounts of a USG institution must be in the name of the state entity (institution). A cap of \$100,000 is set on consolidated foreign bank accounts of a USG institution's depositories in a particular foreign bank and, in any event, shall not exceed the lower of the State Depository Board's prescribed limit or the limit of the FDIC equivalent organization that applies to the specific USG institution in that particular country. If a foreign country does not have a deposit insurance program, lower balances may be appropriate. When necessary, just in time funding or international wire transfers may be required for processing deposits.

Once established, bank providers are required to report and document activities as defined in the OST Bank Policy and State of Georgia Banking Agreement, which may be found at OCGA § 50-17-51.

The USG chief fiscal officer shall appoint a person or persons at each USG institution with authority to sign checks drawn on banks where funds of the respective institutions are deposited. Persons so appointed shall be authorized to sign any documents that may be required by the banks concerned.

The chief business officer of each USG institution and any other officer or employee who participates in the selection of the institution's depository (bank) are prohibited from serving on the governing boards of banks and other financial institutions if such banks or other financial institutions have or seek a commercial relationship with that institution.

A President of an institution may serve on the governing board of a bank or financial institution that does not have a commercial relationship with the institution. However, such a bank or financial institution will not be considered by the institution for establishment of a commercial relationship with that USG institution for not less than two years after the termination of the President as a member of the board.

7.5.1.1 Electronic Transfer of Funds

Payments to vendors for goods and services should be electronic to avoid the associated costs of issuing paper checks when practical in accordance with Statewide Accounting Policy and Procedures – Vendor Management issued by the State Accounting Office.

When possible, USG institutions may participate in the statewide electronic payment agreement using one of the approved providers for merchant services. If not, the institution President may submit justification to and request approval to obtain another provider from the USG chief fiscal officer. The USG chief fiscal officer shall determine whether to submit the proposed card service agreement and fee schedule to the OST for an exemption approval by the State Depository Board. Institutions not participating in the statewide agreement must provide an annual report of transaction activities as required by OST.

Electronic funds transfer is the required method for payroll payments to employees, making funds available to the employee by the authorized pay date, unless the employee can provide documentation of having an “un-bankable” status; i.e., the employee is unable to obtain a bank account. Direct deposit is defined as the electronic transfer of funds from the employer to a depository institution designated by the employee, which makes the funds available to the employee by the authorized pay date.

Electronic withdrawal of funds (auto-debit) is the required method of payment from retirees for benefit premiums; i.e., the payment is electronically withdrawn from an account at a depository institution that is designated by the retiree to the employer, occurring on a specified date each month. Where auto-debit is not possible, the University System Office may review and authorize appropriate alternative method of benefits premium payment.

7.5.2 Investments

7.5.2.1 General

The Board of Regents requires that each USG institution develop and maintain an investment policy that fosters sound and prudent judgment in the management of assets to ensure safety of capital consistent with the fiduciary responsibility each institution has to the citizens of Georgia and that conforms with donor intent, Board of Regents’ policies and procedures, and applicable law.

Each institution is required to have a written investment policy statement on file with the USG chief fiscal officer. The policy should be reviewed and updated at least once every two years. The defined investment policy must contain, at a minimum, the following items:

1. Investment objectives;
2. Investment type;
3. Asset allocation;
4. Diversification, including interest rate risk, custodial credit risk, credit quality risk, concentration of credit risk, and foreign currency risk;
5. Spending policy;
6. Monitoring; and,
7. Utilization of investment manager.

Each USG institution shall submit an annual report on its investment performance for all investment outside of the Board of Regents' Pooled Investment Program to the USG chief fiscal officer that asserts that investments have been made in accordance with the institution's written investment policy.

7.5.2.2 Board of Regents' Pooled Investment Program

The USG serves as fiscal agent for various units of the USG and its affiliated organizations. The USG pools the monies of these units and affiliated organizations for investment purposes. The investment pool is not registered with the SEC as an investment company and does not issue shares. The fair value of the investments is determined daily. Each participant is allocated a pro rata share of each pooled investment fund balance at fair value along with a pro rata share of the pooled fund's investment returns.

The USG will maintain investment guidelines on file with the USG chief fiscal officer for each pooled investment fund that is offered to qualified University System participants. These guidelines are intended to foster sound and prudent responsibility that each institution has to the citizens of Georgia and which conforms to the Board of Regents' investment policy. All investments must be consistent with donor intent, Board of Regents' policies and procedures, and applicable laws. Units of the USG and their affiliated organizations may participate in the Pooled Investment Program. The overall character of the pooled fund portfolio should be one of above-average quality, possessing at most an average degree of investment risk.

Investments in the Board of Regents' Pooled Investment Program shall be undertaken in a manner that seeks to ensure the preservation of capital in each pooled investment fund in line with the investment objectives outlined in investment guidelines for each fund. This will be accomplished through mitigating interest rate risk, credit quality risk, custodial quality risk, concentration of credit risk, and foreign currency risk, as set forth below.

Interest Rate Risk: The USG will minimize interest rate risk by:

- Structuring the investment portfolio so that security maturities match cash requirements for ongoing operations, thereby avoiding the need to sell securities on the open market prior to maturity.
- Investing funds necessary for operating needs primarily in shorter-term securities, money market mutual funds, or similar investment pools and limiting individual security maturity as well as the average maturity of the portfolio.

Credit Quality Risk: The USG will minimize credit risk by:

- Limiting investments to the types of securities listed in the investment guidelines for each pooled investment fund.
- Pre-qualifying and conducting ongoing due diligence of the financial institutions, brokers, dealers,

intermediaries, and advisers with which the USG will do business in accordance with [Board Policy 7.5.1](#).

- Diversifying the investment portfolio so that the impact of potential losses from any one type of security or any one individual issuer will be minimized.

Custodial Credit Risk: The USG will minimize custodial credit risk by:

- Appointing a federally-regulated banking institution as custodian. The custodian must perform its duties to the standards of professional custodian and should be liable to the USG for claims, losses, liabilities, and expenses arising from its failure to exercise ordinary care, its willful misconduct, or its failure to otherwise act in accordance with the contract. The custodian shall annually provide a copy of his, her, or their most recent report on internal controls, i.e., Statement on Standards for Attestation Engagements No. 16 or equivalent report.
- All securities transactions should be settled on a delivery versus payment basis through an approved depository institution such as the Depository Trust Company or the Federal Reserve.
- Repurchase agreements should be collateralized by United States Treasury securities at 102 percent of the market value of the investment at all times.

Concentration of Credit Risk: The USG's investment guidelines should establish diversification of investments to reduce overall portfolio risk while maintaining market rates of return.

Foreign Currency Risk: Exposure to foreign currency credit risk should be limited to funds maintained in foreign accounts for the study abroad program.

Ethics and Conflicts of Interest: Officers and employees involved in the Board of Regents' Pooled Investment Program shall refrain from personal business activity that could conflict with the proper execution and management of the investment program or that could impair their ability to make impartial decisions. Employees and investment officials shall disclose any material interests in financial institutions with which they conduct business in accordance with applicable law, as well as any personal financial or investment positions that could be related to the performance of the investment portfolio. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the USG.

7.5.3 Loan Funds for Matching Purposes

USG institutions are authorized to administer student loan funds in accordance with federal, state, and private regulations or gift documents. USG institutions are authorized to use money in student loan funds of the respective institutions for the purpose of matching funds available under federal loan programs for loans to students when terms of the gift to the institution permit such use for matching purposes. USG institutions are not authorized to establish loan funds utilizing institutional resources.

7.5.4 Georgia Eminent Scholars Endowment Trust Fund

The Board of Regents shall serve as trustees of the Georgia Eminent Scholars Endowment Trust Fund, which shall, as provided by law (OCGA § 20-3-82), be a budget unit for the purpose of appropriation of state funds.

The funds appropriated to the Board of Regents under this program shall be used exclusively to endow academic chairs in an effort to attract eminent scholars to join the faculties of USG institutions. The criteria for persons selected to hold such chairs shall be established by the President of the institution concerned.

A total sum of not less than \$1,000,000 shall be required to endow a chair under this program. The respective foundations of the institutions concerned shall be required to contribute not more than 75 percent of such amount (\$750,000) and the fund shall contribute not less than 25 percent of such amount (\$250,000). No funds shall be granted to a foundation except upon the express written condition that the funds and the earnings therefrom shall be used to endow an academic chair as provided herein.

Approved grants may be made to foundations previously established to enhance the educational purposes of the USG institution concerned. The income from the grant funds and the foundation funds contributed shall be used to endow academic chairs that shall be known as the Eminent Scholars Chair.

The funds received by a foundation for this purpose, together with the funds contributed by the foundation, shall be managed and invested by the governing board of directors of the foundation of the institution concerned and kept separate from other funds of the foundation.

Funds raised by the respective foundations to qualify for the grants may come from more than one donor, but the gifts of not more than ten donors shall be aggregated to raise the minimum sum required (\$750,000). All donations must be accompanied by a statement from the donor acknowledging that the funds donated will be used to endow a chair authorized under this program. USG institutions having chairs endowed by the fund may petition the Board to add the name of the donor or benefactor to the name of the chair.

7.6 Travel

The Georgia Statewide Travel Policy, which is issued by the State Accounting Officer, applies to all state agencies, including units of the University System of Georgia (USG). The Board of Regents may develop and approve new travel regulations as permitted by the Statewide Travel Policy. Any such regulations will be published in Section 4.0, Travel, of the Business Procedures Manual.

7.7 Purchasing and Contracting Regulations

The University System of Georgia (USG) operates in a complex purchasing and contracting environment, which is governed by laws of the State of Georgia, policies of the Board of Regents, and regulations of the Georgia Department of Administrative Services (DOAS), Georgia Technology Authority (GTA), and Georgia Office of the State Treasurer (OST). Purchasing and contracting regulations will be published in Section 3.0, Purchasing and Contracts, of the Business Procedures Manual.

Except for the contracts for which authority is reserved by the Board or designated to the Chancellor by this Policy Manual, all contracts necessary for the daily operation of each USG institution and all contracts for goods and services not regulated by DOAS may be executed by the head of each institution or his or her designee.

7.7.1 General Policy

The USG and all of its institutions shall use DOAS for all purchases unless granted permission by DOAS to make purchases directly. USG institutions shall comply with the various statutes, rules, and regulations governing purchases with state-appropriated funds and purchases from funds to which the USG has title. All purchasing by USG institutions shall be centralized under the direct management and control of the chief business officer of the institution concerned.

7.7.2 Employee Purchasing

Absent a specific and approved exemption in state law or as approved by the Chancellor, USG employees shall not purchase goods or services for personal use through channels used in the purchase of goods and services for USG operations.

7.7.3 Construction Contracts

Unless otherwise provided by these policies, major construction contracts entered into by the Board of Regents require prior approval by the Board.

Construction contracts that involve expenditures of \$25,000 or more shall require certification by the contractor that a drug-free workplace is provided to the contractor's and subcontractor's employees in accordance with laws of the State of Georgia. All such construction contracts shall contain a certification that the contractor will not engage in the unlawful manufacture, sale, distribution, dispensation,

possession, or use of a controlled substance or marijuana during the performance of the contract.

7.7.4 Contracts with Veterans Administration

The Chancellor or USG institution presidents shall negotiate, execute, and sign in the name of the Regents, all contracts between USG institutions and the Veterans Administration or other agencies of the United States Government with respect to education and training, vocational rehabilitation, advisement, and guidance of veterans and otherwise under the provisions of Public Laws 16 and 346, 78th Congress, as amended, and subsequent laws passed by the Congress providing for education and training of veterans.

The USG institution covered by such contracts shall submit to the Veterans Administration or other agencies of the United States Government vouchers for services rendered under the provisions of the contract in the name of the institution concerned. Such vouchers will be certified by an official of the institution. Checks drawn on the Treasury of the United States of America in payment of such services shall be made payable to the institution concerned and mailed directly to the institution.

7.7.5 Background Checks of Supplier and Contractor Employees

7.7.5.1 Background Check Requirements for Selected Suppliers

Each USG institution shall review services provided by its suppliers and assess the risk when the services require regular interaction with students, employees, monies, sensitive or confidential data, or regular access to secured facilities containing critical institutional-level infrastructure. When an institution determines that background checks of suppliers' employees should be required, the institution must seek appropriate contractual protections, including requiring that the supplier obtain appropriate background checks for all such supplier employees and defend, indemnify, and hold harmless the Board of Regents of the University System of Georgia for failing to do so. Suppliers shall be fully responsible for implementing and enforcing all appropriate background check requirements. Additionally, suppliers maintain full responsibility for the actions of their employees and contractual provisions shall provide that suppliers shall defend, indemnify, and hold harmless the Board of Regents of the University System of Georgia for the actions of the suppliers' employees.

7.7.5.2 Background Check Requirements for

Construction Contractors and Subcontractors

If required pursuant to law or regulation, as determined by the construction contractor, construction contractors whose employees or whose subcontractors' employees provide on-site construction services to a USG institution shall conduct background checks of their employees and subcontractors' employees.

USG institutions shall not require that the construction contractor perform additional background checks. However, on a specific project basis upon written request by a USG institution, or on his or her own initiative, the University System of Georgia chief operating officer or his or her designee may require background checks of contractors' and subcontractors' employees for a specific project and may disqualify certain individuals from working on-site for the specific project. In such instances, the chief operating officer or his or her designee shall provide the construction contractor with specifications on what background checks are required and what the disqualification criteria will be.

USG institutions must seek appropriate contractual protections from the contractor, including requiring that the construction contractor conducts and takes appropriate action on any required background checks and defends, indemnifies, and holds harmless the Board of Regents of the University System of Georgia for any failure of the construction contractor to do so and for the actions of the construction contractors' employees and subcontractors' employees consistent with the current terms of the USG construction contract.

7.8.1 Property Insurance

All USG institutions shall participate in the self-insured State Insurance Plan, a section within the Fiscal Division of the Department of Administrative Services, to the fullest extent possible. For lines of insurance not available under the self-insured plan, USG institutions shall purchase additional coverages only when authorization to do so has been secured in advance from the State Insurance Plan.

7.8.2 Liability Insurance

7.8.2.1 Automotive

Vehicles titled to the Board of Regents or vehicles on long-term lease arrangements and the drivers of those vehicles shall be insured by the State Insurance Plan.

7.8.2.2 Professional Liability

The Board of Regents shall establish or participate in a program of self-insurance whereby employees of the Board, as defined by the self-insurance plan adopted by the Board, are insured against losses incurred

in and arising out of, or in the course of, their employment. USG institutions shall bear the cost of the program as determined by the Board.

7.8.2.3 Cyber Insurance

The Board of Regents shall establish or participate in a program of cyber insurance administered by the University System Office (USO) whereby the USO, all USG institutions, the Georgia Public Library Service, and the Georgia Archives are insured against financial loss sustained from not less than cybercrime, privacy and security liability, regulatory liability, payment card industry liability, multimedia liability, business income loss, digital asset restoration, investigation costs and crisis management expenses.

7.8.3 Fidelity Bond

A blanket position fidelity bond shall cover all employees in an amount which shall be determined from time to time by the Board of Regents. This bond shall be purchased through the State Insurance Program with the cost distributed to the various USG institutions. This coverage shall indemnify the Board of Regents from any loss it suffers from all acts of its employees that can be described as anything other than the full and faithful performance of the employee's duty to the employer.

7.9 Auditing

Regulations on auditing shall be published and distributed periodically to the various operating units by the University System Office.

7.9.1 State Audits

The University System Office may request that the State Auditor perform financial statement audits or other attestation engagements at the University System Office or select USG institutions. The President of each USG institution and the USG chief fiscal officer shall make available all information to the State Auditing Department so that such engagements may be performed.

The foregoing shall not apply to separate corporate entities that are organized to provide support services to the institution.

7.9.2 Internal Audits

The Board of Regents shall establish and support an internal audit function to assist the Board, the Chancellor, and institution presidents in the effective discharge of their responsibilities. The internal audit

function shall be governed by an audit charter approved by the Board, which shall describe the purpose of an internal audit, reporting requirements, responsibility, authority, and scope of work. Responsibility for approving an annual audit plan; reviewing audit results, reports, and recommendations; and approving the Chancellor's appointment and termination of the USG chief audit officer shall be assigned to the Board of Regents' Committee on Internal Audit, Risk, and Compliance.

Internal audit leads at USG institutions shall have a direct reporting relationship to the President of that institution and the USG chief audit officer. The President of each institution that has an internal auditor shall determine the organizational and operating reporting relationships of the internal auditors at the institution and exercise oversight of institutional risk management as defined in Board Policy. The USG chief audit officer may direct the internal auditors to audit specific functions at their institutions as needed to address system-wide issues or directives. The President of each institution having an internal auditor shall coordinate with the USG chief audit officer on significant personnel actions involving the institutional internal auditor, to including appointment, performance evaluations, and termination. The President may also consult with the Committee on Internal Audit, Risk, and Compliance as to proposed personnel actions involving the institutional internal auditor.

The internal audit lead of each USG institution shall meet at least annually with the USG chief audit officer to discuss audits, audit findings, audit department independence, and a proposed audit schedule.

The USG chief audit officer shall provide a system-wide annual report to the Board of Regents' Committee on Internal Audit, Risk, and Compliance.

7.10 Board of Regents' Retiree Health Benefit Fund

7.10.1 Investment Policy

The Board of Regents' Retiree Health Benefit Fund ("the Benefit Fund") is established by Georgia state law to provide a steady stream of support for the mission of the Benefit Fund. Its assets are to be invested in a prudent manner that seeks to ensure that the Benefit Fund assets grow to support the spending requirements of the Benefit Fund. This policy provides a set of guidelines that govern the investment of these assets.

The minimum funding requirements of OCGA § 47-20-10 shall not apply to prefunding, in whole or in part, of anticipated future costs of providing other post-employment benefits as defined by Governmental Accounting Standards Board Statements for retired employees of a political subdivision, including those presently retired and those anticipated to retire in the future, as provided in OCGA § 47-20-10.1.

7.10.1.1 General Investment Objectives

Investments shall be made for the sole benefit of the Board of Regents' Retiree Health Insurance Benefit Fund. The portfolio should be guided by the following objectives:

1. The assets must be invested with the skill, care, and diligence that a prudent investor would use in a similar capacity.
2. The Benefit Fund should seek to earn the projected spending rate plus inflation over a full market cycle.
3. The Benefit Fund should seek to outperform relevant market indices over a full market cycle.

7.10.1.2 Responsibilities

The Board of Regents has oversight regarding all trust fund decisions and has delegated the oversight role to the Board Committee on Finance and Business Operations, which has the responsibility to ensure that the Benefit Fund assets are managed:

1. For the exclusive benefit of the Benefit Fund;
2. Prudently and in compliance with applicable laws and regulation; and,
3. Effectively so that the assets will increase over time, on an inflation adopted basis.

Responsibilities include:

1. Developing investment goals, objectives, and performance measurement standards that are consistent with the needs of the Benefit Fund;
2. Determining how the Benefit Fund assets should be allocated among asset classes; and,
3. Communicating the investment goals, objectives, and standards to the professional money managers, as noted below, including any material changes that may subsequently occur.

The Committee, with the consent of the Board, has the power to appoint professional money managers to execute the Benefit Fund's investment strategy. The Committee will also review and evaluate the results of the professional money managers in the context of mutually accepted standards of performance.

7.10.1.3 Monitoring of Objectives

The Benefit Fund shall be monitored for adherence to investment philosophy, returns relative to objectives, and investment risk as measured by asset concentration, exposure to extreme economic conditions, and volatility. The Committee will conduct periodic reviews of the professional money manager in order to confirm that the factors underlying the performance expectations remain in place. The Committee shall meet with the professional money managers at least semi-annually.

7.10.1.4 Short-term Investment Portfolio

The Benefit Fund's short-term portfolio should seek to provide preservation and enhancement of capital. The Benefit Fund will need liquidity and income annually and, therefore, will only accept minimal short-term volatility in those assets providing income. However, a portion of short-term assets may be invested for the longer term and volatility in these asset categories is to be expected and managed.

The short-term investment objective is to consistently outperform selected weighted market indices and is expected to rank at or above the median when compared to a universe of its peers managing similar portfolios and following a similar investment style such as the Georgia One Fund or the Georgia Extended Asset Pool.

The long-term investment objective for the Fund's short-term portfolio is to achieve an average annual total rate of return in excess of the inflation rate (as measured by the Consumer Price Index) plus one percent for the aggregate investments under this investment policy evaluated over rolling three- to five-year periods, net of investment management and advisory fees. This is based on targeting allocations in fixed income assets and cash equivalents to meet the current period plan obligations, as outlined in the investment statement. A secondary objective to be considered is diversification and risk management. A third objective is to invest principally in liquid and marketable instruments consistent with anticipated cash requirements.

7.10.1.5 Long-term Investment Portfolio

The Benefit Fund's long-term investment portfolio should seek to provide annual income growing in line with inflation with the secondary investment objective to seek growth of principal over time. The Benefit Fund will need liquidity and income annually and, therefore, will only accept minimal short-term volatility in those assets providing income. However, the majority of assets are to be invested for the long-term and some volatility in these asset categories is to be expected and managed.

The long-term investment objective for the Benefit Fund's long-term portfolio is to achieve an average annual total rate of return in excess of the inflation rate (as measured by the Consumer Price Index) plus five percent for the aggregate investments under this Investment Policy Statement evaluated over rolling three- to five-year periods. This return, which is to be net of investment management and advisory fees, is based on targeting allocations in equities, fixed income, and other assets and cash equivalents, as outlined in the investment statement.

The short-term investment objective is to consistently outperform selected weighted market indices. The overall short-term objective is the preservation and enhancement of capital. A secondary objective to be considered is diversification and risk management. A third objective is to invest principally in liquid and marketable instruments.

7.10.2 Other Post-Employment

Benefits Funding Policy

The Board of Regents establishes this Funding Policy to state the intent for accumulation of reserve funding for the Other Post-Employment Benefits (OPEB) liability of the Board of Regents' Health Benefit Plan and to help ensure the systematic funding of future benefit payments for members of the Board of Regents' Health Benefit Plan. The plan's OPEB liability (the actuarially calculated liability for retiree benefits) is a significant liability that will increase absent control strategies such as advance funding. Therefore, the Funding Policy outlined herein shall be implemented and remain unchanged unless changed by subsequent Board action.

7.10.2.1 General Fund Objectives

The general objectives for the Benefit Fund (OPEB Trust Fund) are as follows:

1. To achieve long-term funding of the cost of benefits provided by the Board of Regents' Health Benefit Plan;
2. To seek reasonable and equitable allocation of the cost of benefits over time;
3. To minimize volatility of employer contributions to the extent reasonably possible, consistent with other policy goals; and,
4. To maintain a policy that is both transparent and accountable to the stakeholders of the Board of Regents' Health Benefit Plan.

7.10.2.2 Sources of Funding

Organizational units of the University System of Georgia pay the employer portion for group insurance for eligible retirees. The employer portion of the health insurance for its eligible retirees and retiree premium rate is based on the rates that are established annually by the Board of Regents for the upcoming plan year. With regard to life insurance, the employer covers the total costs for \$25,000 basic life insurance.

Assets are to accumulate under the guidelines described in the Reserve Funding Levels and OPEB Trust Fund Allocation Section so that investment income can be earned on assets not needed to pay current year retiree health benefit payments.

7.10.2.3 Reserve Funding Levels and OPEB Trust Fund Allocation

Any reserve funds in the Board of Regents' Health Benefit Plan remaining after allowing for the plan's Incurred But Not Reported (IBNR) liability plus 20 percent of plan benefit claims expense shall be transferred to the Benefit Fund (OPEB Trust Fund) annually upon completion of the financial audit.

Additional one-time contributions may be made on a discretionary basis in connection with derisking and other objectives upon approval of the Board of Regents.

7.10.2.4 Monitoring of Objectives

On an annual basis, the University System Office of Fiscal Affairs shall report to the Board of Regents the amounts accumulated in the Benefit Fund (OPEB Trust Fund). The policy should be periodically reviewed in conjunction with the most recent version of the Report of the Actuary on the Retiree Medical Valuations that has been submitted to the Board of Regents and any revisions to governmental accounting standards or statutory changes.

7.11 Risk Management

Proper management of risk is a core leadership function that must be practiced throughout the University System of Georgia (USG). Enterprise Risk Management (ERM) is a process-driven tool that enables management to visualize, assess, and manage major risks that may adversely impact the attainment of key organization objectives. The University System Office and USG institution presidents are responsible for identifying, assessing, and managing risks using the ERM process. The Chancellor shall designate an individual with overall responsibility for the USG risk management program.

7.11.1 Definition of Risk

“Risk” refers to the probability of an event and potential consequences to an organization associated with that event’s occurrence. Risk is inherent to any activity and it is neither possible nor advantageous to entirely eliminate risk from an activity without ceasing that activity.

Risks are defined broadly, are not limited to traditional risks, but also include:

- 1 Strategic Risks, which affect the ability to carry out goals and objectives as articulated in the USG Strategic Plan and institution strategic plans;
2. Compliance Risks, which affect compliance with laws and regulations and student, faculty, and staff safety, environmental issues, litigation, conflicts of interest, and related matters;
3. Reputational Risks, which affect reputation, public perception, political issues, and related matters;
4. Financial Risks, which affect loss of or ability to acquire assets, technology, and related matters; and,
5. Operational Risks, which affect on-going management processes and procedures.

7.11.2 Management of Risk

Management of risk within the USG is fundamentally a leadership responsibility. The Board of Regents and

the Chancellor will define the USG's ability (risk tolerance) and willingness (risk appetite) to absorb the impact of certain risks. The Chancellor, through senior staff and institutional presidents, shall ensure that USG risks are effectively managed; each institution president performs a similar role within his or her institution.

Certain institutional risks rise to a level such that the institution President shall make the Chancellor and the appropriate System Office department aware of the risk. Acceptance of those risks are at the discretion of the Board and the Chancellor. Risks rising to this level includes those where the combination of an event's probability and the potential consequences is likely to:

1. Impair the achievement of a USG strategic goal or objective;
2. Result in substantial financial costs either in excess of the impacted institution's ability to pay or in an amount that may jeopardize the institution's core mission;
3. Create significant damage to an institution's reputation or damage to the USG's reputation; or,
4. Require intervention in institutional or USG operations by the Board of Regents or an external body.

Some level of risk is not only expected in normal everyday activities but can be beneficial. However, acceptance of risk shall not include:

1. Willful exposure of students, employees, or others to unsafe environments or activities;
2. Intentional violation of federal, state, or local laws;
3. Willful violation of contractual obligations; or,
4. Unethical behavior.

7.11.3 Institution Implementation of Risk Management Procedures

An institution-wide approach to risk management shall be adopted by all USG institutions and embedded into the institution's management systems and processes. All risk management efforts shall be focused on supporting the institution's objectives. Each institution President shall develop a campus risk management framework and associated procedures that include:

1. Formal and ongoing identification of risks that impact the institution's goals;
2. Development of risk management plans;
3. Monitoring the progress of managing risks;
4. Periodic updates of risk management plans; and,
5. Reporting of risks so that significant risks are reported to the Chancellor and appropriate System Office Department.

Each USG institution President shall designate in writing a Risk Management Policy coordinator to assist

campus administrators in maintaining the campus risk management framework and procedures. The Risk Management Policy coordinator shall have sufficient authority to ensure high-level management of the institution's risk management efforts.

At the System level, the Chancellor shall designate an employee or employees to oversee implementation of the Risk Management Policy across the USG and assist University System Office administrators in maintaining the USO risk management framework and procedures. The Committee on Internal Audit, Risk and Compliance shall provide oversight to implementation of the Risk Management Policy and review major risks on behalf of the Board of Regents.

Institution risk management framework and procedures shall be reviewed annually. Periodic reviews for compliance with the system wide guidelines shall also be conducted by internal audit or a similar accountability function. Additional procedures for risk management policy reporting and implementation shall be established in a System-level procedures manual.

7.12 Compliance

The University System of Georgia (USG) shall comply with applicable laws, rules, and regulations and encourage ethical conduct as detailed in the USG Ethics Policy. The Chancellor shall designate an individual with overall responsibility for the USG compliance and ethics program.

An institution-wide approach to compliance shall be adopted by all USG institutions and compliance processes shall be embedded into the institution's management systems. An institution's compliance program shall incorporate best practices as outlined by the federal guidelines for an effective Ethics & Compliance Program. Implementation of each institution's compliance program shall be in accordance with the procedures outlined by the University System Office.

7.13 Designation of USG as a Hybrid Entity Under HIPAA

The Board of Regents of the University System of Georgia (USG) engages in covered functions as defined by the Health Insurance Portability and Accountability Act of 1996, including the subsequent amendment under the Health Information Technology for Economic and Clinical Health of 2009 and any regulations promulgated under those laws, (HIPAA) and is a covered entity. Because some portions of USG are not engaged in covered functions, USG designates itself as a Hybrid Entity as defined by the HIPAA regulations.

Any portion of USG engaged in a covered function or performing business associate activities for another component of USG engaged in a covered function, as those terms are defined by HIPAA, is hereby deemed

part of the Health Care Component (HCC) of the USG Hybrid Entity. The University System Office (USO) and each USG Institution will be responsible for identifying the components, business units, colleges, or schools that are part of the HCC.

8.1.1 Faculty Members

The faculty shall consist of the corps of instruction and the administrative officers as defined in [Section 3.0 of this Policy Manual](#).

8.1.2 Classified Personnel

Classified employees shall consist of professional and administrative personnel and staff as defined in the Board's of Regents' [Human Resources Administrative Practice Manual](#).

8.2.1 Equal Employment Opportunity

Equal opportunity and decisions based on merit are fundamental values of the University System of Georgia (USG). The Board of Regents prohibits discrimination on the basis of an individual's age, color, disability, genetic information, national origin, race, religion, sex, or veteran status ("protected status"). No individual shall be excluded from participation in, denied the benefits of, or otherwise subjected to unlawful discrimination, harassment, or retaliation under, any USG program or activity because of the individual's protected status; nor shall any individual be given preferential treatment because of the individual's protected status, except that preferential treatment may be given on the basis of veteran status when appropriate under federal or state law.

All employment processes and decisions, including but not limited to hiring, promotion, and tenure, shall be free of ideological tests, affirmations, and oaths, including diversity statements. The basis and determining factor for all such decisions should be that the individual possesses the requisite knowledge, skills, and abilities associated with the role, and is believed to have the ability to successfully perform the essential functions, responsibilities, and duties associated with the position for which the individual is being considered. At the core of any such decision is ensuring the institution's ability to achieve its mission and strategic priorities in support of student success.

8.2.2 Age Criteria

Employment of all persons under the age of 18 years shall comply with United States Department of Labor regulations and applicable law.

8.2.3 Employment of Relatives

For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the foregoing (BoR Minutes, February 14, 1973, p. 312).

The basic criteria for the appointment and promotion of USG employees shall be appropriate qualifications and performance as set forth in the policies of the Board of Regents. Relationship by a family or marriage shall constitute neither an advantage nor a disadvantage.

No individual shall be employed in a department or unit that will result in the existence of a subordinate-superior relationship between such individual and any relative of such individual through any line of authority. As used herein, "line of authority" shall mean authority extending vertically through one or more organizational levels of supervision or management (BoR Minutes, 1989-90, p. 250).

This standard does not apply to the temporary or part-time employment of children under age 25, nor to any individual employed as of February 14, 1990, at any institution where a relative of such individual then holds a superior position at least one level of supervision removed from such individual in any line of authority. Exceptions may be approved by the Board of Regents upon recommendation of the Chancellor as being clearly in the best interest of the institution and the USG.

8.2.4 Employment of Foreign Nationals

The employment and payment of nonresident foreign nationals shall be in compliance with all applicable laws and relevant visa restrictions.

8.2.5 Employee Orientation and Training

Each new employee shall read and become familiar with the contents of the policies and procedures of the Board of Regents, the University System of Georgia (USG), and the employee's institution that are applicable to the employee.

All mandatory training required by an institution must be approved by the institution's Chief Human Resources Officer (CHRO) and the institution's President. No institution training may include ideological tests, affirmations, or oaths, including diversity statements. Mandatory employee training should be limited to that which complies with Board of Regents policy and federal and state laws and regulations. Individual

units and departments within an institution are not permitted to mandate training for department employees beyond that approved by the institution's CHRO and President.

8.2.6 Holidays

Each USG institution shall establish official paid holidays each calendar year for employees at the institution. The number of paid holidays shall equal the number of paid holidays allowed for State of Georgia employees under state law. These holidays shall be awarded in addition to earned vacation time and shall be observed in accordance with the rules and regulations set forth by the Board of Regents, the USG, and the institution. A terminating employee shall not be paid for any official holidays occurring after the last working day of employment.

8.2.7 Leave

8.2.7.1 Vacation/Annual Leave

Regular Employee

A regular employee, as defined in the [Human Resources Administrative Practice Manual](#), who works one-half time or more shall earn paid vacation/annual leave. A full-time regular employee shall be entitled to vacation/annual leave earned at the rate of:

1. One and one-fourth working days per month (10 hours) for each of the first five years of continuous employment;
2. One and one-half working days per month (12 hours) for each of the next five years of continuous employment; and,
3. One and three-fourths working days per month (14 hours) for each year after the completion of ten years of continuous employment.

The accrual rate of vacation/annual leave for an hourly employee will be based upon his/her standard work commitment. The use of approved vacation/annual leave shall be recorded on institutional leave records.

A regular employee who works one-half time or more but less than full-time shall accrue vacation/annual leave prorated on the basis of full-time employment. An employee who is employed less than one-half time shall not be eligible to accrue vacation/annual leave.

Temporary Employee

A temporary employee, as defined in the [Human Resources Administrative Practice Manual](#), is not eligible to accrue vacation/annual leave.

Faculty and Administrative Officers

A member of the faculty and an administrative officer are defined in Sections 3.2.1, 3.2.2, and 3.3.3 of this Policy Manual.

A full-time faculty member employed on a 12-month or fiscal year basis shall be entitled to vacation/annual leave earned at the rate of one and three-fourths working days (14 hours) per month. All working days during the fiscal year shall be counted. Absences during academic calendar breaks shall be recorded as vacation. All vacation days shall be recorded on institutional leave records.

A full-time administrative officer employed on a 12-month or fiscal year basis shall be entitled to vacation/annual leave earned at the rate of one and three-fourths working days (14 hours) per month. The use of approved vacation/annual leave shall be recorded on institutional leave records.

The accrual rate of vacation/annual leave for a faculty member or for an administrative officer will be based upon his/her contractual work commitment.

A faculty member who changes from a fiscal year contract to an academic year contract shall be paid his/her unused, accrued vacation/annual leave subject to the 45-day (360-hour) maximum payment restriction upon termination of the fiscal year contract.

A faculty member employed on an academic year (9- to 10-month) basis does not earn vacation/annual leave. An academic year contracted faculty member who teaches during Maymester and/or summer semester will not be eligible to accrue vacation/annual leave for such service.

Vacation/annual leave shall be accrued based on the initial employment date of an employee. A new hire must be employed on or before the fifteenth of a month to qualify for accrual of vacation/annual leave for that month.

Vacation/annual leave shall be taken at times mutually acceptable to the employee and his/her supervisor; provided, however, that a University System institution may, on not more than five days, require the use of vacation/annual leave during periods in which all or substantially all of the institution's facilities are closed because classes are not offered.

On December 31 of each calendar year, each employee's leave record shall be adjusted to reflect no more than 45 days (360 hours) of accrued vacation/annual leave.

All unused, accrued vacation/annual leave, not to exceed 45 days (360 hours), shall be paid to an employee upon his/her termination from employment. An employee who terminates on or after the fifteenth of a month shall accrue vacation/annual leave for that month.

Upon a move between USG institutions with no break in service, an employee must transfer all accrued vacation/annual leave up to 20 days (160 hours). For employees with accrued vacation/annual leave of greater than 20 days (160 hours), an employee may elect one of the following options:

1. Transfer of the total accrued vacation balance, not to exceed 45 days (360 hours); or,

2. Payment by the institution from which the employee is moving of accrued vacation leave in excess of 20 days (160 hours). The total accrued vacation leave for which the employee may be paid shall not exceed 25 days (200 hours).

(BoR Minutes, November 2002, BoR Minutes, October 2009)

8.2.7.2 Sick Leave with Pay

For all regular full-time USG employees as defined in Section 8.1 of the Policy Manual, sick leave shall be accumulated at the rate of one working day per calendar month of service.

Regular part-time employees working one-half time or more will accumulate sick leave in an equivalent ratio to their percentage of time employed. Sick leave for employees shall be cumulative.

Sick leave may be granted at the discretion of the institution and upon approval by the supervisor for an employee's absence for any of the following reasons:

1. Illness or injury of the employee
2. Medical and dental treatment or consultation
3. Quarantine due to a contagious illness in the employee's household
4. Illness, injury, or death in the employee's immediate family requiring the employee's presence

If sick leave is claimed for a continuous period in excess of one week, a physician's statement is required to permit further claim of sick leave rights by the employee-patient.

A terminating employee shall not accumulate sick leave or be entitled to receive sick pay after the last working day of his/her or her employment.

Upon the movement of an employee among USG institutions, accumulated sick leave will be transferred if there is no actual break in service. (BoR Minutes, 1991-92, pp. 354-355)

8.2.7.3 Sick Leave without Pay

Any employee unable to return to work after exhausting all accumulated sick leave and accrued vacation leave may be granted sick leave without pay for a period not to exceed one (1) year. Furthermore, such approved sick leave shall allow the employee the right to elect to continue his or her group insurance benefits, and the institution will continue its share of the cost for such period. All other benefits are prohibited which otherwise would accrue to the employee.

8.2.7.4 Educational and Professional Leave

Leaves of absence of one year or less with or without pay may be granted by the institution's president and reported to the Chancellor. Extensions of such leaves, or the initial granting of leaves of more than one

year, require the approval of the Chancellor or his/her designee.

In considering a request for leave with pay, the president should bear in mind that it is the policy of the Board that such leave shall be granted only for the purposes of promoting scholarly work and encouraging professional development. The president should examine carefully the program or project on which the employee proposes to work, and he/she should also consider the likelihood of the employee's being able to accomplish the purposes for which leave is requested. It is expected that scholarly and professional leaves shall be granted without pay where the leave is supported by an external grant or stipend.

In considering a request for a leave, the president should take into consideration the effect that the granting of the leave will have on the institution or on the department of which the employee is a member. If the employee's work cannot be handled by other employees and if funds are not available for the employment of a substitute, the president will be justified in refusing to recommend that the leave be granted or in deferring action upon the request for a leave.

The president ordinarily should not approve a request for a leave with pay if the applicant for leave has been employed at an institution for the period of fewer than three (3) years. The USG chief academic officer will promulgate guidelines regarding educational and professional leave. (BoR Minutes, February 2007)

Any employee who has been granted a leave of absence with pay shall be required, before beginning the leave, to sign an agreement indicating that:

1. For a leave with pay of less than one year, the employee will return to the institution at the termination of the leave for a period of at least one (1) year;
2. For a one-year leave with pay, the employee will return to the institution at the termination of the leave for a period of at least two (2) years; and that,
3. If the employee does not return to the institution for the full amount of time specified in the agreement, the employee will reimburse the institution for the amount of compensation received while on leave, as well as any other expenses paid by the USG during the leave, including all benefit costs. (BoR Minutes, February 2007)

A faculty or staff member who returns from an authorized leave which enhances professional study and development shall be entitled to a salary which will include, as a minimum, the mandated across-the-board salary raises which occurred during the period of leave. (BoR Minutes, 1980-81, p. 191)

No leaves of absence will be granted to USG retirees and who are drawing retirement benefits from the Teachers' Retirement System of Georgia or from the USG. Approved leave shall allow employees the right to elect to continue group insurance benefits with institutional participation. (BoR Minutes, 1949-50, pp. 452-53; 1990-91, pp. 298-299; February, 2007)

8.2.7.5 Military Leave with Pay

Ordered Military Duty

For the purpose of this policy, ordered military duty shall mean any military duty performed in the service of the State or the United States, including, but not limited to, service schools conducted by the armed forces of the United States. Such duty shall be deemed “ordered military duty” regardless of whether the orders are issued with the consent of the employee. (BoR Minutes, 1990-91, p. 173)

Leave of Absence

An employee who receives orders for active military duty shall be entitled to absent himself or herself from his or her duties and shall be deemed to have a leave of absence with pay for the period of such ordered military duty, and while going to and returning from such duty, not to exceed a total of eighteen (18) workdays in any one federal fiscal year (October 1 - September 30) as authorized by Georgia Law O.C.G.A. § 38-2-279[e]. At the expiration of the maximum paid leave time, continued absence by the employee shall be considered as military leave without pay. The employee shall be required to submit a copy of his or her orders to active military duty. (BoR Minutes 1990-91, pp. 173-174)

Emergency Leave of Absence

Notwithstanding the foregoing leave limitation of eighteen (18) days, in the event the Governor declares an emergency and orders an employee to State active duty as a member of the National Guard, such employee while performing such duty shall be paid his or her salary or other compensation as an employee for a period not exceeding 30 days in any one federal fiscal year.

Military Differential Pay

Institutions of the University System of Georgia may pay an employee Military Differential for absence while engaged in the performance of ordered military duty and while going to and returning from such duty, after expiration of the payment period provided for in the paragraphs above. Military Differential Pay is equal to the amount by which an employee’s projected state base pay for a covered pay period exceeds the employee’s actual military pay and allowances as applicable to that pay period. Military Differential Pay programs must be applied consistently to all eligible employees within the Institution, not to exceed a total of twelve months in any one federal fiscal year (October 1 - September 30). At the expiration of the maximum Military Differential Pay, continued absence by the employee shall be considered as military leave without pay unless annual leave is allowed. Funding for Military Differential Pay is based on existing institution budgets. (BoR minutes, May 2015)

Payment of Annual Leave

After an employee has exhausted his/her paid military leave, an institution may pay the employee for his/her accumulated annual leave. (BoR Minutes, 1990-91, p. 174)

8.2.7.6 Family and Medical Leave

In accordance with the federal Family and Medical Leave Act (FMLA) of 1993, to be eligible for FMLA leave, the employee must have worked for the USG:

1. For at least twelve (12) months total; and,
2. For at least 1, 250 hours during the 12-month period immediately preceding the commencement of such leave.

(BoR Minutes, August 2004)

The FMLA entitles an employee to up to twelve (12) work weeks of leave for one of the following conditions:

1. Birth and care of a newborn child of the employee;
2. Legal placement of a child with the employee for adoption or foster care;
3. Care of an immediate family member (defined as the employee's spouse, child, or parent) with a serious health condition; or,
4. A serious health condition of the employee himself/herself, which renders the employee unable to perform the duties of his/her job.

Section 585 of the National Defense Authorization Act (NDAA) amends FMLA to permit certain relatives of military personnel to take up to twenty-six (26) work weeks of leave to care for a member of the Armed Forces in various situations. NDAA also permits an employee to take FMLA leave for a qualifying exigency arising out of the fact that an immediate family member, as defined by the FMLA, is on active duty in support of a contingency operation.

8.2.7.7 Other Leave

Education Support Leave

To supplement work-life balance options for University System of Georgia (USG) employees, each full-time, non-temporary employee of the USG shall be eligible for up to eight (8) hours of paid leave per calendar year for the purpose of promoting education in this state as authorized by O.C.G.A. § 45-20-32. Only activities directly related to student achievement and academic support will qualify for education support leave. Education support leave is not charged against any other leave. Education support leave does not accumulate or rollover and is not paid-out upon change of employment status. (BoR Minutes, May 2015)

Unpaid Leave - Fair Labor Standards Act (FLSA) Exempt Employee

When an exempt employee is absent from work for less than one (1) scheduled workday and their accumulated leave is insufficient to cover the partial day of absence, the employer will:

1. Deduct the cost for such leave from an exempt employee's salary; or,
2. Place the exempt employee on leave without pay.

Such action by the employer will not disqualify the exempt status of the employee's position (29 CFR § 541.710 Employees of public agencies).

Court Duty

Court duty leave with pay shall be granted to regular employees for the purpose of serving on a jury or as a witness. Such leave shall be granted upon presentation of official orders from the appropriate court.

Voting Leave

USG will provide voting leave to employees as provided by Georgia law.

Military Physical Examination

Any regular employee required by Federal law to take a military physical examination shall be paid for any time lost to take such an examination.

Personal Leave

At the discretion of the president of an institution personal leave of absence without pay for periods not to exceed one (1) year may be approved when such leave is deemed in the best interest of the institution. Such approved personal leave shall allow the employee the right to elect to continue group insurance benefits. The employee must pay the full cost for any coverage continued under this provision.

Organ and Bone Marrow Donation Leave

As authorized by O.C.G.A. § 45-20-31, each University System of Georgia (USG) employee who serves as an organ donor for the purpose of transplantation shall receive a leave of absence, with pay, of thirty (30) calendar days; and

Each employee who serves as a bone marrow donor for the purpose of transplantation shall receive a leave of absence, with pay, of seven (7) calendar days.

Leave taken under this provision shall not be charged against or deducted from an employee's accrued annual or sick leave. Such leave shall be included as service in computing any retirement or pension benefits. This provision shall apply only to an employee who actually donates an organ or marrow and who presents to the appropriate supervisor a statement from a licensed medical practitioner or hospital administrator that the employee is making an organ or marrow donation. (BoR Minutes, August 2002). Organ and Bone Marrow Donation Leave may qualify as a serious health condition under the Family and Medical Leave Act (FMLA). If FMLA applies to the absence, the leave must run concurrently with FMLA.

Blood or Blood Platelet Donation Leave

As authorized by O.C.G.A. § 45-20-30, USG employees are eligible to request the following:

1. Up to two (2) hours of paid leave for the purpose of donating blood up to four (4) times each calendar year, or
2. Up to four (4) hours of leave for the purpose of donating blood platelets or granulocytes through the plasmapheresis process up to four (4) times each calendar year.

An employee who does not use the entire time allowed at the time of each donation does not accrue any right to any subsequent paid or unpaid leave.

Inclement Weather or Emergency

In the event of inclement weather or any emergency that requires leaves of absence of employees, the president of a USG institution may declare leave with or without pay. (BoR Minutes, 1992-93, p. 135)

8.2.7.8 Acceptance of Leave from a State of Georgia Agency by the USG

The USG shall accept up to a maximum of ninety-six (96) hours of sick leave from a benefited employee who moves from a State of Georgia agency to the USG. For a USG unit to accept sick leave, the employee must have no more than a 30-calendar-day break in service. Written verification of the employee's sick leave balance must be provided to the USG by the terminating State of Georgia agency.

Annual leave will not be accepted for a benefited employee who moves from a State of Georgia agency to the USG. (BoR Minutes, June 2005)

8.2.8 Retirement and Post Retirement

8.2.8.1 Retirement Systems

In accordance with state law, the Board of Regents provides for the retirement of all eligible employees through the Teachers Retirement System of Georgia (TRS), the Employees' Retirement System of Georgia (ERS), or the Regents' Retirement Plan (which is also referred to as the Optional Retirement Plan of the University System of Georgia) (ORP). Only FLSA-exempt USG employees are eligible to enroll in ORP. The only USG employees eligible for ERS are those who have vested in ERS prior to being hired by the USG and who elect, upon hire by the USG, to remain in ERS. Eligibility for TRS, ORP, and ERS are governed by those agencies and applicable state law.

8.2.8.2 Definition of a USG Retiree and Eligibility for Health Benefits Upon Retirement

Upon meeting one of the above conditions, an employee will be eligible for USG retiree benefits upon retirement. An employee must be enrolled in the benefits coverage at the time of retirement or disability to be eligible to continue coverage in retirement. The Board of Regents' contributions to the retiree healthcare coverage will be established each year by the Board.

Effective November 1, 2002, to be eligible for retirement with benefits from the USG, an employee must

meet one of the following four conditions at the time of his or her separation from employment, regardless of the retirement plan elected by the employee:

1. An employee must have been employed by the USG for the last ten years in a regular, benefited position and have attained age 60;
2. An employee must have at least 25 total years of benefited service established with a State of Georgia sponsored retirement plan, of which the last five years of employment must have been continuous and with the USG. An early pension benefit penalty will apply to an individual who elects to participate in TRS or ERS if he or she decides to retire with between 25 and 30 years of benefited service, prior to attaining age 60;
3. An employee must have at least 30 total years of benefited service established with a State of Georgia sponsored retirement plan, of which the last five years must have been continuous and with the USG; or,
4. An employee must be deemed to be totally and permanently disabled, as documented through the receipt of disability benefits from Social Security or from TRS following ten years of continuous service to the USG in a regular, benefited position.

For academic year faculty, the contract period covering fall and spring semesters shall be counted as a full year of service under this policy. The months between academic years without a summer contract shall not constitute a break in service.

An individual who has retired from another State of Georgia sponsored retirement plan may not count such retirement service toward meeting the eligibility criteria for retirement from the USG.

The Vice Chancellor for Human Resources shall have the authority to waive the requirements regarding continuous service with the USG as it relates to the eligibility to receive benefits provided by the Board of Regents. The decision of the Vice Chancellor is final and not subject to appeal. The Vice Chancellor shall notify the Committee on Personnel & Benefits of any waivers granted under this policy.

8.2.8.3 Employment Beyond Retirement

An individual who has retired from the USG and is receiving benefits from TRS, ERS, or ORP may be eligible for reemployment on a part-time basis by the USG. Reemployment of USG retirees by the USG must fall under the following conditions:

1. The reemployment of a USG retiree must be approved by the hiring institution's president. Institutions must submit a copy of their hiring and approval procedures to rehire USG retirees to the University System Office of Human Resources upon request.
2. A rehired retiree must have a minimum break of at least one month between the effective date of his/ or her retirement and the effective date of his/ or her reemployment.
3. The work commitment of a rehired retiree must be less than half-time, i.e., less than 49 percent.
4. The salary that is paid to a rehired retiree must be:
 - No more than 49 percent of the last compensation earned at retirement, or, the average

compensation used to determine a retiree's benefit at retirement (for TRS retirees), whichever is deemed higher; with consideration for the average cost of living adjustment increases that have been applied since the employee retired;

5. The salary that is paid to a rehired retiree must be consistent with his/ or her work commitment.

8.2.8.4 Career State Employees Eligibility for Retirement with Health and Life Benefits

A State of Georgia employee who transfers to the USG without a break in service shall be eligible to retire with Health and Life benefits provided that on the date of his or her separation of employment:

1. He or she has attained age 60 and has a minimum of ten years of service established with a State of Georgia sponsored retirement plan and the last 12 months of employment have been served with the USG; or,
2. He or she has a total of 25 years of service established with a State of Georgia sponsored retirement plan, regardless of age and the last 12 months of employment have been served with the USG.

An employee must be enrolled in the Health and Life benefits coverage at the time of retirement in order to continue coverage in retirement. A qualifying life event does not allow a retiree to add coverage in retirement. An individual who has retired from another State of Georgia sponsored retirement plan may not count such retirement service toward meeting the criteria for being a career employee.

8.2.9 Insurance

The Board of Regents of the University System of Georgia is solely responsible for the solicitation, selection, contracting and implementation of employee benefits to include health insurance, basic life insurance, accidental death and dismemberment and all other group insurance plans. Institutions may not contract for employee health or voluntary benefits. Institutions may select, if desired, to contract for supplemental employee insurance coverage that is not in conflict with those offered by the Board of Regents. (BoR minutes, Sept. 2013, Oct. 2016)

8.2.9.1 Group Health Insurance

Hospitalization, surgical, medical and major medical benefits shall be made available to regular USG employees, with a work commitment of three-quarters time (30 hours per week) or more. A regular employee's work commitment may be comprised of multiple job assignments to achieve benefits eligibility if the work assignments are six (6) months or longer. These benefits shall also be made available to dependents of the same employees. The USG shall pay that portion of the cost of such insurance as shall be designated from time to time by the Board. (BoR minutes, Jan. 2012, Sept. 2013, Oct. 2016)

8.2.9.2 Group Life Insurance

Group life insurance, with accidental death and dismemberment coverage, shall be made available to regular USG employees with the same benefits eligibility definitions as that of Group Health Insurance (Section 8.2.9.1). Group life benefits become effective upon hire. The USG, as employer, shall pay the premium on the basic amount of life insurance, which shall be \$25,000. This amount of insurance is designated “basic life insurance” and the maximum premium therefore shall be established by the Board.

In addition, “supplemental life insurance”, with the same benefits eligibility definitions as that of Group Health Insurance (Section 8.2.9.1), may be offered to these same employees with no employer participation in the premiums. If elected, these benefits become effective on the first day of the month following enrollment unless enrollment is on the first day of the month in which case it becomes effective upon enrollment. For those employees covered under an academic contract, benefits will begin on the first day of the contract if enrolled on or before that day, or on the first day of the month following enrollment if they enroll after the contract start. Group life insurance for dependents of these employees shall be made available to them in amounts which shall be established from time to time by the Board. There shall be no employer contribution to the dependent life insurance premiums. (BoR minutes, 1987-88, pp. 63-64; Nov. 2011; Jan. 2012)

8.2.9.3 Other Insurance

The Board of Regents of the University System of Georgia may provide any additional types of group insurance protection on a voluntary basis if the total cost of such protection is paid by the employee with the same benefits eligibility definitions and benefits effective dates as that of Group Health Insurance (Section 8.2.9.1). (BoR minutes, Sept. 2013, Oct. 2016)

8.2.9.4 Benefits Continuation into Retirement

A USG retiree or career employee, who upon his/her separation of employment from the USG meets the criteria for retirement as set forth in Section 8.2.8.2 or Section 8.2.8.4 of this Policy Manual, shall remain eligible to continue as a member (if eligible on retirement date) and currently enrolled in the basic, supplemental and dependent group life insurance and health benefits plans. The USG shall continue to pay the employer’s portion of the cost for only those benefits that included an employer contribution during the employee’s active service. (BoR Minutes, Nov. 2011)

8.2.9.5 Disabled Employees Insurance

Employees who become permanently and totally disabled and who have less than nine and a half (9.5) years of continuous benefited service with the USG shall remain eligible for group health and life insurance benefits for a maximum of twelve (12) consecutive months following the receipt of the required

documentation of a disability. The USG shall continue to pay the employer portion of the cost of group insurance for disabled employees for this 12-month period.

Participation in the group healthcare plan may continue after the 12-month period under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). USG participation in the cost shall cease. The terms and conditions of COBRA participation that are described in the USG's healthcare summary plan documents shall apply.

Continued participation in the group life insurance program is not covered by the provisions of COBRA. Participation in the group life insurance program may continue after the 12-month period; however, USG participation in the cost shall cease.

Employees who are deemed to be permanently and totally disabled following nine and a half (9.5) years of continuous benefited service with the USG shall remain eligible for group health and life insurance benefits. The USG shall continue to pay the employer portion of the cost of group insurance for these retirees (Section 8.2.8.2, Item 4).

Eligibility in the group plans will cease for reasons including, but not limited to, the following:

1. Failure to remit premiums in a timely manner;
2. A dependent child no longer meets the definition of a "qualified dependent" under the plan's provisions;
3. The dependent becomes covered by another group health plan; and/or,
4. The plans cease to be offered to employees.

(BoR minutes, August 2005)

8.2.9.6 Dependents of Deceased Employees, Disabled Employees, or Retirees

The dependents of a deceased employee, a disabled employee, or a retiree may remain in the USG group health and life insurance programs consistent with the following provisions.

In no event shall the spouse of the deceased continue in the group after remarriage. Dependent children may remain in the group until they reach the legal age of majority or until they become eligible for another group benefits plan. The definition of dependent children as defined in the USG's healthcare summary plan documents shall apply.

Eligibility in the group plans will cease for reasons including, but not limited to, the following:

1. Premiums are not remitted in a timely manner;
2. A spouse remarries;
3. A dependent child no longer meets the definition of a "qualified dependent" under the plan's provisions;

4. The dependent becomes covered by another group health plan; and/or,
5. The plans are no longer offered to any employees.

(BoR minutes, August 2005)

Dependents of Deceased Employees with Fewer than 10 Years of Continuous Benefited Service

If an employee with fewer than ten (10) years of continuous benefited service dies while in active service with the USG, his/her dependents shall remain eligible to participate in the group health insurance program for a period of twelve (12) consecutive months following the death of the employee. The USG shall continue to pay the employer portion for the cost of the group health insurance for the surviving dependents for this period of 12 consecutive months.

Participation in the group healthcare plan may continue after the 12-month period under the provisions of the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). USG participation in the cost shall cease. The terms and conditions of COBRA participation that are described in the USG's healthcare plan summary documents shall apply.

If a deceased employee with fewer than ten (10) years of continuous benefited service had elected to participate in the dependent life insurance program prior to his/her death, his/her dependents shall remain eligible to continue to participate in this program for a period of twelve (12) consecutive months following the death of the employee. The surviving dependent(s) will be responsible for the entire cost of the dependent life insurance. At the conclusion of this 12-month period, a dependent will have individual policy conversion privileges.

Dependents of Deceased Disabled Employees with Fewer than 9.5 Years of Continuous Benefited Service

Those employees who become permanently and totally disabled and who have less than nine and a half (9.5) years of continuous benefited service with the USG shall remain in the group health insurance program for a maximum of twelve (12) consecutive months following the receipt of the required documentation of a disability ([Section 8.2.9.5](#)). If a disabled employee dies during this 12-month period, his/her dependents shall remain eligible to participate in the group health insurance program for the remainder of the 12-month period. The USG shall continue to pay the employer portion for the cost of group health insurance for the surviving dependents for the remainder of the 12-month period.

Participation in the group healthcare plan may continue after the 12-month period under the provisions of COBRA. USG participation in the cost shall cease. The terms and conditions of COBRA participation that are described in the USG's healthcare plan summary documents shall apply.

If a permanently and totally disabled employee with less than nine and a half (9.5) years of continuous benefited service had elected to participate in the group life and/or dependent life insurance programs prior to becoming disabled, plan coverage will be permitted for a maximum of twelve (12) consecutive months following the receipt of the required documentation of a disability. If a disabled employee dies

during this 12-month period, his/her dependents shall remain eligible to participate in the dependent life insurance program for the remainder of the 12-month period. The surviving dependents will be responsible for the entire cost of the dependent life insurance. At the conclusion of this 12-month period, a dependent will have individual policy conversion privileges.

Dependents of Deceased Employees with at Least 10 Years of Continuous Benefited Service

If an employee with at least ten (10) years of continuous benefited service dies while in active service with the USG, his/her dependents shall remain eligible to continue participating in the group health insurance program. The USG shall continue to pay the employer portion of the cost of group health insurance for the surviving dependents.

If a deceased employee with at least ten (10) years of continuous benefited service had elected to participate in the dependent life insurance program prior to his/her death, his/her dependents shall remain eligible to continue participating in this program. The surviving dependents will be responsible for the entire cost of the dependent life insurance.

Dependents of Deceased Retirees

Upon the death of a retiree, his/her dependents shall remain eligible to continue participating in the group health insurance program. The USG shall continue to pay the employer portion of the cost of group health insurance for the surviving dependents.

If a deceased retiree had elected to participate in the dependent life insurance program while in active service, his/her dependents shall remain eligible to continue participating in this program. The surviving dependents will be responsible for the entire cost of the dependent life insurance.

8.2.10 Workers' Compensation Benefits

All University System of Georgia (USG) employees shall be covered under provisions of the Workers' Compensation Act.

8.2.11 Social Security

Title II of the Social Security Act, as amended, shall apply to all University System of Georgia (USG) employees except those specifically excluded under agreements between the Employee's' Retirement System of Georgia and the Board of Regents of the University System of Georgia, which include the following classes of employees:

1. All employees eligible for the Teachers Retirement System of Georgia; and,
2. All temporary, seasonal, or intermittent employees whose work hours constitute a normal full-time

working period.

Additionally, the following employees are not covered by Social Security:

1. Student assistants;
2. Graduate assistants;
3. Laboratory assistants; and,
4. Employees working less than half-time.

Non-immigrant aliens may be exempt, in accordance with the provisions of their visas.

There shall be withheld from any salary or compensation due any employee covered by Social Security a percentage of salary, wage, or compensation required to be withheld by the Act, whether computed in cash, quarters, subsistence, or in kind and reserved in an institutional agency account for quarterly remittance to the Employees' Retirement System of Georgia. Rules and regulations of the Employees' Retirement System of Georgia for administration of the Act shall be followed.

8.2.12 Voluntary Savings Plans/ Deferred Compensation Programs

Effective May 1, 2019, the USG will offer a system wide voluntary 403(b) retirement savings plan and a system wide voluntary 457(b) retirement savings plan to which all USG employees are eligible to contribute under the provisions of Internal Revenue Code Sections 403(b) and 457(b), respectively. USG institutions shall not offer any separate voluntary retirement savings plans or nonqualified deferred compensation plans after that date. Previously created institution plans will be consolidated into the system wide plans.

USG institutions shall utilize the USG deferred compensation plans when providing deferred compensation to employees. Any contribution to the USG deferred compensation plan by an institution for an employee other than the President must be approved by the Chancellor.

All USG institutions shall provide for employee deductions for the Georgia Higher Education Savings Plan under the provisions of Internal Revenue Code Section 529.

8.2.13 Garnishment of Pay

Each University System of Georgia (USG) institution shall establish procedures to counsel employees who fail to meet their personal financial obligations. Repeated instances of default in payment by USG employees shall be considered sufficient grounds to terminate employment for cause.

The USG and any of its institutions may withhold paychecks or deduct from paychecks amounts owed by

USG employees for any fine, fee, penalty, or other financial obligation to the USG or any of its institutions and shall withhold any amounts required by a validly issued court order.

8.2.14 Policy on Salary Administration and Incentive Rewards Program

Each University System of Georgia (USG) institution shall establish a compensation plan consistent with the guidelines issued in the Human Resources Administrative Practices Manual. Institutional compensation plans must be approved by the President or his or her designee and developed in consultation with the institution's chief human resources officer and chief business officer. Institutions may establish incentive compensation programs consistent with state law, Board Policy, and applicable procedures, however, institutional incentive compensation programs must be reviewed and approved by the USG Offices of Fiscal Affairs and Human Resources.

Institutions may adjust employee compensation as a result of multiple factors, including, but not limited to, merit adjustments, promotions, position reclassification, counter-offers, in-range adjustments.

Adjustments to employee compensation is an institutional decision and should be consistent with the approved institutional compensation plan. However, cumulative fiscal year adjustments greater than or equal to ten percent above the percentage increase authorized in the USG's salary and wage guidance must be approved in advance by the Chancellor.

USG employees shall be paid exclusively by the USG institution or institutions at which they are employed from state appropriations and/or other appropriate fund sources held by the institution for work performed on behalf of their USG position.

8.2.15 Career Development

The Board of Regents is committed to the continued professional growth and development of University System of Georgia (USG) personnel. Faculty, staff, and administrators are encouraged to participate in development activities and study. Career development opportunities may include, but are not limited to, the following:

1. Tuition Assistance Program;
2. Courses offered through Continuing Education;
3. Courses offered through a Technical College System of Georgia (TCSG) institution;
4. External professional programs and conferences; and,
5. System-wide or institution faculty and staff professional development programs.

Each USG institution shall commit an appropriate amount of funds for faculty and staff development,

which will be matched by state appropriated funds to the extent that funds are available.

8.2.16 Use of University System of Georgia Resources

University System of Georgia (USG) resources may only be used in furtherance of authorized USG business. Such use shall be tightly controlled and employees must be able to provide information as to the location of all USG equipment upon request.

8.2.17 Voluntary Disclosure of Drug Use

If, prior to arrest for an offense involving a controlled substance, marijuana, or a dangerous drug, an employee notifies his or her immediate supervisor that he or she illegally uses a controlled substance, marijuana, or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse and education program approved by the institution President or by the Chancellor, such employee shall not have his or her employment terminated by the institution or the University System Office on account of the drug use that was voluntarily disclosed for up to one year from disclosure as long as the employee follows the treatment plan. Retention of such employee shall be conditioned upon satisfactory completion of the program.

The employee's work activities may be restructured if it is deemed advisable in the opinion of the employee's immediate supervisor in consultation with Human Resources, the institution President, or the Chancellor. The rights herein granted shall be available to a University System of Georgia employee only once during a five-year period and shall not apply to any employee who has refused to be tested or who has tested positive for use of a controlled substance, marijuana, or a dangerous drug.

8.2.18 Personnel Conduct

8.2.18.1 Ethics Policy

The University System of Georgia (USG) is committed to the highest ethical and professional standards of conduct in pursuit of its mission to create a more educated Georgia. Accomplishing this mission demands integrity, good judgment, and dedication to public service from all members of the USG community.

While the USG affirms each person's accountability for individual actions, it also recognizes that the shared

mission and the shared enterprise of its institutions require a shared set of core values and ethical conduct to which each member of the USG community must be held accountable. Furthermore, the USG acknowledges that an organizational culture grounded in trust is essential to supporting these core values and ethical conduct.

The following Statement of Core Values and Code of Conduct are intended to build, maintain, and protect that trust, recognizing that each member of the USG community is responsible for doing his or her part by upholding the highest standards of competence and character.

8.2.18.1.1 Applicability

The USG Ethics Policy applies to all members of the USG community, which includes:

1. All members of the Board of Regents;
2. All individuals employed by, or acting on behalf of, the USG or one of the USG institutions, including volunteers, vendors, and contractors; and,
3. Members of the governing boards and employees of all cooperative organizations affiliated with the USG or one of its institutions.

Members of the Board of Regents and all individuals employed by the USG or one of its institutions in any capacity shall participate in USG Ethics Policy training, and shall certify compliance with the USG Ethics Policy on a periodic basis, as provided in the USG Business Procedures Manual. Cooperative organizations, vendors, and contractors shall certify compliance with the USG Ethics Policy by written agreement as provided in the [USG Business Procedures Manual](#).

The USG Ethics Policy governs only official conduct performed by or on behalf of the USG.

8.2.18.1.2 Statement of Core Values

Every member of the USG community is required to adhere to the USG Statement of Core Values – Integrity, Excellence, Accountability, and Respect – that form and guide the daily work of the organization.

1. **Integrity** – We will be honest, fair, impartial, and unbiased in our dealings both with and on behalf of the USG.
2. **Excellence** – We will perform our duties to foster a culture of excellence and high quality in everything we do.
3. **Accountability** – We firmly believe that education in the form of scholarship, research, teaching, service, and developing others is a public trust. We will live up to this trust through safeguarding our resources and being good stewards of the human, intellectual, physical, and fiscal resources given to our care.
4. **Respect** – We recognize the inherent dignity and rights of every person, and we will do our utmost to fulfill our resulting responsibility to treat each person with fairness, compassion, and decency.

8.2.18.1.3 Purpose of the Code of Conduct

The USG recognizes that each member of the USG community attempts to live by his or her own values, beliefs, and ethical decision-making processes. The purpose of the Code of Conduct is to guide members of the USG community in applying the underlying USG Statement of Core Values to the decisions and choices that are made in the course of everyday endeavors. Each USG institution must ensure that its institutional ethics policies are consistent with this USG Ethics policy.

8.2.18.1.4 Code of Conduct

We will:

1. Uphold the highest standards of intellectual honesty and integrity in the conduct of teaching, research, service, and grants administration.
2. Act as good stewards of the resources and information entrusted to our care.
3. Perform assigned duties and professional responsibilities in such a manner so as to further the USG mission.
4. Treat fellow employees, students, and the public with dignity and respect.
5. Refrain from discriminating against, harassing, or threatening others.
6. Comply with all applicable laws, rules, regulations, and professional standards.
7. Respect the intellectual property rights of others.
8. Avoid improper political activities as defined in law and Board of Regents Policy.
9. Protect human health and safety and the environment in all USG operations and activities.
10. Report wrongdoing to the proper authorities, refrain from retaliating against those who do report violations, and cooperate fully with authorized investigations.
11. Disclose and avoid improper conflicts of interest.
12. Refrain from accepting any gift or thing of value in those instances prohibited by law or Board of Regents' policy.
13. Not use our position or authority improperly to advance the interests of a friend or relative.

8.2.18.1.5 Interpretation and Sources

The Statement of Core Values and Code of Conduct do not address every conceivable situation or ethical dilemma that may be faced by members of the USG community. Members of the USG community are expected to exercise good judgment absent specific guidance from this policy or other applicable laws, rules, regulations, and Board of Regents' policies and procedures.

Specific questions pertaining to the Statement of Core Values or Code of Conduct should be directed to a supervisor or other competent authority at the University System Office or at the institution's office of Legal Affairs, Internal Audit, Compliance, Human Resources, Academic Affairs, or other appropriate office. Further specific explanatory notes and references may be found on the USG's website.

8.2.18.2 Conflicts of Interest, Conflicts of Commitment, and Outside Activities

8.2.18.2.1 Conflicts of Interest and Apparent Conflicts of Interest

Each University System of Georgia (USG) employee shall make every reasonable effort to avoid actual or apparent conflicts of interests. An apparent conflict exists when a reasonable person would conclude from the circumstances that the employee's ability to protect the public interest, or perform public duties, is compromised by a personal, financial, or business interest. An apparent conflict can exist even in the absence of a legal conflict of interest. USG employees are referred to State Conflict of Interest Statutes O.C.G.A. § 45-10-20 through § 45-10-70 and institutional policies governing professional and outside activities.

Each USG employee has an ongoing responsibility to report and fully disclose any personal, professional, or financial interest, relationship, or activity that has the potential to create an actual or apparent conflict of interest with respect to the employee's USG duties.

Institutions shall adopt guidelines governing conflicts of interest and may further define methods of reporting conflicts of interest, how to manage said conflicts, and terms used within this policy section, so long as such guidelines and definitions are not inconsistent with this policy.

Conflicts of Interest – Research and Institutional

The USG recognizes the benefits of collaboration and commercialization with the private sector and other third-party entities that supports the USG mission. The resulting relationships and agreements, however, must not undermine the public's trust, compromise the integrity of the USG mission, or inappropriately influence teaching, research, and service activities. Under no circumstances should a grant, gift, contract or other funding be accepted that limits the ability of USG employees to conduct or report the results of research in accordance with applicable scientific, medical, professional, and ethical standards.

Institutions shall incorporate policy and review procedures within its institutional guidelines consistent with this policy.

8.2.18.2.2 Conflicts of Commitment

A USG employee shall not engage in any occupation, pursuit, or endeavor that will interfere with the regular and punctual discharge of that employee's official duties.

8.2.18.2.3 Outside Activities

Compensated Outside Activities of Faculty and Staff

Each USG employee with a work commitment of 30 or more hours per week (.75 or >FTE), and faculty members on contracts of nine months or more must obtain written approval prior to engaging in compensated outside activities that relate to the employee's expertise or responsibilities as a USG employee. Such activities include consulting, teaching, speaking, and participating in business, professional, or service enterprises.

Employees at USG institutions must obtain written approval from the institution President or the President's designee utilizing institutional procedures for defining and managing potential and apparent conflicts of interest. System Office employees and USG Presidents must obtain approval from the Chancellor or the Chancellor's designee. Direct reports of USG Presidents and those with a title of Vice President or equivalent must obtain approval from the USG institution President, whose authority cannot be delegated, using procedures established by the Chancellor.

Each USG employee, with a work commitment of less than 30 hours per week (.75 FTE or <), and faculty members on a contract term of less than nine months a year do not need written approval in advance of engaging in compensated outside activities so long as the outside activity does not create a conflict of interest or otherwise violate Board policy.

Required Leave and Honoraria for Compensated Outside Activities

Except as authorized for eligible faculty employees, as set forth in Section 8.2.18.2.4, appropriate leave must be used by USG employees for outside activities during the employee's work hours consistent with the USG procedures governing the use of leave.

Non-faculty employees may not receive Honoraria, as defined in Section 8.2.18.2.4, for activities during the employee's work hours.

Consulting for USG Vendors

USG institution employees are generally prohibited from consulting with or otherwise receiving compensation from a current vendor of, or an entity seeking a vendor relationship with, the USG institution where the employee works. System Office employees are generally prohibited from consulting with or otherwise receiving compensation from a current System Office vendor or an entity seeking a vendor relationship with the System Office.

Exceptions to this provision may be granted by the institution President or President's designee for USG institution employees that do not supervise, regularly interact with, or participate in the selection of vendors for that employee's institution or in those instances where the employee seeking to consult for a vendor or potential vendor is not involved in any way with supervising, regularly interacting with, or selecting said vendor or potential vendor. Similar exceptions for System Office employees and USG Presidents may be granted by the Chancellor or Chancellor's designee. This prohibition does not apply to

vendor or service relationships between the USG and other government entities.

8.2.18.2.4 Institution Guidelines for Faculty Outside Consulting

Definitions

“Compensation” is defined as any payment, deferred payment, equity, or deferred equity provided in exchange for the expectation that the faculty member will perform work or services for the benefit of the outside payer. Compensation does not include standard Honoraria.

“Honoraria” are defined as any payments given for professional or voluntary services that are rendered nominally without charge, and any payments in recognition of these services typically forbids a price to be set. See Section 8.2.18.4 Gratuities for guidance on accepting expense reimbursement from outside parties.

“Faculty Primary Responsibilities” are defined as teaching, research, clinical practice, service, administrative duties, and other appropriate duties assigned by the institution to the faculty member.

“Faculty Secondary Responsibilities” are defined as professional activities or affiliations traditionally undertaken by faculty outside of the immediate institution employment context but where the faculty member represents the institution and his or her affiliation to it. Secondary Responsibilities may or may not entail the receipt of Honoraria, remuneration, or the reimbursement of expenses.

“Outside Consulting” is defined as any activity for Compensation other than Primary Responsibilities or Secondary Responsibilities that a faculty member may engage in that, (1) is based upon professional knowledge, experience, and abilities of the faculty member that relate to the faculty member’s expertise or responsibilities as a USG faculty member, and (2) is performed for any business, self-employment, or public or private entity other than his or her institution.

“Faculty” is defined in accordance with [Section 3.2 Faculties](#), and includes full-time research and extension personnel and duly certified librarians on the basis of comparable training.

Required Institution Guidelines

Recognizing that teaching, research, and public service are the primary responsibilities of USG faculty members, it is reasonable and desirable for faculty members to engage in additional activity beyond duties assigned by the institution, which are professional in nature and based in the appropriate discipline for which the individual receives additional compensation during the contract year.

Each USG institution shall adopt guidelines governing outside consulting activities of faculty members that shall include the following:

1. Time that faculty may engage in outside consulting during work hours, if any;
 - a. If faculty outside consulting is permitted during work hours, the maximum limit is, on average, one day per week.
 - b. Unless express permission is granted by the institution President, whose approval authority may not be delegated, twelve-month faculty who earn annual leave must take leave consistent with USG and institutional procedures governing the use of leave when engaged in consulting during the faculty member's work hours.
2. A determination of what institutional resources may be used for outside consulting work;
3. A plan for reimbursing the institution for non-incidental use of the institution's personnel, facilities, equipment, and materials consistent with rates charged outside groups or persons;
4. A procedure for obtaining prior approval of the President or President's designee; and,
5. A procedure for defining and managing conflicts of interest and conflicts of commitment regarding outside faculty consulting.

8.2.18.3 Prohibition on Certain Political Activities; No Official Endorsement or Affiliation and Avoidance of the Appearance Thereof

USG employees are encouraged to exercise their First Amendment rights, fulfill their civic obligations, and engage in the normal political processes of society. This includes the right to express their personal opinions on matters of public concern; to register to vote and otherwise participate in elections; and to participate in and make financial contributions to political organizations and campaigns. Nothing in this policy is intended to infringe or restrict free expression rights guaranteed by the United States Constitution or the Georgia Constitution. Nevertheless, it is inappropriate for USG employees to engage in such political activities while on duty to perform services for the USG, to utilize USG or other public resources to do so, or to hold elective political office at the state or federal level while employed by the USG. Likewise, USG employees must not hold themselves out as speaking or acting on behalf of the USG or its institutions when participating in political activities and must take reasonable measures to avoid any appearance that such participation is in an official capacity as an employee of the USG or its institutions.

In light of the foregoing, the following rules govern all USG employees when engaging in political activities and associated political expression:

1. A USG employee may not manage or take an active part in a political campaign that interferes with the performance of duties or services for which he or she receives compensation from the USG.
2. A USG employee may not hold elective political office at the state or federal level.
3. A USG employee seeking elective political office at the state or federal level must first request a leave of absence without pay beginning prior to qualification as a candidate in a primary or general election and ending after the general or final election. If elected to state or federal office, a USG employee must

resign prior to assuming office.

4. A USG employee may seek and hold elective office at other than the state or federal level, or seek and hold an appointive office, when doing so does not conflict or interfere with the employee's duties and responsibilities to the USG or the employee's institution, as applicable.
5. A USG employee engaging in political activities and/or associated political expression must do so only in their personal capacity and shall not speak on behalf of the USG or its institutions or hold themselves out as representing the USG or its institutions, unless specifically authorized by the USG or the employee's institution, as applicable.
6. When a USG employee engages in political activities and/or associated political expression in their personal capacity, such employee must take reasonable steps to avoid any appearance that such political activities and/or associated political expression represents the views of, or is endorsed by, the USG or its institutions. For example, USG employees are not prohibited from noting in a biographical description their employment status, title, or affiliation with the USG or their institution, or their background and credentials, but if an employee does so, the employee must make clear that the employee is not speaking in the employee's capacity as an employee of the USG or the employee's institution.
7. USG employees are prohibited from using state property, resources, or materials (including work email) or work time to communicate personal political views or in conjunction with any political campaigning. In addition, employees are prohibited from using any USG registered trademarks when expressing personal opinions on political issues, unless they are expressly authorized to do so.
8. USG employees shall not make any promise of preferential treatment or any threat of detrimental treatment or actually confer such treatment for the purpose of inducing the support of or opposition to any political campaign or candidate for political office, political party, or political organization.
9. Neither USG, any USG institution, nor any employee thereof shall ask or require any employee, student, or applicant for employment or admission to affirmatively ascribe to or opine about political beliefs, affiliations, ideals, or principles as a condition for employment, promotion, admission, enrollment, or any benefit or privilege related thereto. This prohibition shall not, however, prevent any employee, student, or applicant for employment or admission from voluntarily engaging in such expression.

Any employee who violates these prohibitions on certain political activities shall be subject to appropriate disciplinary action, up to and including termination.

8.2.18.4 Gratuities

A University System of Georgia (USG) employee shall not directly or indirectly solicit, receive, accept, or agree to receive a thing of value by inducing the reasonable belief that the giving of the thing will influence his or her performance or failure to perform any official action. The acceptance of a benefit, reward, or consideration, where the purpose of the gift is to influence an employee in the performance of his or her official functions, is a felony under O.C.G.A. § 16-10-2.

A USG employee, or any other person on his or her behalf, is prohibited from knowingly accepting, directly

or indirectly, a gift from any vendor or lobbyist as those terms are defined in Georgia statutes (O.C.G.A. §§ 21-5-70(6) and 45-1-6(a)(5)). If a gift has been accepted, it must be either returned to the donor or transferred to a charitable organization.

A gift may be accepted by the employee on behalf of the institution subject to reporting requirements of the Board of Regents. If the gift is accepted, the person receiving the gift shall not maintain custody of the gift for any period of time beyond that reasonably necessary to arrange for the transfer of custody and ownership of the gift.

For purposes of this policy a gift is defined as lodging, transportation, personal services, a gratuity, subscription, membership, trip, loan, extension of credit, forgiveness of debt, advance or deposit of money, or anything of value.

A gift shall not include:

1. Food or beverage consumed at an occasional meal or event, provided the value is reasonable under the circumstances but in no event exceeds \$100 per person.
2. Food, beverages, and registration at group events to which substantial numbers of employees of the University System Office or a USG institution are invited.
3. Food, beverage, or expenses afforded employees, relatives or others that are associated with normal and customary business or social functions or activities.
4. Actual and reasonable expenses for food, beverages, travel, lodging and registration provided to permit participation in a meeting, demonstration, or training related to official or professional duties if participation has been approved in writing by the Chancellor, the President, or his/her designee.
5. Promotional items generally distributed to the general public.
6. Textbooks, software, and instructional materials to be reviewed by teaching faculty.
7. An award, plaque, certificate, memento, or similar item given in recognition of the recipient's civic, charitable, political, professional, private or public service or achievement.
8. Legitimate salary, honoraria, benefit, fees, commissions, or expenses associated with the recipient's non-public business, employment, trade, or profession.
9. Gifts from a person or entity who is neither a lobbyist nor a vendor as those terms are defined in State Statutes, nor a student or patient at an institution.
10. Consulting fees, honoraria, or financial benefits from sponsors or foundations, received in conformance with USG policies, institution policies, and Georgia law.
11. Gifts to or from USG foundations or other separately incorporated, charitable entities.

8.2.18.5 Sexual Harassment

It is an unlawful discriminatory practice for any employer, because of the sex of any person, to discharge without cause, to refuse to hire, or to otherwise discriminate against any person with respect to any matter directly or indirectly related to employment or academic standing. Harassment of an employee on the

basis of sex violates law and Board of Regents' Policy.

Sexual harassment of University System of Georgia (USG) employees or students is prohibited and shall subject the offender to dismissal or other sanctions after compliance with procedural due process requirements. Unwelcome sexual advancements, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitutes sexual harassment when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or academic standing; or,
2. Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting an individual; or,
3. Such conduct unreasonably interferes with an individual's work or academic performance or creates an intimidating, hostile, or offensive working or academic environment.

8.2.18.6 Amorous Relationships

A University System of Georgia (USG) employee, including a graduate teaching assistant, is prohibited from having a romantic or sexual relationship with any student or USG employee who the individual supervises, teaches, or evaluates in any way. Additionally, a USG employee is prohibited from having a romantic or sexual relationship with any student or USG employee whose terms or conditions of education or employment the individual could directly affect.

8.2.18.7 Violations

A violation of any Personnel Conduct policy may subject an employee to disciplinary action, including termination of employment.

8.2.19 Tuition Assistance Program

The University System of Georgia (USG) and its institutions encourage full-time faculty, staff, and administrators to participate in development activities and study by remitting tuition for those activities that have been authorized by the University System Office for System Office employees and by the employee's institution for individuals employed at USG institutions. Participation in the Tuition Assistance Program shall be available to full-time, benefits-eligible employees who have successfully completed at least six months of employment in a benefits-eligible position as of the date of the Tuition Assistance Program (TAP) application deadline for the desired academic semester.

Full-time employees who meet the applicable admissions standards and who have received appropriate prior authorization from their institution may enroll in up to nine academic semester credit hours for each of the three designated semester periods: fall semester, spring semester, and summer semester.

Tuition assistance is the waiver of tuition and certain fees. The Board approved applicable face-to-face or online tuition rate will be waived in full for all undergraduate and graduate programs and classes eligible under TAP. Student status will be secondary to employee status in all considerations, including student fee waivers. TAP participation will be granted on a space-available basis. For limited-slot enrollment programs, approval must be granted by the teaching institution. An employee must receive a grade of C or better in each approved TAP academic course. The following programs are not eligible for the TAP waiver:

1. Dental (First professional degree)
2. Medical (First professional degree)
3. Pharmacy (First professional degree)
4. Veterinary
5. Law (First professional degree)
6. Executive total cost programs

8.2.19.1 Employee Auditing of Courses

In addition to the TAP benefits provided for above, employees of a USG institution may attend classes offered by the same institution as auditors without registering for the course and without credit being offered for such attendance. This provision applies to non-credit courses on a space-available basis. Institutions may permit employees to attend job-related continuing education classes, as determined by the appropriate supervisory authority, at a reduced rate or without payment of a fee.

8.2.19.2 Special Tuition Assistance Program for Nursing Faculty

The University System and the institutions encourage full-time faculty, staff, and administrators to participate in development activities and study by remitting tuition for those activities that have been authorized by the employee's institution. **Due to the current shortage of nursing faculty in the state of Georgia, the Tuition Assistance Program is available to Part-Time Nursing Faculty members seeking a graduate degree in Nursing. Any part-time nursing faculty member taking advantage of this program shall be required to work full time within the University System at least two (2) years following receipt of the graduate degree in Nursing (or Education, if such would allow one to teach Nursing at the University level). *The utilization of this program by part-time nursing faculty shall end in 2015, unless such utilization is extended by further action of the Board.***

Participation in the Tuition Assistance Program for Nursing Faculty shall be available to part-time nursing faculty who have successfully completed at least six (6) months of employment as of the date of the Tuition Assistance Program application deadline for the desired academic semester. Qualified part-time nursing faculty (who meet the applicable admissions standards and who have received appropriate prior authorization from their institution) may enroll in up to nine (9) academic semester credit hours for each of

the three designated semester periods: fall semester, spring semester, and summer semester. Student status will be secondary to employee status in all considerations, including student fee waivers. Tuition assistance is the waiver of tuition and the waiver of certain fees. Tuition Assistance Program participation will be granted on a space-available basis. For limited-slot enrollment programs, approval must be granted by the teaching institution. An employee must receive a grade of B or better in each approved Tuition Assistance Program academic course.

(BoR Minutes, October 2009)

8.2.20 [Reserved]

[Reserved]

8.2.21 Employment Appeals

Employee appeals of final decisions of University System of Georgia institutions are governed by the Board of Regents' Policy on Application for Discretionary Review.

8.2.22 University System of Georgia Staff Council

The University System of Georgia Staff Council (USGSC) shall provide a staff voice on matters related to non-faculty employment within the University System. The USGSC shall be mindful and respectful of matters that are more appropriately within the authority and responsibilities of each institution's administration.

Membership of the USGSC shall be comprised of one voting representative from each University System of Georgia (USG) institution who must be in the classified service of the represented institution. A copy of each institution's process for determining its USGSC representative shall be filed with the chief human resources officer. The organization and governance of the USGSC shall be implemented according to policies and procedures established by the membership of the USGSC in the USGSC's bylaws, in consultation with, and subject to the approval of, the Chancellor.

Nothing in this policy or the USGSC's bylaws shall supersede the authority and responsibilities of institutional presidents addressed in this Policy Manual. With respect to matters specific to their institutions, presidents remain the official media of communication between institutional employees and the Chancellor.

8.3.1 Faculty Employment

8.3.1.1 Recruitment and Appointment

Each University System of Georgia (USG) institution shall publish comprehensive, clearly stated, written policies and procedures for the recruitment and appointment of faculty members. These policies and procedures shall conform to guidelines promulgated by the USG Chief Academic Officer and the USG Human Resources Administrative Practices Manual (HRAP).

8.3.1.2 Minimum Qualifications for Employment

Minimum faculty employment qualifications for all USG institutions and all academic ranks within these institutions shall be:

1. Consistent with applicable requirements for institutional accreditation;
2. Evidence of ability as a teacher;
3. Evidence of activity as a scholar and ability in all other duties assigned;
4. Successful experience (which will necessarily be waived for those just entering the academic profession who meet all other requirements); and,
5. Desirable personal qualities judged on the basis of personal interview, complete biographical data, and recommendations.

8.3.1.3 Research and Comprehensive Universities

In addition to the minimum qualifications above, initial appointees to the full professorial rank at State Universities and State Colleges should have a terminal degree in the appropriate discipline or the equivalent in training, ability or experience.

8.3.1.4 State Universities

In addition to the minimum qualifications above, initial appointees to the full professorial rank should have a terminal degree in the appropriate discipline or the equivalent in training, ability or experience.

8.3.2 Regents' Professorships

Regents' Professorships may be granted by the Board of Regents to outstanding faculty members of Augusta University, the Georgia Institute of Technology, Georgia State University, the University of Georgia, and, in special circumstances, other University System of Georgia (USG) institutions. A Regents' Professorship shall be awarded by the Board only upon the unanimous recommendation of the USG

institution President, chief academic officer, appropriate academic dean, and three other members of the faculty named by the President, and upon the approval of the Chancellor and the Committee on Academic Affairs.

A Regents' Professorship shall be granted by the Board for a period of three years. Consideration of the renewal of the professorship for a second three-year period shall be given by the Board upon recommendation of the President of the USG institution, the Chancellor, and the Committee on Academic Affairs. After a period of six years the Regents' Professorship shall be renewed at the discretion of the President of the USG institution.

8.3.2.1 Regents' Researchers

Regents' Researcher titles may be granted by the Board of Regents to outstanding full-time principal researchers of Augusta University, the Georgia Institute of Technology, Georgia State University, the University of Georgia, and, in special circumstances, other USG institutions. The Regents' Researcher title shall be awarded by the Board only upon the unanimous recommendation of the USG institution President, chief academic officer, and three members of the faculty named by the President, and upon the approval of the Chancellor and the Committee on Academic Affairs.

A Regents' Researcher title shall be granted by the Board for a period of three years. Consideration of the renewal of the title for a second three-year period shall be given by the Board upon recommendation of the President of the USG institution, the Chancellor, and the Committee on Academic Affairs. After a period of six years, the Regents' Researcher title shall be renewed at the discretion of the President of the USG institution.

8.3.2.2 Regents' Innovator Leave of Absence and Regents' Entrepreneur Designation

Regents' Innovators Leave of Absence

The title of Regents' Innovator may be granted by the Board of Regents to outstanding full-time tenured faculty of Augusta University, the Georgia Institute of Technology, Georgia State University, the University of Georgia, and, in special circumstances, other USG institutions, to allow time away from their full-time faculty duties to focus on beginning or growing companies that commercialize a faculty member's research, consistent with Board of Regents' policies, including but not limited to institutional policies and practices for intellectual property. The Regents' Innovator title shall be awarded by the Board only upon the unanimous recommendation of the USG institution President, chief academic officer, and the Chancellor and upon the approval of the Committee on Academic Affairs.

A Regents' Innovator title shall be granted by the Board for an initial period of three years. Consideration of the renewal of the title for a second three-year period shall be given by the Board upon recommendation of

the President of the USG institution, the Chancellor, and the Committee on Academic Affairs.

Faculty members with the title of Regents’ Innovator are eligible for an unpaid leave of absence (or partial or joint appointment with their current and other institutions). The USG chief academic officer will promulgate guidelines regarding Regents’ Innovator leave that will address, among other requirements, the use of institutional resources, potential and actual conflicts of interest, and the application of intellectual property policy requirements. A condition of the unpaid leave of absence includes the execution of an agreement between the faculty member and the USG institution, signed by both the faculty member and the institutional president.

Regents’ Entrepreneur Designation

The Regents’ Entrepreneur designation may be granted by the Board of Regents to an outstanding full-time tenured faculty member who has an established reputation as a successful innovator and who has taken their research into a commercial setting. The Regents’ Entrepreneur designation shall be bestowed by the Board only upon the unanimous recommendation of the USG institution President, chief academic officer, and the Chancellor and upon the approval of the Committee on Academic Affairs.

A retired faculty member who, at the time of retirement, has had ten or more years of honorable and distinguished USG service, and has previously held the Regents’ Entrepreneur designation, may be conferred with the title of Regents’ Entrepreneur Emeritus or Regents’ Entrepreneur Emerita by the Board of Regents on the recommendation of the Chancellor.

8.3.2.3 Establishment of Named Positions

Support of Positions from Gifts and Endowments

No endowed chair, professorship, fellowship, or administrative position will be established or announced without prior approval of the Board of Regents, and no initial appointment will be made to a chair, professorship, fellowship, or administrative position without prior approval by the Board. Recommendations to the Board concerning specially designated positions will be made through the Chancellor to the Board. Before the final action of the Board, such recommendations will be referred to the Finance and Business Operations Committee and the Committee on Academic Affairs.

The minimum funding levels for each endowed academic position listed below shall be established by the Board upon recommendation by the Chancellor. Institutions may require funds greater than the stated minimum funding levels when developing support for endowed chairs. The categories of endowed academic positions shall be described as follows:

Research and Comprehensive Universities		State Universities and State Colleges	
Distinguished University Chairs	\$2,000,000		
Distinguished Chairs	\$1,000,000	Distinguished Chairs	\$500,000

Chairs	\$500,000	Chairs	\$300,000
Distinguished Professorships	\$400,000	Distinguished Professorships	\$200,000
Professorships	\$200,000	Professorships	\$100,000
Distinguished Scholar	\$100,000	Distinguished Scholar	\$50,000
Fellowships	\$50,000	Fellowships	\$30,000
Lecture or Seminar Series	\$50,000	Lecture or Seminar Series	\$30,000

Specially Designated Faculty Positions Funded by Endowments

Endowed chairs, professorships, and fellowships will be established by the Board of Regents upon request of the USG institution President and recommendation of the Chancellor only after confirmation that the endowment is properly funded and that the investment strategy of the endowment, wherever held, will meet the continuing demands of the chair, professorship, or fellowship. This assurance must address the proper mix of capital growth, income production, and liquidity. The USG institution will pay from its funds such amounts as are necessary to set the salary of the holder at a level commensurate with his or her record, experience, and position in the faculty. The endowment income will be used for salary supplementation and for other professional support of the holder of the endowed position, including assistance in the research of the holder.

The holder of a fellowship shall be a qualified person of professorial rank (professor, associate professor, or assistant professor), without regard to tenure status. The endowed fellowship will be used to provide temporary support, not to exceed one academic year, of:

1. Distinguished scholars who are in temporary residence at the institution while participating in planned academic programs;
2. Visiting scholars who are in temporary residence at the institution for special academic programs or purposes;
3. Institution faculty who have made unique contributions to academic life or to knowledge in their academic discipline; and,
4. Institution faculty of any academic rank irrespective of tenure status who have been selected for teaching excellence through procedures established by the USG institution.

Specially Designated Faculty Positions Funded by Multi-Year Donations

Termed faculty positions may be established with the approval of the Chancellor or his/her designee upon request of the USG institution President only after confirmation that a multiyear donation is properly funded under the following parameters:

Sector	Minimum Amount Over Duration	Minimum Duration
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Research	\$150,000	3 Years
Comprehensive	\$125,000	3 Years
State University	\$100,000	3 Years
State College	\$50,000	3 Years

1. These annual expendable donations may be used to subsidize a portion of the current faculty salary or for other professional support of the holder of the termed position, including assistance in the research of the holder. Termed position donated funds may not be used to increase the current faculty salary.
2. Termed positions may be renewed when a new multi-year agreement is executed at the discretion of the institution’s President.
3. The holder of a termed faculty position shall be a qualified person of professorial rank (professor, associate professor, or assistant professor), without regard to tenure status. Funds will be used to provide temporary support for the institution.
4. Termed positions shall be named “The XXXXXX Termed Faculty in XXXXXX” (e.g. The Company ABC Termed Faculty in Data Science; The Jane Doe Faculty in Music.)

8.3.3 Intrasytem Recruitment and Inter-Institutional Faculty Appointments

8.3.3.1 Intrasytem Recruitment

When a University System of Georgia (USG) institution President wishes to consider a full-time principal administrator or faculty member of another USG institution for employment, he or she shall notify the President of the employing institution before an offer is made to the principal administrator or faculty member. When a formal offer is made, the letter shall acknowledge that critical obligations should be fulfilled at the current institution within a reasonable and mutually agreed upon timeframe.

8.3.3.2 Inter-Institutional Faculty Appointments

Inter-institutional appointments should be used for faculty who are primarily employed full-time at one USG institution (the “home institution”) but are also engaged in teaching, research, or service at another USG institution (the “requesting institution”). Inter-institutional appointments must be approved the home institution and the requesting institution or institutions. Appointments at secondary institutions shall be

called Dual Faculty Appointments. Institutions interested in offering Dual Appointments must develop inter-institutional appointment policies and procedures that adhere to the Dual Appointments Section of the USG Human Resources Administrative Practices Manual HRAP and applicable law.

8.3.4 Notice of Employment and Resignation

The following notification requirements apply to those members of the faculty who have been awarded the ranks of lecturer, senior lecturer, principal lecturer, instructor, assistant professor, associate professor, or professor.

8.3.4.1 Notice of Resignation by Tenured Faculty

All tenured faculty members employed under written contract for the fiscal or academic year shall give at least 60 days written notice of their intention to resign to the President of the institution or his or her designee.

8.3.4.2 Renewal of Non-Tenured Faculty with Academic Ranks of Instructor, Assistant Professor, Associate Professor, and Professor

All non-tenured faculty who have been awarded academic rank (instructor, assistant professor, associate professor, professor), are employed under written contract, and who served full-time for the entire previous year have the presumption of renewal of the next academic year unless notified in writing, by the President of the institution or his or her designee, of the intent not to renew. Written notice of intent not to renew shall be delivered by hand or by certified mail, to be delivered to the addressee only, with receipt to show to whom and when delivered and the address where delivered.

Notice of intention to not renew the contract of a non-tenured faculty member who has been awarded academic rank of instructor, assistant professor, associate professor, or professor shall be furnished, in writing, according to the following schedule:

1. At least three months before the date of termination of the contract in the faculty member's first year of service with any of the above academic ranks at the current institution;
2. At least six months before the date of termination of the contract in the faculty member's second year of continuous service with any of the above academic ranks at the current institution; or,
3. At least nine months before the date of termination of the contract in the faculty member's third or subsequent continuous year of service with any of the above academic rank at the current institution.

Previous years of service in positions other than the faculty positions with academic rank listed above shall not be included in the calculation to determine the schedule for notice of intention not to renew a faculty member's contract. Previous years of service in any capacity at institutions other than the current institution also shall not be included in the calculation.

This schedule of notification does not apply to persons holding temporary, limited-term, or part-time positions, or persons with courtesy appointments such as adjunct appointments. This schedule of notification does not apply to Georgia Gwinnett College Faculty.

Non-tenured faculty and other non-tenured personnel employed under written contract shall be employed only for the term specified in the contract, and subsequent or future employment, if any, shall result solely from a separate offer and acceptance requisite to execution of a new and distinct contract.

8.3.4.3 Employment of Lecturers, Senior Lecturers, and Principal Lecturers

Full-time lecturers, senior lecturers, and principal lecturers are appointed by institutions on a year-to-year basis.

Lecturers, senior lecturers, and principal lecturers who have served full-time for the entire previous academic year have the presumption of reappointment for the subsequent academic year unless notified in writing to the contrary as follows:

1. For lecturers, senior lecturers, or principal lecturers with less than three years of full-time continuous service in that position at the current institution, institutions are encouraged to provide non-reappointment notice as early as possible, but no specific notice is required.
2. For lecturers, senior lecturers, or principal lecturers with three or more years but less than six years of full-time continuous service in that position at the current institution, institutions must provide non-reappointment notice at least 30 calendar days prior to the institution's first day of classes in the semester.
3. For lecturers, senior lecturers, or principal lecturers with six years or more of full-time continuous service in those positions at the current institution, institutions must provide non-reappointment notice at least 180 calendar days prior to the institution's first day of classes in the semester.

Lecturers, senior lecturers, or principal lecturers who have served for six or more years of fulltime continuous service in those positions at the current institution and who have received timely notice of non-reappointment shall be entitled to a review of the decision in accordance with published procedures developed by the institution. The procedures must be approved by the Chancellor or his or her designee prior to implementation. Additional appeal procedures are contained in the Board Policy Manual.

In no case will the service as lecturer, senior lecturer, or principal lecturer imply any claim upon tenure or

reappointment under other conditions than those above.

Previous years of service in positions other than lecturer, senior lecturer, or principal lecturer positions shall not be included in the calculations to determine the schedule for notice of intention not to renew a faculty member's contract or the availability of a review of that decision. Previous years of service in any capacity at institutions other than the current institution also shall not be included in the calculations.

8.3.4.4 Georgia Gwinnett College Faculty

The notice of employment and resignation language noted in Section 8.3.4.2 of this Policy Manual does not apply to faculty at Georgia Gwinnett College (GGC). Full-time faculty at GGC are appointed into non-tenure-track positions. GGC faculty members are eligible for renewable contracts, with modified contract notification. GGC faculty appointments and notification shall be governed by the following policies.

Initial Faculty Appointments

Each successful GGC faculty appointment will be eligible to receive one of the following contracts upon acceptance of an employment offer authorized by the President. For all initial faculty appointments, the President retains the discretion to determine whether a successful candidate will be offered a one-year standard non-renewable contract or a three- or five-year renewable appointment according to the faculty rank guidelines below.

1. Candidates offered the position of Assistant Professor or below will be eligible to receive either a three-year renewable appointment or a standard one-year non-renewable appointment.
2. Candidates offered the position of Professor or Associate Professor will be eligible to receive either a three- or five-year renewable appointment or a standard one-year nonrenewable appointment.

Contract Expiration Guidance for One-Year Non-Renewable Appointments

A GGC faculty member who is nearing completion of an initial one-year standard non-renewable contract shall receive at least three months advance written notice of intent to issue a new contract for the following year or notice of intent to end the employment relationship at contract end. GGC faculty serving under a second one-year standard non-renewable contract will receive at least six months advance written notice of intent to issue a new contract or intent to end the employment relationship at contract end. GGC faculty serving under a one-year standard non-renewable contract after two or more years of service to the institution will receive at least nine months notice of intent to issue a new contract or intent to end the employment relationship at contract end.

No further requirements other than the written notifications noted herein will be applicable in concluding the employment relationship for a standard non-renewable one-year faculty contract at GGC.

Contract Expiration Three or Five Year Renewable Appointment

A GGC faculty member employed under a three- or five-year renewable appointment will receive at least nine months written notice prior to the contract expiration in the last year of a renewable appointment term. The notice shall state the President's intent to issue a new renewable appointment for either a three- or five-year term (based on the GGC faculty member's rank at contract expiration) or an intent to end the employment relationship at the end of the contract.

No further requirements other than the nine-month written notification in the final appointment year will be applicable in concluding the employment relationship for a three- or five-year renewable faculty appointment.

Evaluations and Promotions

Regardless of the length or type of faculty appointment offered, each year all GGC full-time faculty members will receive a faculty performance review.

Provisional Period for Renewable Contracts

GGC faculty members serving under an initial three- or five-year renewable appointment may be required to complete a one-time provisional period not to exceed six months. At any time during the initial six-month provisional period of a three- or five- year renewable appointment, a decision may be made to notify a faculty member that a contract will not be forthcoming for the remaining two or four years respectively, except that written notice must be given at least three months prior to the end of the initial appointment year. GGC faculty members who have previously served under a non-renewable faculty contract with GGC will not be required to serve a provisional period upon acceptance of a renewable appointment. No further requirements other than the written notification will be applicable in concluding the employment relationship during the provisional period of a renewable appointment.

8.3.5 Evaluation of Personnel

8.3.5.1 Faculty

Faculty shall be evaluated based on the merits of their performance and qualifications. As such, each University System of Georgia (USG) institution shall establish definite and stated criteria, consistent with Board of Regents' policies, the Academic and Student Affairs Handbook and the statutes of the institution, against which the performance of each faculty member will be evaluated. The criteria shall include evaluation of instruction, student success activities, research/scholarship, and service as is appropriate to the faculty member's institution, school or college, and department, and responsibilities. The criteria shall be submitted to the USG Chief Academic Officer for review and approval. Faculty shall not be evaluated based on other factors outside of these established criteria.

Each institution, as part of its evaluative procedures, will utilize a system of faculty evaluations by

students, with the improvement of teaching effectiveness and student learning as the main focus of these student evaluations. The evaluation procedures may also utilize a system of peer evaluations, with emphasis placed on the faculty member's professional development across the scope of their responsibilities. In those cases, in which a faculty member's primary responsibilities do not include teaching, the evaluation should focus on excellence in those areas (e.g., research, administration, and elements of student success) where the individual's major responsibilities lie. While a faculty member's performance evaluation may be deemed as "Not Meeting Expectations" for other reasons, they must be so assessed if a majority of their work responsibilities are assessed as "Not Meeting Expectations".

Each University System of Georgia (USG) institution shall conduct in-depth pre-tenure reviews of all faculty in their third year of progress toward tenure with a focus on the criteria established for promotion and tenure, emphasizing excellence in teaching and involvement in student success activities. The institution shall develop pre-tenure review policies, as well as any subsequent revisions.

The result of the faculty member's annual evaluations will be utilized as a part of subsequent pre-tenure and post-tenure reviews as well as retention, promotion, and tenure decisions.

8.3.5.2 Graduate Assistants

USG institutions employing graduate assistants shall develop procedures to:

1. Provide appropriate training to support and enhance these assistants' teaching effectiveness;
2. Conduct regular assessments of and annually evaluate, based on written procedures and including results of student and faculty evaluations, of each assistant's teaching effectiveness and performance; and,
3. Assess competency in English and, if needed, provide training in English language proficiency.

8.3.5.3 Academic Administrative Officers

Each USG institution shall establish definite and stated criteria, consistent with all applicable policies and statutes, against which the performance of each academic administrative officer will be evaluated. These criteria shall address the distinctive nature of administrators' work and leadership roles and shall include constituent feedback. Academic administrative officers shall be evaluated by the administrator's supervisor annually and additionally shall be evaluated by their subordinates (one level down) at least once every five years. Evaluation results will be the basis for the academic administrative officer's development plan.

8.3.5.4 Post-Tenure Review

The post-tenure review process shall support the further career development of tenured faculty members as well as ensure accountability and continued strong performance from faculty members after they have

achieved tenure.

Each tenured faculty member shall participate in a post-tenure review within five years following the award of tenure and again at least once every five years thereafter. The first post-tenure review shall assess the tenured faculty member's performance since the award of tenure, and subsequent post-tenure reviews shall assess the performance since the most recent post-tenure review.

A tenured faculty member may voluntarily choose to participate in a post-tenure review sooner than five years. If this voluntary review is successful, then the faculty member's next scheduled post-tenure review will take place five years after this voluntary review. In addition, a tenured faculty member whose performance is evaluated as unsatisfactory or not meeting expectations – whether overall or in any particular area – in an annual review process will be provided with a remediation plan. If the faculty member's performance is evaluated as unsatisfactory or not meeting expectations – overall or in a particular area – again the next year, the faculty member shall then undergo a corrective post-tenure review. That review will not alter the timing of the faculty member's regularly scheduled five-year post-tenure review thereafter.

Each tenure-granting institution must create its own specific policies for implementing this post-tenure review policy. Each institution's policies shall be developed in consultation with the institution's faculty and shall include appropriate due-process mechanisms. Institutions will have flexibility in their implementation to create a process appropriate to the campus context. Prior to implementation, institutions must submit policies and evaluation criteria to the Chancellor or the Chancellor's designee(s) for approval. The Chancellor or the Chancellor's designee(s) will provide institutions with more specific guidelines for their post-tenure review policies and procedures.

Consistent with those guidelines and institutional policies, post-tenure review shall include evaluation of instruction, student success activities, research/scholarship, and service as is appropriate to the faculty member's institution, school or college, and department. The post-tenure review will also incorporate findings from the faculty member's annual reviews from the years since the last post-tenure review. The faculty member shall provide review materials and additional information, as provided for in the institution's guidelines, to aid the review process.

The post-tenure review will include, at a minimum, feedback from the faculty member's department chair and a committee of faculty colleagues. The results of the post-tenure review shall be conveyed to the faculty member. The results of the post-tenure review shall be considered in subsequent decisions on promotion, merit pay, and other rewards.

If the results of the post-tenure review are unfavorable, then a performance improvement plan shall be created by the applicable department chair and dean in consultation with the faculty member. The necessary elements of such performance improvement plans will be described in the guidelines provided by the Chancellor or the Chancellor's designee(s) as well as in each institution's post-tenure review policies.

If the faculty member successfully completes the performance improvement plan, then the faculty member's next post-tenure review will take place on the regular five-year schedule. If the faculty member fails to make sufficient progress in performance as outlined in the performance improvement plan (or refuses to engage reasonably in the process) as determined by the department chair and dean after considering feedback from the committee of faculty colleagues, then the institution shall take appropriate remedial action corresponding to the seriousness and nature of the faculty member's deficiencies. If the department chair and the dean do not agree on their assessment of sufficient progress in performance, the provost will make the final assessment. The President will make the final determination on behalf of the institution regarding appropriate remedial action. An aggrieved faculty member may seek discretionary review of the institution's final decision pursuant to the Board Policy on Applications for Discretionary Review.

Remedial actions may include, but are not necessarily limited to, suspension of pay, salary reduction, revocation of tenure, and separation from employment. The institution must give the faculty member notice of the possibility of such remedial actions when the performance improvement plan begins. The determined remedial action will be imposed in accordance with the guidelines provided by the Chancellor or the Chancellor's designee(s) as well as the institution's post-tenure review policies. The institution's imposition of such remedial action will not be governed by or subject to the Board Policy on Grounds for Removal or Procedures for Dismissal. However, if the remedial action is separation from employment, the faculty member has the right to request a final faculty hearing for the purpose of confirming that due process was followed in reaching the decision of separation of employment. The outcome of the faculty hearing shall not be binding, but only advisory to the President who shall make the final decision. The procedures of this final faculty hearing will be governed by the procedures found in Post-Tenure Review in the Academic & Student Affairs Handbook.

Each institution shall also develop and implement procedures to conduct post-tenure reviews with tenured faculty members who hold administrative positions. These procedures shall address the distinctive nature of administrators' work and leadership roles, include constituent feedback, and reflect that tenure is held in faculty positions not in administrative positions. Each institution shall compile and submit an annual report on post-tenure review activity to the Chancellor or the Chancellor's designee(s).

8.3.6 Criteria for Promotion

Each University System of Georgia (USG) institution shall establish clearly-stated promotion criteria and procedures that emphasize excellence in teaching and involvement in student success activities for all teaching faculty, which shall be submitted to the USG Chief Academic Officer for review and approval.

8.3.6.1 Minimum for All Institutions in All Professorial Ranks

The minimum criteria are:

1. Excellent teaching and effectiveness in instruction;
2. Noteworthy involvement in student success activities;
3. Noteworthy professional service to the institution or the community;
4. Noteworthy research, scholarship, creative activity, or academic achievement; and,
5. Continuous professional growth and development.

Noteworthy achievement in all of the above areas is not required, but should be demonstrated in at least three areas. A written recommendation should be submitted by the head of the department concerned setting forth the reasons for promotion. The faculty member's length of service with an institution shall be taken into consideration in determining whether or not the faculty member should be promoted.

8.3.6.2 Research and Comprehensive Universities

In addition to the minimum requirements above, promotion to the rank of associate or full professor requires the terminal degree in the appropriate discipline or its equivalent in training, ability, or experience. Neither the possession of a doctorate nor longevity of service is a guarantee of promotion.

8.3.6.3 State Universities

In addition to the minimum requirements above, promotion to the rank of professor requires the terminal degree in the appropriate discipline or its equivalent in training, ability, or experience. Neither the possession of a doctorate nor longevity of service is a guarantee of promotion.

8.3.6.4 State Colleges

In addition to the minimum requirements above, promotion to the rank of professor requires a master's degree in the teaching discipline, or, in rare cases, the equivalent of two years of fulltime graduate or first professional study beyond the bachelor's degree. Longevity of service is not a guarantee of promotion.

8.3.6.5 Institutions with a Blended Function

In addition to the minimum criteria above, promotion to specific ranks requires faculty to have the degree qualifications or the equivalent in training, ability, or experience associated with either the institution's primary or secondary functional sectors, depending on which functional sector of the blended function the faculty member is supporting. Neither the possession of a doctorate nor longevity of service is a guarantee of promotion.

8.3.7 Tenure and Criteria for Tenure

None of the procedures in Section 8.3.7 apply to faculty at Georgia Gwinnett College (GGC).

8.3.7.1 General Information Regarding Tenure

Each University System of Georgia (USG) institution, with the exception of GGC, shall establish clearly-stated tenure criteria and procedures that emphasize excellence in teaching and involvement in student success activities for all teaching faculty, conform to the requirements listed below, and are approved by the USG Chief Academic Officer. The requirements listed below are the minimum standard for award of tenure, but shall be sufficiently flexible to permit an institution to make individual adjustments appropriate to its mission. While the Board of Regents has delegated authority for tenure decisions to institution presidents, if an institution is not carrying out its faculty review process in a sufficiently rigorous manner the Board of Regents may move the authority to award tenure to the Board level until institutional processes have been remediated.

8.3.7.2 Tenure Requirements

Tenure resides at the institutional level. Institutional responsibility for employment of a tenured individual is to the extent of continued employment on a 100 percent workload basis for two out of every three consecutive academic terms until retirement, resignation, separation as remedial action related to post-tenure review, dismissal for cause, or release because of financial exigency or program modification as determined by the Board of Regents.

Only assistant professors, associate professors, and professors are eligible for tenure. Normally, only faculty who are employed full-time, defined as service on a 100 percent workload basis for at least two out of three consecutive academic terms, by an institution are eligible for tenure. Faculty members holding these professorial ranks who are employed by a USG institution on less than a full-time basis and who are assigned by the USG institution to or hold an appointment at a non-USG corporate or governmental entity shall, subject to the approval of the Chancellor, be eligible for promotion and the award of tenure by the institution President.

The award of tenure is limited to the above academic ranks and shall not be construed to include honorific appointments such as adjunct appointments. Faculty with non-tenure track appointments shall not acquire tenure.

8.3.7.3 Criteria for Tenure

Minimum for All Institutions in All Professorial Ranks

The minimum criteria for tenure are demonstrating:

1. Excellence and effectiveness in teaching and instruction;
2. Outstanding involvement in student success activities;

3. Academic achievement, as appropriate to the institution's mission;
4. Outstanding service to the institution, profession, or community; and,
5. Professional growth and development.

Noteworthy achievement is required in at least two of the above categories, but is not required in all categories. A written recommendation should be submitted by the head of the department concerned setting forth the reasons for tenure. The faculty member's length of service with an institution shall be taken into consideration in determining whether or not the faculty member should be tenured, but neither the possession of a doctorate degree nor longevity of service is a guarantee of tenure.

Research and Comprehensive Universities

In addition to the minimum criteria above, tenure at the rank of associate or full professor requires the terminal degree in the appropriate discipline or its equivalent in training, ability, or experience.

State Universities

In addition to the minimum criteria above, tenure requires the terminal degree in the appropriate discipline or its equivalent in training, ability, or experience.

State Colleges

In addition to the minimum criteria above, tenure requires a Master's Degree in the teaching discipline or, in rare cases, at least the equivalent of two years of full-time study beyond the bachelor's degree.

8.3.7.4 Award of Tenure

Tenure may be awarded, upon approval of the institution President upon completion of a probationary period of at least five continuous years of full-time service at the rank of assistant professor or higher. A maximum of two years of interruption because of a leave of absence or part-time service may be permitted and credit for the probationary period of an interruption may be given at the discretion of the President. In all cases in which a leave of absence, approved by the President, is based on birth or adoption of a child, or disability or prolonged illness of the employee or immediate family member, the five-year probationary period may be suspended during the leave of absence.

A maximum of three years' credit toward the minimum probationary period may be allowed for service in tenure track positions at other institutions or for full-time service at the rank of instructor or lecturer at the same institution. Such credit for prior service shall be approved in writing by the President at the time of the initial appointment at the rank of assistant professor or higher.

Notwithstanding anything to the contrary in this Policy Manual, in exceptional cases, an institution President may approve an outstanding distinguished senior faculty member for the award of tenure upon the faculty member's initial appointment, which is referred to as "tenure upon appointment." Each

recommendation shall be granted only when the faculty member, at a minimum, is appointed as an associate or full professor, was already tenured at a prior institution, and brings a demonstrably national reputation to the institution. If the person being appointed to an administrative position has not previously held tenure, the award of tenure must be approved by the Chancellor or the Chancellor's designee. When a President hires a chief academic officer, the award of tenure upon appointment shall not vest until the completion of any applicable probationary period.

8.3.7.5 Notification of Tenure Award

Upon approval of the award of tenure to an individual by the institution President, the individual shall be notified in writing by the President with a copy of the notification forwarded to the USG Chief Academic Officer.

8.3.7.6 Maximum Times Without Award of Tenure

Except for the approved suspension of the probationary period due to a leave of absence, the maximum time that may be served at the rank of assistant professor or above without the award of tenure shall be seven years, but a terminal contract for an eighth year may be proffered if a recommendation for tenure is not approved by the President.

The maximum time that may be served in combination of full-time instructional appointments (instructor or professorial ranks) without the award of tenure shall be ten years, but a terminal contract for the eleventh year may be proffered if a recommendation for tenure is not approved by the President.

Except for the approved suspension of the probationary period due to a leave of absence, the maximum period of time that may be served at the rank of full-time instructor shall be seven years.

8.3.7.7 Loss of Tenure or Probationary Credit Towards Tenure

Tenure or probationary credit towards tenure is lost upon:

1. Resignation from an institution;
2. Written resignation from a tenured position in order to take a non-tenured position; or,
3. Written resignation from a position for which probationary credit toward tenure is given in order to take a position for which no probationary credit is given.

In the event such an individual is again employed as a candidate for tenure, probationary credit for the prior service may be awarded in the same manner as for service at another institution.

8.3.7.8 Augusta University

Anything in this policy manual to the contrary notwithstanding, faculty members employed by Augusta University who hold a professorial rank in a tenure track position of assistant professor or above and who also hold a part-time or full-time appointment at the Veterans Administration Medical Center-Augusta (VA), shall be eligible for the award of tenure at Augusta University upon completion of at least five years of full-time or part-time service at the rank of assistant professor or higher, as noted in this policy section.

Such faculty members shall otherwise meet the other requirements set forth in this Policy Manual and the statutes of Augusta University for the award of tenure to full-time faculty. Such faculty members who have been employed previously by Augusta University for five consecutive years or more shall be eligible to apply for tenure.

The tenure of a faculty member who also holds a VA appointment shall apply only to that portion of a faculty member's salary and benefits that are provided directly by Augusta University. In no event shall the award of tenure to faculty members holding such joint appointments obligate Augusta University to assume any portion of the salary or other benefits provided by the VA.

In the event a faculty member who has been awarded tenure at Augusta University under the provisions of this section shall for any reason cease to be employed by the VA, Augusta University shall have the right, at its sole discretion, to revoke the tenure, employment, or other affiliation of the faculty member by Augusta University without a hearing or other due process procedures or requirements set forth in this Policy Manual and the statutes of Augusta University for other full-time tenured faculty. After termination of employment or revocation of tenure, Augusta University shall not be obligated to provide such faculty members with any further salary, benefits, or other financial support.

8.3.7.9 Termination or Layoff of Tenured Personnel Due to Program Modification

The Board of Regents may exercise its authority to modify programs at various USG institutions. Such modification may result from a significant change of institutional mission or academic priorities that may be influenced by long-term declines in degree program productivity or financial exigency.

These changes may result in permanent termination of academic programs or permanent and significant reduction in size thereof. A program modification of such magnitude that requires the termination of tenured faculty members will be implemented only after completion of a study by the Chancellor's staff with institutional administrative and faculty participation. The Chancellor will report the results of that study to the Board along with recommended guidelines under which program modification will be effected. The USG Chief Academic Officer shall issue procedures on program modification.

8.3.8 Non-Tenure Track Personnel

University System of Georgia (USG) institutions may establish non-tenure track positions. Positions designated as non-tenure track positions or tenure track positions may be converted to the other type only by approval of the institution President.

Non-tenure track positions may be established for full-time professional personnel employed in administrative positions or to staff research, technical, special, career, and public service programs or programs that are anticipated to have a limited lifespan or that are funded, fully or partially, through non-USG sources. There shall be no maximum time limitation for service in positions in this category.

The following provisions shall apply to all non-tenure track professional personnel:

1. Individuals employed in non-tenure track positions shall not be eligible for consideration for the award of tenure;
2. Probationary credit toward tenure shall not be awarded for service in non-tenure track positions, except for lecturers and senior lecturers;
3. Notice of intention not to renew contracts of non-tenure track personnel who have been awarded academic rank (instructor, assistant professor, associate professor, and professor) shall follow the schedule required for tenure track personnel, but this schedule of notification shall not apply to other professional personnel; and,
4. Individuals employed in non-tenure track positions may apply on an equal basis with other candidates for tenure track positions that become available.

The transfer of individuals from tenure-track positions to non-tenure track positions shall be effected on a voluntary basis only.

8.3.8.1 Employment of Full-Time Lecturers

USG institutions may appoint instructional staff members to the position of lecturer, senior lecturer, or principal lecturer. Lecturers, senior lecturers, and principal lecturers are not eligible for the award of tenure.

8.3.8.2 Reappointment of Full-Time Lecturers

Reappointment of a lecturer who has completed six consecutive years of service to an institution will be permitted only if the lecturer has demonstrated exceptional teaching ability and extraordinary value to the institution and if the institution determines that there is a continued need for the lecturer. The reappointment process must follow procedures outlined by the institution.

Not more than 20 percent of an institution's full-time equivalent corps of primarily undergraduate instruction may be lecturers, senior lecturers, or principal lecturers.

8.3.8.3 Senior Lecturers and Principal Lecturers

Lecturers who have served at the employing USG institution for at least six years may be considered for promotion to senior lecturer or principal lecturer at the discretion of the institution if the relevant title has been adopted by the institution and the institution has clearly-stated promotion criteria.

Institutions are discouraged from initial hiring at the senior lecturer and principal lecturer levels. Promotion to senior lecturer and principal lecturer requires approval by the President.

Reappointment procedures for senior lecturers and principal lecturers follow the same reappointment procedures as those for lecturers. Senior lecturers and principal lecturers are not eligible for the award of tenure.

8.3.8.4 Academic Professionals

Institutions are authorized to establish non-tenure track professional positions, with the approval of the Chancellor, with academic professional titles assigned to such appropriate positions as defined below. The designation Academic Professional would apply to a variety of academic assignments that call for academic background similar to that of a faculty member with professorial rank, but which are distinctly different from professorial positions. Persons in such positions may be involved in duties of a managerial, research, technical, special, career, public service, or instructional support nature.

The following stipulations apply to all Academic Professional positions:

1. The position requires an appropriate terminal degree, or, in rare and extraordinary circumstances, qualification on the basis of demonstrably successful related experience, which exception is expressly approved by the institution President;
2. The Academic Professional designation may not be assigned to a position where the teaching and research responsibilities total 50 percent or more of the total assignment; and
3. The position is not a tenure-track position and the holder of the position is not eligible for consideration for the award of tenure or probationary credit toward tenure.

General categories for Academic Professionals include:

1. Training and instructional support, which includes educational needs assessment, program development and coordination, instructional materials and technology development, delivery of specialized or skill acquisition instruction, and program evaluation. In light of the restriction above, Academic Professionals must be persons whose instructional duties account for less than half of their total time.
2. Technical assistance in an advisory or operating role that provides specialized knowledge appropriate for program support and development with activities ranging from a significant or advisory or operating role to managing a technical support unit to development of organizational structures and function.

3. Specialized management, which includes supervision of clinical practice or field experience or providing services or out-of-class educational opportunities for students.

Career ladders may be established for Academic Professionals, using the following titles: Academic Professional Associate, Academic Professional, and Senior Academic Professional.

8.3.9 Discipline and Removal of Faculty Members

The President of a University System of Georgia (USG) institution or his or her designee may at any time remove any faculty member or other employee of an institution for cause. Cause shall include willful or intentional violation of the Board of Regents' policies or the approved statutes or bylaws of an institution or as otherwise set forth in the Board of Regents' policies and the approved statutes or bylaws of an institution. Such removals for cause shall be governed by the following policies on Grounds for Removal and Procedures for Dismissal. Remedial actions taken as part of the post tenure review process shall not be governed by these policies on Grounds for Removal and Procedures for Dismissal, but rather shall be governed by the Board Policy on Post Tenure Review.

8.3.9.1 Grounds for Removal

A tenured or non-tenured faculty member may be dismissed before the end of his or her contract term for any of the following reasons, provided that the institution has complied with procedural due process requirements:

1. Conviction or admission of guilt of a felony or of a crime involving moral turpitude during the period of employment or prior thereto if the conviction or admission of guilt was willfully concealed;
2. Professional incompetency and neglect of duty that are not identified as part of the post-tenure review process, or default of academic integrity in teaching, research, or scholarship;
3. Unlawful manufacture, distribution, sale, use, or possession of marijuana, a controlled substance, or other drugs as defined by applicable laws; teaching or working under the influence of alcohol or illegal or dangerous drugs, which interferes with the faculty member's performance of duties or responsibilities to the institution or his or her profession;
4. Conviction or admission of guilt in a court proceeding of any criminal drug offense;
5. Physical or mental incompetency as determined by law or by a medical board of three or more licensed physicians and reviewed by a committee of the faculty;
6. False swearing with respect to official documents or statements filed with or given to the institution;
7. Disruption of any teaching, research, administrative, disciplinary, public service, or other authorized activity;
8. Violation of Board of Regents' policies; and,

9. Other grounds for dismissal as may be specified in the institution statutes of the institution, which may supplement the Board of Regents' policies governing causes and procedures for dismissal.

Each institution should provide for standards governing faculty conduct, including sanctions short of dismissal and procedures for implementing such sanctions. In imposing sanctions, the burden of proof lies with the institution.

8.3.9.2 Procedures for Dismissal

These procedures shall apply only to the dismissal of a faculty member with tenure or a non-tenured faculty member before the end of the term specified in his or her contract.

These procedures are the minimum standards of due process and do not limit an institution from adopting its own additional standards or procedures consistent with the Board of Regents' policies and bylaws. Such additional standards or procedures shall be incorporated into the statutes of the institution.

Preliminary Procedures

The dismissal of a tenured faculty member or a non-tenured faculty member during his or her contract term should be preceded by:

1. Discussion between the faculty member and appropriate administrative officers looking toward a mutual settlement.
2. Informal inquiry by an appropriate faculty committee which may, upon failing to effect an adjustment, advise the President whether dismissal proceedings should be undertaken, though the advisory opinion shall not be binding upon the President.
3. A letter to the faculty member forewarning that he or she is about to be terminated for cause and informing him or her that a statement of charges will be forwarded to him or her upon request. The faculty member may request a formal hearing on the charges before a faculty committee. Failure to request charges or a hearing within a reasonable time shall constitute a waiver of the right to a hearing.
4. A statement of charges, if requested by the faculty member, framed with reasonable particularity by the President or his or her designee. Along with the charges, the faculty member shall be advised of the names of the witnesses to be used against him or her together with the nature of their expected testimony.

A dismissal shall be preceded by statement of charges or grounds for dismissal if requested by the faculty member, including a statement that the faculty member shall have the right to be heard by a faculty hearing committee, which shall consist of not fewer than three or more than five impartial faculty members appointed by the executive committee (or its equivalent) of the highest legislative body of the faculty, from among the members of the entire faculty of the institution. Members of the hearing committee may serve concurrently on other committees of the faculty.

When the hearing committee is called into session, it shall elect a chair from among its membership. The hearing committee will meet as a body when it is called into session by the chair at the chair's discretion or upon the request of the President or the faculty member who is subject to dismissal. A minimum of three committee members is required for any vote or official action to be taken.

A hearing committee member should remove himself or herself from the case, either at the request of a party or on his or her own initiative, if he or she deems himself or herself disqualified for bias or interest. Each party shall have a maximum of two challenges without stated cause that shall be made in writing and filed with the chair of the hearing committee at least five days in advance of the date set for the hearing.

Additionally, the chair may decide whether a member of the committee should be disqualified for cause. If a committee member is removed, the replacement shall be made in the same manner as the original committee was selected. If the chair is removed, the committee shall elect a new chair after committee replacements have been appointed.

Dismissal Procedures

When a hearing is requested, the following hearing procedures shall apply:

1. Service of notice of the hearing with specific reasons or charges against the faculty member together with the names of the members of the hearing committee shall be provided to the charged faculty member in writing at least 20 days prior to the hearing. The faculty member may waive a hearing or respond to the charges in writing at least five days in advance of the date set for the hearing. If a faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the hearing committee shall evaluate all available evidence and rest its recommendation upon the evidence in the record.
2. The hearing committee, in consultation with the President and the charged faculty member, may exercise its judgment as to whether the hearing should be public or private in accordance with applicable law.
3. During the proceedings the charged faculty member, the administration, and the hearing committee may each have advisory or counsel of his, her, or their choice.
4. At the request of either party or the chair of the hearing committee, a representative of a responsible education association shall be permitted to attend the hearing as an observer.
5. A tape recording or transcript of the proceedings shall be kept in accordance with institution policies and procedures and made available to the charged faculty member and the administration in the event an appeal is filed.
6. An oath or affirmation shall be administered to all witnesses by any person authorized by law to administer oaths in the State of Georgia.
7. The hearing committee may grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made.
8. The charged faculty member and the administration shall be afforded a reasonable opportunity to obtain necessary witnesses and documentary or other evidence.

9. The charged faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear but the committee determines that the interests of justice require the admission of his or her statement, the committee will identify the witness, disclose the statement, and, if possible, provide for interrogatories.
10. The hearing committee is not bound by strict rules of legal evidence and may admit any evidence that is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available. All questions relating to admissibility of evidence or other matters shall be decided by the chair or presiding officer of the committee.
11. The findings of fact and the decision of the hearing committee will be based solely on the hearing record.
12. Except for announcements concerning the time of the hearing and similar matters, public statements, and publicity about the case by either the charged faculty member or administrative officer should be avoided until the proceedings have been completed, including consideration by the Board of Regents in the event an appeal is filed.
13. The President and the charged faculty member shall be notified in writing of the decision and recommendation, if any, of the hearing committee. If the hearing committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will advise the President. If the President does not approve the committee's decision, he or she should state his or her reasons in writing to the committee for response before rendering his or her final decision. If the committee concludes that an academic penalty less than dismissal would be more appropriate than dismissal, it may so recommend with supporting reasons. The President may or may not follow the recommendations of the committee.
14. After complying with the foregoing procedures, the President shall send an official letter to the charged faculty member notifying him or her of the President's decision. Such letter shall be delivered to addressee only with receipt to show to whom and the address where delivered. The letter shall clearly state any charges that the President has found sustained and shall notify such person that he or she may apply for discretionary review as provided for in Board of Regents' Policy.
15. Upon dismissal by the President, the faculty member shall be suspended from employment without pay from the date of the final decision of the President. Should the faculty member be reinstated pursuant to an application for discretionary review under Board of Regents' Policy, he or she shall be compensated from the date of the suspension.

8.3.9.3 Dismissal of Temporary, Limited Term, or Part-Time Instructional Personnel

Temporary or part-time personnel serving without a written contract hold their employment at the pleasure of the institution President and chief academic officer and their immediate supervisor, any of whom may discontinue the employment of such employee without cause or advance notice.

8.3.9.4 Temporary Suspension During Pendency of Criminal Charges

When a faculty member of any USG institution is charged with the violation of a state or federal law, or is indicted for any such offense, a thorough review shall be carried out promptly by the President's appointed designee. If upon the completion of such review the President's designee determines that it is in the best interests of the institution, the faculty member may be temporarily suspended with or without pay.

In the event a faculty member is temporarily suspended, the faculty member may request a review within ten days of being notified of the decision. If the faculty member does so, the President shall immediately convene an ad hoc faculty committee or utilize the services of an appropriate existing faculty committee for the purpose of reviewing the suspension. The review shall be conducted based on written submissions from the faculty member and the President's designee and any additional materials that the committee finds to be appropriate in accordance with procedures to be established by the committee, which shall render its decision within ten days after the date that the committee was convened. The committee will recommend that the suspension either continue or cease. If it recommends that the suspension continue, it should also recommend whether the remainder of the suspension should be with or without pay. The President will then consider the committee's recommendations and promptly make a final decision regarding the suspension. The faculty member may thereafter apply for discretionary review of the institution's final decision under Board of Regents' Policy.

A suspension under this Policy shall not continue beyond the resolution of the criminal charges / indictment, or the conclusion of the next succeeding semester after the initiation of the temporary suspension, whichever is sooner.

Should the initiation of disciplinary proceedings beyond a temporary suspension become appropriate, the institution may initiate such proceedings in accordance with other applicable policies either during or after the conclusion of the temporary suspension.

8.3.10 Faculty Employment Applications

An employment application shall be completed by each person formally applying for a faculty position in a University System of Georgia institution. The application must be kept on file at the institution concerned. Faculty positions are considered positions of trust subject to the applicable provisions in the Human Resources Administrative Practice Manual.

8.3.11 Faculty Contracts

University System of Georgia (USG) institutions shall use the following appropriate official faculty contract forms, which are contained in the Academic & Student Affairs Handbook.

1. Fiscal year (twelve -month) contract for non-tenured faculty on tenure track, and for non-tenure track personnel including lecturers, senior lecturers, and principal lecturers;
2. Fiscal year (twelve -month) contract for tenured faculty;
3. Academic year contract for tenured faculty;
4. Academic year contract for non-tenured faculty;
5. Fiscal year (twelve -month) contract for tenured personnel holding joint employment at the Veteran's Affairs Medical Center, Augusta and Augusta University;
6. Contract for administrators with professorial ranks in the following categories: tenured personnel, non-tenured personnel on tenure track, and non-tenure track personnel; and,
7. Contract forms for faculty at Georgia Gwinnett College for renewable appointment contracts for three- or five-year terms.

USG institutions should not use the specified contracts for full-time temporary, limited-term, or part-time faculty. The administrative contract should only be used for administrators with professorial rank.

Failure to sign and return such contracts within the time period specified therein may be construed as an abandonment of employment rights.

Any other provision in these policies to the contrary notwithstanding, faculty members who fail to verify or maintain the credentials, degree, certification or license required to meet the terms and conditions of their contract shall be subject to immediate dismissal for breach of their employment contract.

8.3.12 Compensation

8.3.12.1 Salaries

The Board of Regents receives an annual appropriation from the General Assembly for all phases of its operations, which may be increased or decreased by the General Assembly or the Governor during the period of any fiscal year. Expenditures for University System of Georgia (USG) operation are, therefore, necessarily contingent upon legislative appropriations.

In the event that the General Assembly or the Governor reduces the amount of funds appropriated to the Board, the compensation of all employees and other operating expenses may be correspondingly reduced, but the Board will attempt, in so far as possible, to maintain current salary commitments and to exert its best efforts to that end.

8.3.12.2 Criteria for Determining Salaries

Consistent with Regents' policies on salary administration and nondiscrimination and the approved purpose of the institution, each USG institution shall utilize specific criteria for the determination of entry-level salaries for full-time members of the Corps of Instruction and the extent of salary increases awarded to currently employed full-time faculty members.

Entry-Level Salary

Each entry-level salary shall be determined on the basis of the specific requirements of the position and the qualifications of the individual employed to fill the position. Position criteria shall include the academic rank, the academic discipline, and the nature of the responsibilities to be performed. Criteria related to the qualifications of the individual shall include:

1. Academic degrees earned;
2. Teaching and other relevant experience;
3. Research and publication record;
4. Academic achievements and honors; and,
5. Relevant professional achievements or recognitions.

Salary Increases for Corps of Instruction

Salary increases for full-time teaching faculty shall be awarded on the basis of merit. Criteria for determining the extent of such increases shall include:

1. Teaching performance;
2. Completion of significant professional development activities including the attainment of additional academic degrees;
3. Promotion in rank;
4. Research productivity;
5. Academic achievements and publications;
6. Academic honors and recognitions;
7. Relevant professional achievements and recognitions; and,
8. Non-teaching services to the institution.

Each USG institution shall identify specific criteria, consistent with this policy and the Board of Regents' Policy on Salary Administration, for determining the extent of salary increases and the methods by which the faculty member's performance will be evaluated for purpose of the determining salary increases. The criteria and the evaluation methods shall be published in the institution's faculty handbook.

Salary for a Fiscal Year Administrative Employee Returning to an Academic Appointment as a Faculty Member

When a fiscal year administrative employee returns to an academic appointment as a faculty member, the individual's salary shall be determined on the same basis as other faculty members with similar rank and experience within the department to which he/ or she returns or in other similar positions within the institution.

8.3.12.3 Summer School Salaries

Payment of compensation to faculty members for full-time employment during the summer session shall be at a rate not to exceed 33 and 1/3 percent of their regular nine-months compensation for the previous academic year.

8.3.12.4 Research, Saturday Classes, and Off-Campus Continuing Education

Research and Saturday classes will ordinarily be carried by USG personnel as part of their normal work load without additional financial compensation. Adequate allowance in time assigned for the extra duties shall be made by a proportionate decrease in the teaching load. When off-campus services conducted through a continuing education center can be included in the normal work load of an individual, no additional compensation shall be paid.

8.3.12.5 Extra Compensation

Extra compensation may be paid to USG faculty when all four of the following conditions exist:

1. The work is carried in addition to a normal full load;
2. No qualified person is available to carry the work as part of his or her normal load;
3. The work meets institutional needs and priorities as determined by the institution President or his or her designee; and,
4. The additional duties are not so heavy as to interfere with the performance of regular duties.

When extra compensation is paid, it shall be in line with compensation paid for performance of similar duties.

8.3.12.6 Salary Supplements from Cooperative Organizations

Salary supplements from cooperative organizations may only be authorized upon the recommendation and approval of the President of the institution. No consideration shall be given to salary supplements that may be paid from cooperative organizations or other sources that are over and above the regular salary paid

with state funds. A supplemental budget shall be prepared to include supplements to be paid from cooperative organizations or other sources.

The salary to be paid from state funds for summer school employment or for a leave of absence with pay shall be based on the approved salary exclusive of any supplement.

Each faculty or staff member receiving a salary supplement shall be advised that he or she is receiving the salary supplement with information as to the amount of and source of funds.

8.3.12.7 Employment of Faculty Members with Agency Funds

Whenever it is desired to employ a person at any USG institution whose salary is to be paid in whole or in part with funds provided by a person, foundation, organization, or any agency other than a governmental agency, the President of the institution concerned shall recommend to the Board of Regents, through the Chancellor, the employment of the person, with full details of his or her qualifications and the availability of funds for paying his or her salary. More information on Agency Funds can be found in the [Business Procedures Manual](#).

8.3.13 Faculty Development

Each University System of Georgia institution shall maintain a campus-wide professional growth and development program that supports the continuous improvement of all faculty in their roles as teachers, scholars, researchers, and professionals engaged in service to the institution, the community, and the profession. Each institution's program must be aligned with the institution's mission, key initiatives, and strategic plan and must cultivate and sustain a culture in which faculty professional development is valued and pervasive.

The program should specify how faculty development is incorporated into each area of faculty performance evaluations and should be grounded in best practices for faculty development to inform faculty of opportunities, empower them to stay current, and reward them for enhancing their skills. The program should be goal-driven, include a mechanism to evaluate its effectiveness, and explain how the information gathered will be used to enhance faculty development. Programs must be endorsed by the appropriate faculty governance process and the institution's President.

8.3.14 Enhancing Teaching and Learning in K-12 Schools and USG

Institutions

University System of Georgia (USG) institutions shall support and reward faculty who participate in significant and approved efforts to improve teaching and learning in K-12 schools and USG institutions through decisions in promotion and tenure, pre-tenure and post-tenure review, annual review and merit pay, workload, recognition, allocation of resources, and other rewards consistent with the related provisions in the Academic & Student Affairs Handbook.

8.4 Additional Personnel Policies and Procedures

All USG employees are subject to and governed by the provisions of the Board of Regents' Policy Manual and any related procedures manual or guidance adopted or issued by the University System Office.

8.5 Financial Exigency

Anything in the Bylaws of the Board of Regents or this Policy Manual to the contrary notwithstanding, if the Board of Regents finds that a condition of financial exigency exists either at an institution, within an academic or other unit of an institution, or in the USG generally, then the layoff or termination of tenured faculty, non-tenured faculty, or other contract employees before the end of their contract term will be handled in accordance with the Financial Exigency policy set forth below.

As used herein, the term "unit" means any identifiable USG component at any level of its organization that has an annual budget for the operation of such component.

8.5.1 Definition of Financial Exigency

Financial exigency occurs when circumstances cause a shortfall in projected revenues for general operations as compared with projected expenditures over the same period, and such shortfall would have a material adverse effect on the operation of either an institution, an academic or other unit of an institution, or the USG generally. In the event of reduced appropriations, declining enrollments, or other actions or events that compel a reduction in the USG's or an institution's current operations budget, the Board of Regents may, in its exercise of fiscal responsibility, reduce the operation of, modify, or close one or more USG institutions. Such reductions, modifications, or closings may require the reduction of salaries, layoffs, or terminations of tenured faculty, non-tenured faculty, or other contract employees before the expiration of their contract term.

Any response to a financial exigency shall be developed with the understanding that action taken will be consistent with the basic USG mission to provide the best possible education for its students. The USG shall make reasonable efforts to ensure that students affected will be allowed to complete their programs, within the limits of budgetary constraints, at the institution or by transfer to another USG institution.

The determination of the existence and extent of a financial exigency affecting the USG, any individual institution, or an academic unit of an institution shall be the sole responsibility of the Board of Regents. However, the president of an institution, after consultation with representative faculty members, may request such a determination by the Board. A request for the declaration of a financial exigency at any level below the institution level must originate at the institution. When such determinations are made, this policy, along with approved implementing procedures, will take precedence over those applicable Board policies that govern normal operating procedures. The president of each institution shall follow implementing procedures prescribed by the Chancellor.

8.5.2 Layoffs or Terminations

The term *layoff*, as used in this policy, is defined as the temporary dismissal of any employee, including tenured or non-tenured faculty members or other contracted employees, before the end of their contract term. Layoffs may lead to eventual termination.

Layoffs or terminations may occur within an academic or other units of an institution without a net loss of faculty members or other personnel at the institution; that is, layoffs or terminations in some academic or other units may occur with simultaneous authorization of new positions for different duties in academic or other units depending upon the needs of such units.

The president of each institution, after consultation with faculty and staff, shall determine whether layoffs or terminations are required and which employees will be affected. This determination shall be made in accordance with the procedures established by the Chancellor, and will give primary consideration to the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the institution.

Faculty and other employees under contract who are laid off or terminated before the end of their contract terms for reasons of financial exigency shall, whenever possible, be notified at least ninety (90) days in advance of the date of layoff or termination. The notice of layoff or termination shall be delivered personally or by certified mail, with return receipt requested.

This notice shall include, in writing, a statement of the conditions requiring layoff or termination, a general description of procedures followed in making the decision and a statement of the employee's right to respond, orally and in writing, to the appropriate official at the institution as to the reasons for the layoff or termination. The employee(s) shall also have the right, upon written request within twenty (20) calendar days from the date of the final decision of the president or his or her designee, to apply to the Board's

Office of Legal Affairs for a review of that decision, per Policy 8.6 Applications for Discretionary Review.
(BoR Minutes, February 2015)

8.5.3 Program Modification or Discontinuance in the Event of Financial Exigency

Anything in these policies to the contrary notwithstanding, if the Board of Regents finds that a condition of financial exigency exists at an institution, either within an academic or other unit of an institution or in the USG as provided in this Policy Manual, then program modifications or discontinuances recommended by the Chancellor and approved by the Board may be made at any such institution, within an academic or other unit of any such institution or the USG generally. If any such program modifications or discontinuances involve the layoff or termination of any tenured or non-tenured faculty or other contract employees before the end of their contract term, the provisions of Section 8.5.2 of this Policy Manual shall apply to any such layoffs or termination (BoR Minutes, 1991-92, pp. 114-117).

9.1 General Policy on Real Estate and Facilities

9.1.1 Definitions

The term “Real Estate” has the same meaning as “Real Property” and includes land and anything permanently affixed to or growing upon the land; all rights issuing out of, annexed to, and exercisable within or about land; and any estate or interest in land.

The term “Facility” or “Facilities” includes buildings; structures; University System of Georgia (USG) institution grounds; all outdoor areas of a USG institution, including streets, entrances, gates, and landscape features such as quadrangles, gardens, lakes, fountains, and fields; athletic venues; and improvements of all types.

The term “Property” includes both Real Property and Facilities.

The Term “Property Activity” or “Property Activities” includes all activities related to Property such as planning; acquisition; development, including design, construction, and renovation; management; operations; use; and disposition.

9.1.2 Portfolio Management and Utilization

The Board of Regents shall hold title to the Property of each USG institution so that each institution shall receive the use and benefit of the Property devoted to its use. In no event shall the Property of one institution be subject to the liabilities or obligations of any other institution, but the Board of Regents may utilize the Property, educational or otherwise, of one institution for the advancement or assistance of another.

The Board shall act as good stewards of the Property held in their trust. The USG chief facilities officer shall be responsible for the management of the Property on behalf of the Board of Regents and shall assist the Board in maximizing the long-term utility of the Property to accomplish the educational mission of the University System. The Board of Regents, the Chancellor, or the USG chief facilities officer may require USG institutions to provide reports related to USG Property.

9.1.3 Procedures, Standards, and Guidelines

The USG chief facilities officer is responsible for establishing standards and guidelines for Property Activities. A complete list of current standards and guidelines will be accessible on the USG web site.

The USG chief facilities officer shall work with the Georgia Department of Law to make available standard forms of agreement, contracts, and other templates of legal documents that might expedite or facilitate Property Activities.

9.1.4 Real Estate Delegation of Authority

Unless specifically designated otherwise, the Chancellor delegates the authority that he or she has under Section 9 of this Policy Manual to the USG chief facilities officer. The authorization may not be further delegated to USG institutions.

When acting with delegated authority for public private venture transactions and USG real property transactions in the name of and on behalf of the Board of Regents, USG officials may execute and deliver documents and take other actions as, in the judgment of such officials, may be necessary, proper, convenient, or required in order to carry out the intent of authority delegated to those officials.

9.2.1 Campus Master Planning

Each University System of Georgia (USG) institution shall develop and maintain a master plan for campus development in consultation with the USG chief facilities officer. Institution presidents shall ensure that a current copy of the institution's master plan is on file at the System Office. The USG chief facilities officer shall periodically inform the Board of institution planning efforts, including campus master planning.

9.2.2 Master Planning Services

Master planning for campus development combines short- and long-range focus; integrates multiple facilities, systems, and functions; and is typically comprehensive in scope. Institutions shall utilize qualified professionals for master planning related activities. In most cases, effective master planning requires the assistance of consultants. Institutions procuring consulting services for master planning related activities shall obtain prior approval from the USG chief facilities officer.

9.2.3 System Capital Plan

The Board of Regents shall periodically adopt a multi-year capital plan upon the recommendation of the Chancellor with the goal of meeting comprehensive system needs within the context of funding availability. Project evaluation is informed by system and institution strategic plans, facility condition and space utilization data, institution master plans, and other factors. The capital plan provides a foundation for the System's annual State capital budget request.

The USG chief facilities officer shall make periodic requests to institutions to provide new and updated capital plan proposals and related information.

9.3 Facilities Approval for Off-Campus Instructional Sites

To provide instruction at an off-campus site, University System of Georgia (USG) institutions must first seek approval of the proposed academic instruction or program in accordance with the Board of Regents' Policy on Academic Approval for Off-Campus Instructional Sites. Institutions shall not initiate requests for new off-campus instructional facilities prior to the approval of related academic proposals unless authorized by the Chief Academic Officer to proceed with a facility proposal concurrently with the academic review process.

Off-campus instructional facilities that are proposed to be controlled and exclusively occupied by the

institution must be approved in accordance with the Board of Regents' policies on Facilities. Where applicable, facility proposals must be submitted for Integrated Review in accordance with the requirements of Board Policy.

Space occupied non-exclusively (typically classrooms or meeting rooms for specific, limited periods at a nominal cost) may be used for scheduling approved instruction at other USG institutions and at sites controlled by outside entities (e.g., secondary schools, private universities, hospitals, local government facilities, corporate sites, military bases) without facilities approval.

9.4.1 Authorization by Board of Regents

All new buildings, major renovation, rehabilitation, or other projects, except routine maintenance, involving the campus or buildings of a University System of Georgia (USG) unit using funds from any source shall require authorization by the Board of Regents and shall be implemented in accordance with procedures established under the direction of the USG chief facilities officer.

The USG chief facilities officer is authorized to act, without prior approval of the Board of Regents, in the authorization of projects on behalf of the Board of Regents that are in accordance with the accepted campus master plan; provided, however, that the authority so delegated shall be for projects that do not exceed the sum of \$2,500,000 in initial construction costs.

The USG chief facilities officer may delegate any or all of the above authority, in accordance with Board of Regents policies, procedures, and guidelines, to individual USG institution presidents based upon an evaluation by the Chancellor or USG chief facilities officer of the ability of the institution to properly administer the delegated authority. Delegated authority may be withdrawn at the discretion of the Chancellor or the USG chief facilities officer.

9.4.2 Project Delivery Methods

The Board of Regents shall use appropriate construction delivery methods in accordance with the State Construction Manual and current industry practices. The USG chief facilities officer is responsible for developing related procedures and guidelines.

9.4.3 Contracting Authority

When qualifications-based selection (QBS) is used, and unless otherwise provided by these policies, the Chancellor and the USG chief facilities officer has authority to act as the contracting officer on behalf of

the Board of Regents for construction and professional service contracts, including but not limited to architectural and engineering contracts, amendments, and change orders that do not exceed the sum of \$5,000,000 for any one contractual obligation. When QBS is used for projects with an initial construction cost that exceeds \$5,000,000, Board approval of the firm rankings is required prior to appointment of the professionals and execution of the construction contracts and related professional service contracts.

The Chancellor and the USG chief facilities officer is further authorized to act, on behalf of the Board of Regents and without prior approval of the Board of Regents, in a bid award of previously authorized construction projects.

The Chancellor or the USG chief facilities officer may delegate any or all of the above authority, in accordance with Board policies, and procedures and guidelines, to individual USG institutions based upon an evaluation by the Chancellor or the USG chief facilities officer of the ability of an institution to properly administer the delegated authority. Delegated authority may be withdrawn at the discretion of the Chancellor or the USG chief facilities officer.

The Chancellor and the USG chief facilities officer may execute documents and take or cause to be taken other actions that, in the judgment and reasonable discretion of such officials, may be necessary, proper, convenient or required in connection with the execution and delivery of such instruments, documents, or writings in order to carry out the intent of authority delegated.

9.4.4 Professional Services Procurement

Professional consulting services related to new construction, renovation and infrastructure projects, including but not limited to architects, engineers, landscape architects, interior designers, program managers, and facilities planners, shall be procured in accordance with the Building Project Procedures Manual.

9.4.5 Construction Services Procurement

[Reserved]

9.4.6 Furniture, Fixtures, and Equipment

In connection with the development of a new or renovated facility at a USG institution, the cost of the purchase of new essential furniture, fixtures, or equipment required to place the facility in operation shall be included in the total project budget of the facility.

The purchase of instructional, administrative, operational, or maintenance equipment for use in a new facility shall be the responsibility of the USG institution. The Chancellor and his or her staff will support the institution in securing aid that may be available through special or restricted funds included in the total funds of the project other than bond funds to assist in the purchase of such equipment. Purchasing regulations for the procurement of furniture, fixtures, and equipment will be published in the Business Procedures Manual.

9.4.7 Required Reporting

The USG chief facilities officer shall report to the Board of Regents annually about design and construction-related contracting using qualifications-based selections.

9.4.8 Debarment

A design professional, consultant, or contractor may be debarred from performing any work in any capacity for the Board of Regents for up to five years from the date of determination by the Chancellor based on the recommendation by a hearing panel comprised of the USG chief facilities officer or his or her designee and two other members appointed by the USG chief facilities officer. Procedures for debarment shall be published under guidelines and procedures issued by the USG chief facilities officer.

9.5 Facilities and Campus Grounds Development

9.5.1 Sustainable Design and Life Cycle Costing

University System of Georgia (USG) buildings and grounds shall be planned and developed to provide long-term life cycle benefits. Each institution's individual architectural character and landscape shall be maintained in a coordinated and consistent manner. Each institution shall employ design and construction concepts to allow for adaptive reuse, appropriate infrastructure, and flexibility to accommodate evolving technology.

State-funded educational buildings shall be designed and constructed to provide quality service for 50 or more years, ultimately serving the citizens of Georgia by achieving long-term life cycle benefits, a positive cost-to-benefit return on the initial investment.

9.5.2 Building Design Standards

Each USG institution shall develop standards that establish basic aesthetic expectations for construction, which are founded on and complementary to the USG's preplanning guidelines. Institution standards shall establish the campus's architectural theme and provide specificity sufficient to guide future construction activities to achieve harmony with the existing facilities while providing modern teaching and learning spaces. These standards shall ensure that the exterior architectural character of each building conveys the institution character in a cohesive, attractive, and timeless manner. Each institution shall develop an "architectural palette" (list of materials) to guide the selection of exterior materials for construction projects.

9.5.3 Modular and Temporary Buildings

The rental, lease, or purchase of modular or other temporary buildings and trailers is prohibited with the exception of trailers supporting an active construction project. Any other exception must be submitted to the USG chief facilities officer for review and approval in advance of the installation.

9.5.4 Campus Grounds and Landscape Standards

Each USG institution shall develop standards that establish basic expectations for landscaping and grounds, which are founded on and complementary to the USG's preplanning guidelines, establish the institution's landscape plan, and provide specificity sufficient to guide the planning and development of outdoor common space, including hardscape and signage, to achieve a cohesive and sustainable campus. These standards shall ensure that the campus grounds convey an attractive and inviting institution character. Each institution shall establish material and plant lists to guide the development of public green spaces, and plantings shall be predominantly indigenous, maintainable, and diverse.

Each institution shall have installed on its campus, and on each existing off-campus facility an appropriate number of properly designed and constructed, architecturally proper, and structurally sound exterior signs containing the name of the institution and identification of the institution as a part of the USG. Such signs

shall be kept in good repair. Each exterior sign shall be able to be readily seen and quickly read from nearby public streets or highways.

Each institution shall fly the flag of the United States and the flag of Georgia from a building or flag pole on the campus of the institution.

9.5.5 Plaques

A plaque of bronze cast metal or other appropriate material will be installed in all major construction projects including new buildings, additions, and renovations noting the year completed, the Governor and members of the Board of Regents at the time of completion, other members of the Board of Regents serving since the project was first approved, the architect, and the contractor.

If deemed appropriate by the President of the institution, major contributors may be recognized by inclusion on the plaque or a separate plaque.

9.6 Housing Operations

9.6.1 Maintenance and Custodial Standards

9.6.2 Live-On Requirements

For sound educational reasons, a President may require students to live on campus upon review and approval by the Chancellor.

9.6.3 Presidents' Homes

Effective September 1, 2023, no USG President will be required to live in university housing, nor shall there be presidential housing at any USG institution.

9.6.4 Employee Housing

Employees provided with housing by a USG institution shall be charged at a rate that is no less than the approved and published rate charged to students. If the facility is designated for employee housing only, then the rate for the facility shall be competitive with the rates charged for privately owned comparable

quarters in the immediate area and shall be charged equally to all employees.

If lodging is provided at no charge or at a discount from the published rate, then the value of the full rent amount or discount shall be treated as additional taxable compensation to the employee. Housing provided to employees who are required to live in campus housing as a condition of employment and in the interest of the institution shall not be deemed a taxable benefit.

9.6.5 Private Housing

No private housing or attendant facilities shall be constructed on USG properties without the expressed written consent of the Board of Regents.

Agreements may be entered into between USG institutions and private housing operators to establish the terms and conditions upon which students are housed in off-campus facilities only with the approval of the Board of Regents and provided that no financial or other restricting obligations, expressed or implied, are made on the part of the institutions or the Board of Regents.

9.7 Public Private Ventures

Public Private Ventures (PPV) are essential to the implementation of strategic capital planning. Institutions shall manage assets financed with lease revenue bonds or loans in accordance with the requirements of the Business Procedures Manual. All PPVs require approval of the Board of Regents. Planning and requests for additional capital liability obligations for PPVs shall be conducted in accordance with Board policies on Strategic Capital Planning and Capital Project Authorization, Procurement, and Contracting.

The Board of Regents will work with cooperative organizations to provide facilities that will be self-supporting from revenue generated. The Board of Regents may ground lease real property to a cooperative organization for the purpose of providing facilities for use by an institution. The Board of Regents may rent facilities from cooperative organizations. The cooperative organization shall offer the facilities as a gift to the Board of Regents upon termination of financing obligations or within 35 years of occupancy, whichever occurs sooner. The Board of Regents cannot incur debt and will have no legal or moral obligation for any debt incurred by cooperative organizations for these facilities.

The Business Procedures Manual contains additional information on cooperative organizations. The USG chief facilities officer and the University System of Georgia (USG) chief fiscal officer will establish guidelines for USG institutions and cooperative organizations in relation to PPVs.

The Board of Regents shall assess administrative fees for all PPVs.

9.7.1 Capital Liability Capacity and

Affordability

Capital liability capacity is an institution's ability to service capital liabilities through operations and is driven by strength in income, cash flows, and overall financial leverage. Capital liability capacity is limited and directly impacts the affordability of education and services provided to USG students. Therefore, resources used to fund capital liability lease payments must be managed strategically from an overall system perspective and an institutional perspective.

The Board of Regents, the University System Office, and all USG institutions shall maintain their capacity to enter into capital lease agreements consistent with the underlying objectives of the PPV program. The Board of Regents designates the capital liability burden ratio as a generally accepted method of measuring, assessing, and limiting the USG's and a USG institution's authority to initiate and enter into new PPV projects and additional PPV capital lease arrangements.

The capital liability burden ratio reflects what percentage of an institution's income is used to make capital lease payments, including PPV payments. The capital liability burden ratio shall consist of the percentage of total revenues in any given fiscal year that are used to pay an institution's capital lease payments, including payments associated with the PPV program. The method for calculating the capital liability burden ratio shall formally be defined by the USG chief fiscal officer. The capital liability burden ratio shall not exceed five percent for the USG taken as a whole.

USG institutions shall strive to ensure that any new PPV projects submitted for approval do not cause the institution to exceed the institution's five-percent threshold. Institutions may, consistent with approved strategic objectives and sound fiscal management, submit proposed PPV projects that would result in a capital liability burden ratio between five percent and seven percent. Institutions may submit a PPV project that would cause the institution to exceed the seven percent capital liability burden ratio but only under extraordinary circumstances. Under no circumstances shall an institution submit a project for approval that would result in the institution exceeding a ten percent capital liability burden ratio.

Adherence to these limits for proposed projects in no way guarantees approval of a PPV project.

9.7.2 Capital Liability Reserve Fund

The Board of Regents has established a Capital Liability Reserve Fund (the Fund) to protect the fiscal integrity of the USG, maintain the strongest possible credit ratings associated with PPV projects, and ensure that the Board of Regents can effectively support its long-term capital lease obligations.

The Fund shall be funded by all USG institutions participating in the PPV program and serve as a pooled reserve controlled and administered by the Board of Regents. The USG chief fiscal officer shall determine the amount to be deposited by each participating institution into the Fund. The Fund shall only be used to

address significant shortfalls and only insofar as a requesting USG institution is unable to make the required PPV capital lease payment to the designated cooperative organization. The Fund will continue as long as the Board of Regents has rental obligations under the PPV program.

Fund distributions shall be made only with approval of the Chancellor and with prior notification to the Board of Regents. Requests for Fund distributions shall be made by the requesting institution's President. Fund distributions shall only be used to make the required rental payment and only in those circumstances in which the institution has exhausted its capacity to fund the rental payment using allowable funding sources. Institutional requests shall detail the justification for the distribution, a plan to reimburse the Fund, and a plan to make the project self-liquidating on a going-forward basis. Nothing in this Policy Manual relieves institutions of the expectation to that they maintain adequate institutional reserves consistent with prudent fiscal management as needed to mitigate the risk of non-payment of PPV capital lease payments.

The USG chief fiscal officer shall establish procedures governing the Fund to include the form and manner of payments to the fund, payment schedules, methods of distribution, required payments to the Fund, payment plan, penalties, and redistribution of fund assets associated either with an institution's cessation of participation in the PPV program or cessation of the PPV program for the USG. Each institution shall be treated equitably consistent with their level of PPV capital lease payments, levels of risk, and prudent fiscal management.

9.7.3 PPV Rental Agreements

9.7.3.1 Lease Rental Agreement Revisions: Refinancing

Capital lease payments associated with the USG PPV program made to cooperative organizations are designed, at a minimum, to support the required cooperative organization bond payment for principal and interest in addition to other costs as determined between the parties to the agreement. The portion of the PPV capital lease payment associated with the principal and interest is established consistent with the original terms of the revenue bond payment schedule required of the cooperative organization. A cooperative organization may, from time to time and at its own discretion, decide to refinance the original bond, revise the bond terms, or otherwise take action to manage risk and reduce costs associated with the bond debt.

Institutions shall monitor actions taken by cooperative organizations to refinance or otherwise alter the terms of the underlying bond debt. Insofar as the cooperative organization experiences a reduction in principal and interest payments, USG institutions shall ensure that they achieve a corresponding reduction in the associated capital lease payments equal to at least 50 percent of the cooperative organization's savings. This reduction shall be achieved through renegotiating the rental agreement to which the USG

institution and the cooperative organization are parties. USG institutions shall not renew rental agreements that have not been amended to reflect these savings. USG institutions should strive to ensure that the length of the original bond is not extended prior to agreeing to renew the underlying rental agreement; however, circumstances may arise when prudence would dictate otherwise.

USG institutions shall use any savings recognized through the renegotiated rental agreement to benefit students and to strengthen the PPV program at that institution. An institution may benefit students through reducing the current mandatory or special fees used to support the particular PPV facility, through eliminating a planned future fee increase, through improving services offered associated with the PPV facility, or through fully funding institutional PPV reserves. This list is not intended to be all-inclusive.

Institutions shall notify the USG chief fiscal officer of the planned use for realized savings.

9.7.3.2 Repair and Replacement Reserves

Rental agreements associated with the PPV program between the Board of Regents and a cooperative organization or its affiliated limited liability company shall contain provisions related to routine assessments of facility conditions, funding, disbursement, and disposition of repair and replacement reserves to enhance the long-term sustainability of PPV projects by ensuring that such reserves are used for capital repairs and replacements.

PPV rental agreements shall contain requirements that the landlord:

1. Fund and establish a repair and replacement reserve for capital repairs and replacements;
2. Provide funds from the repair and replacement reserve for a Facilities Condition Assessment Report (FCAR) performed in accordance with USG procedures and guidelines;
3. Exhaust any trustee surplus accounts held by the trustee or the foundation prior to exhausting the repair and replacement reserve; and,
4. Utilize any balances remaining in the repair and replacement reserve on necessary capital repairs and replacements prior to the termination of the rental agreement.

The cooperative organization, or its affiliated limited liability company, shall gift any remaining balances in the repair and replacement reserve to the institution upon termination of the rental agreement.

This policy is effective immediately upon approval for new PPV rental agreements and for all PPV renewals to the extent permitted by the existing loan agreements.

The USG chief fiscal officer, with the approval of the Chancellor, may, in the name and on behalf of the Board of Regents, take or cause to be taken any and all such further action as, in the judgment of such official, may be necessary, proper, convenient or required in connection with the execution and delivery of instruments, documents, or writings in order to carry out the intent of this policy for all PPV rental agreements.

9.8 Real Property Ownership and Asset Management

9.8.1 Acquisition

The Chancellor and the University System of Georgia (USG) chief facilities officer may execute documents and take other actions in the name of, under the Seal of, and on behalf of the Board of Regents of the University System of Georgia without prior approval by the Board, any and all contracts, agreements, deeds, licenses, or other instruments related to the purchase or gift of real property where the purchase price or gift value of the real property does not exceed \$1,000,000 and is at or below fair market value as determined by an independent and licensed real estate appraiser and where the property is not be subject to any adverse reversions, restrictions, covenants, or easements.

For gifts of property, a written opinion of value by a licensed real estate professional may be used in lieu of appraisal.

For acquisitions exceeding \$1,000,000, at least two appraisals from independent and licensed real estate appraisers are required to validate the purchase price.

Board approval is required for any property acquired by condemnation, regardless of value.

9.8.2 Disposition

9.8.2.1 Sale of Property

The Chancellor and the University System of Georgia (USG) chief facilities officer may execute documents and take other actions in the name of, under the Seal of, and on behalf of the Board of Regents of the University System of Georgia without prior approval by the Board any and all contracts, agreements, deeds, licenses, or other instruments related to the disposition of real property where the sale, transfer, or exchange price of the real property does not exceed \$1,000,000 and is at or above fair market value as determined by an independent and licensed real estate professional.

For dispositions where the sale, transfer, or exchange price exceeds \$1,000,000, at least two appraisals from independent and licensed real estate appraisers are required to validate the purchase price.

9.8.2.2 Conveyances for Transportation Improvements

The Chancellor and the USG chief facilities officer may declare, without prior approval of the Board, that real property is no longer advantageously useful to any USG institution but only for the purpose of conveying title for public road improvements provided that no more than five acres of real property is to be conveyed.

The Chancellor and the USG chief facilities officer may request, without prior authorization of the Board, that the Governor execute a deed without warranty, quitclaim deed, or other deed of conveyance for real property for the purpose of conveying title for public transportation improvements provided that less than five acres of real property is conveyed.

9.8.2.3 Demolition

The Chancellor and the USG chief facilities officer may declare, without further approval of the Board, that a building or structure owned by the Board of Regents is no longer advantageously useful to any USG unit, for the sole purpose of authorizing demolition, and to request that the Governor issue an executive order authorizing demolition, provided that such building or structure is not eligible for a national or state historic register, and is either:

1. Vacant, and has been vacant, for an extended period of time;
2. Not a cost-effective candidate for repair based on a cursory examination;
3. Obsolete and no longer necessary to provide support for which it was constructed and no longer needed to support academic programs; or,
4. Consistent with the institution physical master plan and a Regents-approved capital improvement project.

In the event that a building or structure is declared eligible for a national or state historic register, Board action is required to declare the building or structure no longer advantageously useful to any USG unit for the sole purpose of authorizing demolition and to request that the Governor issue an executive order authorizing demolition.

9.8.3 Easements

The Chancellor and the USG chief facilities officer may declare, without prior approval of the Board, that real property is no longer advantageously useful to any USG institution but only to the extent and for the purpose of granting a non-exclusive easement. The Chancellor and the USG chief facilities officer may approve, without prior approval of the Board, the execution and delivery of non-exclusive easements or revocable license agreements or permits for improvements, utilities, and appurtenances to the utilities, above, across, or under Regents' property by any entity to the extent necessary to serve or for the benefit of a USG institution.

9.8.4 Timber Sales

The Georgia Forestry Commission provides assistance to the USG and its institutions in the efficient and timely harvesting of timber growing or produced on USG lands. The Commission will designate and prepare for sale those timber products that should be harvested on USG property, which are declared to be surplus property that can no longer be advantageously used in the USG. The sale of all such timber products is declared to be in the USG's best interest.

The USG chief facilities officer shall act as the liaison between the Board of Regents and the Georgia Forestry Commission in the management, sale, and disposition of timber and its byproducts for land not under the management of the School of Forestry and Natural Resources at the University of Georgia.

The proceeds from such timber sales, after deducting the cost and expenses thereof, shall be paid to the institution having jurisdiction of the lands from which the timber was cut.

On those lands owned by the Board of Regents and under the management of the School of Forestry and Natural Resources at the University of Georgia, the foresters of said school will designate and approve all sales of timber products and prepare the same for sale in keeping with sound and efficient forest management practices. All such sales shall be reported to the USG chief facilities officer.

9.8.5 Reporting

The USG chief facilities officer shall periodically update the Board of Regents on real estate acquisitions, dispositions, easements, and timber sales.

9.9 Use of Board of Regents Property

9.9.1 Leasing Authority as Landlord

The Chancellor and the University System of Georgia (USG) chief facilities officer may execute documents and take other actions in the name of, under the Seal of, and on behalf of the Board of Regents of the University System of Georgia without prior approval by the Board any and all rental agreements, supplemental agreements, and subrental agreements in which the Board of Regents is named as the landlord of the property rented and where the total rent to be paid to the Board does not exceed \$25,000 per month during the initial term and \$35,000 per month during any subsequent renewal term.

The USG chief facilities officer will shall periodically report to the Board of Regents on lease transactions where the Board of Regents is named as the landlord.

9.9.2 When to Lease as Landlord

Board of Regents' owned space within the USG is should be utilized with the greatest efficiency. USG institutions should lease facilities to others only when:

1. There is sufficient excess capacity available on campus; and
2. The rental rates are fair and equitable; and
3. The use of the leased space is compatible with the institution mission or of benefit to the institution; or
4. There are other extraordinary circumstances that require leasing.

Institutions shall periodically review all space leased to others against the above criteria to ensure it is still appropriate and provide an annual report on leased space to the USG chief facilities officer who will exercise oversight on leasing activity.

9.9.3 Lease of Residential Facilities

The Chancellor is authorized to lease housing to groups external to the USG for a maximum term of one year under the following conditions:

1. Any option periods or extensions beyond one year must be approved by the Board.
2. Housing facilities will only be leased to outside parties when there is sufficient excess capacity and such lease will not impact the ability to house all institutional students desiring housing during the term of the lease.
3. Any lease to outside parties should be contemplated only after a good faith effort has been made to fill housing with USG students.
4. Any lease of housing must be compatible with the mission of the institution and must not be disruptive to the institution's students occupying housing.
5. Leases for other than an institution's own students will only be considered in priority order for cooperative interns, college students, education institutions, or not-for-profit education institutions. Leases to individuals or groups not in these categories will not be considered.
6. The lease rate will be at market rates for comparable housing in the vicinity and in no case will be less than the rate being charged to the institutional students for similar accommodations.
7. Payment for the lease will be made in full prior to the commencement of the term of the lease.

The President of each institution may recommend to the Chancellor or the USG chief facilities officer the leasing of residential facilities up to 2,000 square feet owned by the USG for fair market value rent and for a period of time up to two years at such times when such facilities are not in use by the institution. The President shall certify that such proposed lease of residential facilities does not adversely affect or impact the institution. Any revenues generated by such proposed lease of residential facilities will be used only for maintenance of the residential facility. Such leases shall be in writing and shall be consistent with

guidelines promulgated by the Chancellor or the USG chief facilities officer.

9.9.4 Lease of Research Facilities

The following policies shall govern the leasing of laboratory and research facilities:

1. The President of each institution may recommend to the Chancellor the leasing of laboratory and research facilities owned by the USG to private businesses, companies, and corporations for the purpose of small business and economic development during times when such laboratory and research facilities are not in use by the institution.
2. The President shall certify that the proposed lease of such laboratories or facilities does not adversely affect or impact on the institutional or research programs at the institution or conflict with the academic and service mission of the institution.
3. Such leases shall be in writing and shall be consistent with guidelines promulgated by the Chancellor or the USG chief facilities officer.

9.10.1 Leasing Authority as Tenant

The Chancellor and the University System of Georgia (USG) chief facilities officer may execute documents and take other actions in the name of, under the Seal of, and on behalf of the Board of Regents of the University System of Georgia without prior approval by the Board any and all rental agreements, supplemental agreements, and subrental agreements in which the Board of Regents is named as the landlord of the property rented and where the total rent to be paid by the Board does not exceed the sum of \$25,000 per month during the initial term and \$35,000 per month during any subsequent renewal term.

The USG chief facilities officer will periodically report to the Board of Regents on lease transactions conducted within his or her delegated authority.

9.10.2 Leasing as Tenant

Currently-owned USG space should be utilized with the greatest efficiency and USG institutions may lease space only when it is appropriate to do so given the nature of the space needed, location of programs, and the space demands on the campus.

Institutions must adequately review each leasing decision to ensure that leased space is sought only when it is more economical to lease than build additional space and:

1. There is no appropriate space available on campus;
2. The program requires an off-campus site;
3. No other campus has appropriate space that may be used; or,

4. There are other extraordinary circumstances that require leasing.

Institutions are charged with ensuring that they obtain the best rental rates in the area where leasing is to occur, negotiate the highest level of savings over the initial and subsequent lease terms, and periodically review all leased space against the above criteria to ensure that the leased space is still needed.

Property to which title is held by the Georgia Building Authority and that is leased to the USG cannot be subleased or rented, but may be licensed to an outside party for use for a purpose consistent with the mission of the institution in return for out-of-pocket costs for utilities and custodial services.

9.10.3 Reporting of Leases as Tenant

USG institutions are to report all leased space to the USG chief facilities officer upon request and as needed to allow him or her to exercise oversight on leasing activity.

9.11.1 Sustainability, Efficiency, and Effectiveness

The Board of Regents is committed to providing sustainability leadership through responsible stewardship of the state's natural and physical resources in order to advance economic vitality, ecological integrity, and social well-being through continuous improvement in campus operations thereby enhancing each institution's education, research, and service missions.

Each University System of Georgia (USG) institution shall:

1. Manage natural and fiscal resources in a responsible and balanced way that intentionally reduces negative environmental impacts, restores natural systems, and promotes long-term prosperity;
2. Design, construct, operate, and maintain facilities in consideration of the environmental, social and economic systems on which our campuses depend;
3. Remain committed to the implementation of best practices related to buildings, climate, energy, food systems, grounds, purchasing, renewable resources, transportation, waste streams, and water;
4. Create a culture of sustainability in thought and action by promoting awareness, encouraging participation, and leading by example; and,
5. Engage in measures to maximize and improve the quality of life within the communities we serve.

Responsibility for overall implementation lies with the institution President, but students, faculty, and staff share in the responsibility to promote these principles. Campuses, as living, learning laboratories, will bring about transformative change for the future generations of the State of Georgia. The USG chief facilities officer shall periodically highlight sustainability achievements and best practices to the Board.

9.11.2 [Reserved]

[Reserved]

9.11.3 Major Repairs and Rehabilitation

The Major Repairs and Rehabilitation Program (MRR) is a state-funded capital renewal program for state-owned USG facilities. USG institution participation in the MRR program shall be in accordance with the requirements of the USG MRR Procedures and Guidelines.

The Chancellor may allocate to USG institutions, without prior approval of the Board, emergency or contingency MRR funds in amounts not to exceed \$500,000 for any one project. The USG chief facilities officer is authorized to allocate to USG institutions, without prior approval of the Board, emergency or contingency MRR funds in amounts not to exceed \$250,000 for any one project.

9.11.4 Environmental and Occupational Safety

The Board of Regents is committed to providing a safe working and learning environment and supporting environmentally sound practices. Each institution shall, at a minimum, comply with applicable environmental and occupational safety laws and regulations. In the absence of specific laws or regulations, each institution should follow industry standards and good management practices.

Each institution shall maintain policies and procedures to comprehensively integrate occupational safety and environmental considerations. Institutions shall ensure that environmental and occupational safety program activities are performed by appropriated qualified practitioners.

The USG chief facilities officer shall develop standards, guidelines, and processes to promote, support, and assess the implementation of environmental and occupational safety management programs and initiatives.

The USG chief facilities officer shall require institutions to provide environmental and occupational safety performance data and shall periodically report such data to the Board.

10.1 General Policy on Information Technology

The Chancellor, the University System of Georgia (USG) chief information officer, the presidents of all USG institutions, and institution chief information officers shall develop, adapt, and administer the information technology (IT) methods and procedures for promoting efficiency of operations and the advancement of learning.

For the purposes of Section 10 of this Policy Manual, unless specifically designated otherwise, the Chancellor's designee shall be the USG chief information officer or any other person designated by the Chancellor in writing.

The Chancellor and the USG chief information officer may, in the name and on behalf of the Board of Regents, execute documents and take or cause to be taken other actions that, in the reasonable judgment and discretion of such officials, may be necessary, proper, convenient, or required in connection with the execution and delivery of such instruments, documents, or writings in order to carry out the intent of the delegated authority.

10.2 Board of Regents' Policies, Procedures, and Guidelines

The Chancellor and the USG chief information officer are responsible for establishing procedures and guidelines for the acquisition, development, planning, design, construction, renovation, management, and operation of USG technology facilities and systems. Documentation of Board of Regents' policies, procedures, and guidelines shall be maintained and updated in electronic format and shall be readily available to institutions, consultants, vendors, and any other parties involved in work on USG IT-related initiatives.

The USG chief information officer shall periodically update the Board on the status of documents available for guidance on USG IT-related topics.

10.3 Project Authorization for Information Technology

All technology acquisitions and upgrades and expansions to existing technology solutions and associated agreements using funds from any source require authorization by the Board of Regents and shall be implemented in accordance with established Board procedures under the direction of the University System of Georgia (USG) chief information officer.

The USG chief information officer may act on behalf of the Board of Regents, without prior approval of the Board, in the authorization of information technology (IT) projects in accordance with state law and

existing Board of Regents' policy governing IT procurement.

10.3.1 Delegation of Project Authorization Authority

The USG chief information officer may delegate any or all of the authority to authorize projects to USG institution presidents or their designees based upon an evaluation by the Chancellor or USG chief information officer of the ability of an institution to properly administer the delegated authority in accordance with Board of Regents policies, procedures, and guidelines. Delegated authority may be withdrawn at the discretion of the Chancellor or the USG chief information officer.

10.4 Cybersecurity

Information created, collected, or distributed using technology by the University System Office (USO), all University System of Georgia (USG) institutions, and the Georgia Public Library Service (GPLS) is a valuable asset and must be protected from unauthorized disclosure, modification, and destruction. The degree of protection needed is determined by the nature of the resource and its intended use. The USO, all USG institutions, and the GPLS shall employ prudent cybersecurity policies, standards, and practices to minimize the risk to the confidentiality, integrity, and availability of data and information and shall create and maintain an internal cybersecurity program.

10.4.1 System-Level Responsibilities

The USG chief information security officer shall develop and maintain a cybersecurity organization and architecture in support of cybersecurity across the USG and between USG institutions.

The USG chief information security officer shall maintain cybersecurity implementation guidelines that the USO, all USG institutions, and the GPLS shall follow in the development of their individualized cybersecurity plans.

10.4.2 Institutional- and Organizational-Level Responsibilities

The President of each USG institution and the GPLS State Librarian shall ensure that appropriate and auditable information security controls are in place, which shall include maintaining a trained and dedicated information security officer.

The USO, all USG institutions, and the GPLS shall each develop, implement, and maintain a cybersecurity plan consisting of cybersecurity policies, standards, procedures, and guidelines that is consistent with the

guidelines provided by USG Cybersecurity and submit the plan to USG Cybersecurity for review upon request.

Cybersecurity implementation must include a user awareness, training, and education plan, which is consistent with the guidelines provided by USG Cybersecurity and shall be submitted to USG Cybersecurity for review upon request. Methods for ensuring that applicable laws, regulations, guidelines, and policies concerning cybersecurity awareness training are followed shall be distributed and readily available to each organization's user community.

Clear procedures for reporting and managing cybersecurity incidents shall be documented, adhered to, and contained in a cybersecurity incident response plan, which shall be submitted to USG Cybersecurity for review upon request. These procedures shall include the reporting of incidents to the USO in a timely manner.

10.4.3 Identity Theft

The USG shall maintain a program and policies designed to protect against identity theft and to safeguard personal and financial information maintained by the USG and its institutions and organizations. The program shall comply with all applicable credit reporting and electronic transaction laws, be reviewed at least annually for effectiveness and legal compliance, and be widely distributed.

11.1 Reserved

[Reserved]

12.1 [Reserved]

[Reserved]

13.0 Changes

The Board of Regents shall consider a proposed change in its policies when the appropriate committee of the Board presents the proposal with or without recommendation. The Board of Regents, acting on its own motion, may waive, amend, repeal, add, or change these policies at any time (BoR Minutes, 1992-93, p. 218).