BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA
Atlanta, Georgia 30303-3083

BOARD OF REGENTS MEETING AGENDA
Thursday, January 11, 2018

Approximate Times	Tab	Agenda Item	Presenter
12:00 PM Room 8026	**1**	Lunch	
1:00 PM Room 8026	**2**	Executive & Compensation Committee Meeting	Chairman James M. Hull
1:30 PM Room 8003	**3**	Call to Order	Chairman James M. Hull
	4	Invocation/Pledge of Allegiance	Sarah Dillard, SGA President Savannah State University
	5	Safety Briefing	Chief of Police Bruce Holmes
	6	Approval of November 15th / December 12th Minutes	Interim Board Secretary Kimberly Ballard-Washington
	7	Chairman's Remarks	Chairman James M. Hull
	8	Campus Spotlight – University of North Georgia "*Language Lessons: Building Global Skills"*	President Bonita Jacobs Dr. Christopher Jespersen, Dean University of North Georgia Students
	9	FY 19 Budget Update	EVC Shelley Nickel
2:20 PM		**Track I Committee Meetings**	
Room 7007	**10**	Academic Affairs	Regent Sarah-Elizabeth Reed
Room 7007	**11**	Organization & Law	Regent Laura Marsh
2:20 PM		**Track I Committee Meetings**	
Room 8003	**12**	Jt. Finance & Business Operations/Internal Audit	Regent Kessel D. Stelling
Room 8003	**13**	Finance & Business Operations	Regent Kessel D. Stelling
Room 8003	**14**	Internal Audit, Risk & Compliance	Regent Sachin D. Shailendra
Room 8003	**15**	Real Estate & Facilities	Regent Richard L. Tucker

BOARD OF REGENTS MEETING AGENDA
Thursday, January 11, 2018

Approximate Times	Tab	Agenda Item	Presenter
3:40 PM Room 8003	**16**	Reconvene	Chairman James M. Hull
	17	Chancellor's Report	Chancellor Steve Wrigley
	18	Committee Reports:	
		A. Executive & Compensation	Chairman James M. Hull
		B. Academic Affairs	Regent Sarah-Elizabeth Reed
		C. Jt. Finance & Business Operations/Internal Audit	Regent Kessel D. Stelling
		D. Finance & Business Operations	Regent Kessel D. Stelling
		E. Internal Audit, Risk, and Compliance	Regent Sachin D. Shailendra
		F. Organization & Law	Regent Laura Marsh
		G. Real Estate & Facilities	Regent Richard L. Tucker
4:20 PM	**19**	Unfinished Business	Chairman James M. Hull
	20	New Business	Chairman James M. Hull
		2018 Gala Update	Regent Philip Wilheit
		Secretary to the Board Vote	Chairman James M. Hull
	21	Petitions and Communications	Assistant Board Secretary Kimberly Ballard-Washington
	22	Executive Session	Chairman James M. Hull
	23	Adjournment	Chairman James M. Hull

AGENDA

EXECUTIVE AND COMPENSATION COMMITTEE

January 11, 2018

Agenda Items	**Page No.**
APPROVAL ITEMS	
1. Revision to the Bylaws of the Board of Regents: Attendance	1
2. Addition to the Bylaws of the Board of Regents: Removal	3
3. Revision to the Bylaws of the Board of Regents: Chancellor	4
4. Revision to the Bylaws of the Board of Regents: In General	5
5. Addition to the Bylaws of the Board of Regents: Self-Assessment	7
INFORMATION ITEM	
6. Executive Session	8

1. Proposed Revision to the Bylaws of the Board of Regents: Bylaw 1(4) Attendance

Recommended: Revise Bylaw 1(4) Attendance as follows. The proposed revisions of this Board of Regents Bylaw will ensure continued alignment between BOR Bylaws and SACSCOC requirements.

CURRENT BYLAW LANGUAGE:

1. General

4. Attendance

It shall be the duty of the members of the Board of Regents to attend the meetings of the Board so as to take part in its deliberations. The office of any member of the Board shall be vacated if such member neglects to furnish an excuse in writing to the Board for absence from two consecutive meetings of the Board. If any member fails to attend three successive meetings of the Board without good and valid cause or excuse or without leave of absence from the Chair or, if the Chair for any cause cannot act, from the Vice Chair of the Board, that member's office shall be declared vacant by the Board, and the Secretary to the Board shall notify the Governor of a vacancy on the Board, and the Governor shall fill the same.

The Executive and Compensation Committee of the Board shall meet and confer with any member of the Board who fails to attend meetings of the Board, regular or special, and to participate in a substantial way in the activities of the Board. If the Board member continues thereafter to absent himself or herself from Board meetings and from participating substantially in Board activities, the Chair shall so advise the Governor in writing and request that appropriate action be taken.

PROPOSED BYLAW LANGUAGE:

1. General

4. Attendance

It shall be the duty of the members of the Board of Regents to attend the meetings of the Board so as to take part in its deliberations. The office of any member of the Board shall be vacated if such member neglects to furnish an excuse in writing to the Board for absence from two consecutive meetings of the Board. If any member fails to attend three successive meetings of the Board without good and valid cause or excuse or without leave of absence from the Chair or, if the Chair for any cause cannot act, from the Vice Chair of the Board, that member's office shall be declared vacant by the Board, and the Secretary to the Board shall notify the Governor of a vacancy on the Board, and the Governor shall fill the same.

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~~from participating substantially in Board activities, the Chair shall so advise the Governor in writing and request that appropriate action be taken.~~

2. Proposed Addition to the Bylaws of the Board of Regents: Bylaw 1(5) Removal

Recommended: Revise Bylaw 1(5) Removal as follows. The proposed addition of this Board of Regents Bylaw will ensure continued alignment between BOR Bylaws and SACSCOC requirements.

PROPOSED BYLAW LANGUAGE:

5.~~Seal~~ Removal

Upon a recommendation from the Executive and Compensation Committee, the Board of Regents shall consider any situation in which a Regent has not fulfilled his or her duty as set forth in Board Bylaws, Board Policy, and applicable law and take appropriate action as the board deems necessary to include removal of the Board member.

3. Proposed Revision to the Bylaws of the Board of Regents: Bylaw 4(7) Chancellor

Recommended: Revise Bylaw 4(7) Chancellor as follows. The proposed revisions of this Board of Regents Bylaw will ensure continued alignment between BOR Bylaws and SACSCOC requirements.

CURRENT BYLAW LANGUAGE:

7. Chancellor

The Board of Regents shall elect the Chancellor at the first regular meeting following May 1. The Chancellor shall be given an annual letter of agreement. In case of any vacancy in the Chancellorship, the Board shall name an Interim Chancellor who shall serve until the office of the Chancellor shall be filled.

The Chancellor shall be the chief administrative officer of the University System as well as the chief executive officer of the Board of Regents and, as such, shall perform all of those duties that are prescribed by the Board.

PROPOSED BYLAW LANGUAGE:

7. Chancellor

The Chancellor shall be the Chief Executive Officer of the University System of Georgia and the Board of Regents and, as such, shall be empowered by and responsible to the Board for the prompt and effective execution of all policies adopted and directives issued by the Board for the order and operation of the USG and its institutions.

The Board shall elect the Chancellor. The Board is responsible for the periodic evaluation of the Chancellor. The Board shall issue the Chancellor an annual compensation letter. In case of any vacancy in the Chancellorship, the Board shall name an Interim Chancellor who shall serve until the office of the Chancellor is filled.

4. Proposed revision to the Bylaws of the Board of Regents: Bylaw 5(1) In General

Recommended: Revise Bylaw 5(1) In General as follows. The proposed revisions of this Board of Regents Bylaw will ensure continued alignment between BOR Bylaws and SACSCOC requirements.

CURRENT BYLAW LANGUAGE:

1. In General

The Board of Regents shall be responsible for the operation of the University System of Georgia as provided by the Constitution of the State of Georgia and laws enacted pursuant thereto. The Committees of the Board shall review policy matters in the areas of jurisdiction assigned to them and advise the Board as to what, if any, changes of policy should be made. Each of the standing Committees shall keep informed with respect to the manner in which the policies of the Board are being administered in its jurisdiction.

The Chair may authorize special Committees with whatever membership is desired by the Chair.

Committees of the Board shall meet on the Tuesday preceding the second Wednesday of each month for which a meeting of the Board has been called, unless determined otherwise by the Chair of the respective Committee. The time and place of each Committee meeting, whether regular or special, shall be determined by the Chair of the Committee and communicated by the Secretary to the Board. Business transacted at all special meetings shall be confined to objects stated in the call.

A Committee of the Board shall not consider any request for reexamination of matters that have been previously acted upon by the Board within a period of one year unless, upon presentation of new evidence, the Chair of the Committee determines that it should be reconsidered.

PROPOSED BYLAW LANGUAGE

1. **In General**

The Board of Regents shall be responsible for the operation of the University System of Georgia as provided by the Constitution of the State of Georgia and laws enacted pursuant thereto. The Committees of the Board shall review policy matters in the areas of jurisdiction assigned to them and advise the Board as to what, if any, changes of policy should be made. Each of the standing Committees shall keep informed with respect to the manner in which the policies of the Board are being administered in its jurisdiction. The Board is responsible for establishing policy and exercising fiduciary oversight of the University System of Georgia. The Chancellor is responsible for executing Board policy.

The Chair may authorize special Committees with whatever membership is desired by the Chair.

Committees of the Board shall meet on the Tuesday preceding the second Wednesday of each month for which a meeting of the Board has been called, unless determined

otherwise by the Chair of the respective Committee. The time and place of each Committee meeting, whether regular or special, shall be determined by the Chair of the Committee and communicated by the Secretary to the Board. Business transacted at all special meetings shall be confined to objects stated in the call.

A Committee of the Board shall not consider any request for reexamination of matters that have been previously acted upon by the Board within a period of one year unless, upon presentation of new evidence, the Chair of the Committee determines that it should be reconsidered.

5. Proposed addition to the Bylaws of the Board of Regents: Bylaw 5(6) Self-Assessment

Recommended: Revise Bylaw 5(6) Self-Assessment as follows. The proposed addition of this Board of Regents Bylaw will ensure continued alignment between BOR Bylaws and SACSCOC requirements.

PROPOSED BYLAW LANGUAGE:

6. Self-Assessment

The Board of Regents is responsible for defining and regularly evaluating its responsibilities and expectations through a process established by the Executive and Compensation Committee. The Chancellor or Chancellor's designee shall compile any requested data in furtherance of this review.

6. <u>Executive Session</u>:

The Committee will discuss litigation and personnel matters in Executive Session.

MINUTES OF THE MEETING OF THE
BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA
Atlanta, Georgia
November 15, 2017

CALL TO ORDER

The Board of Regents of the University System of Georgia met on Wednesday, November 15, 2017, in the Board Room, Room 8003, 270 Washington Street SW, Atlanta, Georgia. The Chairman of the Board, Regent C. Thomas Hopkins, Jr., called the meeting to order at 9:38 a.m. Present, in addition to Chairman Hopkins, were Vice Chairman James M. Hull; and Regents C. Dean Alford; Rutledge A. Griffin, Jr.; Donald M. Leebern, Jr.; Laura Marsh; Doreen Stiles Poitevint; Neil L. Pruitt; Sarah-Elizabeth Reed; Sachin Shailendra; Kessell D. Stelling, Jr.; Ben J. Tarbutton, III; T. Rogers Wade; Larry Walker; Don L. Waters; and Philip A. Wilheit, Sr. Regents W. Paul Bowers, E. Scott Smith, and Richard L. Tucker were excused.

INVOCATION AND PLEDGE

Valdosta State University Student Government Association President Maya Mapp gave the invocation and led the Pledge of Allegiance.

SAFETY BRIEFING

Chief of Police Bruce Holmes gave the safety briefing.

APPROVAL OF MINUTES

With motion made and variously seconded, the Regents who were present voted unanimously to approve the minutes of the Board's meetings of October 10-11, 2017, and October 18, 2017.

FALL ENROLLMENT UPDATE

Chairman Hopkins introduced Associate Vice Chancellor of Research and Policy Analysis Dr. Angela Bell, who gave an update on enrollment trends in the University System of Georgia. Dr. Bell announced that 325,203 students are enrolled in USG institutions for the Fall 2017 semester, which is 1.1% higher than 2016 enrollment. The System has experienced record fall enrollment three years in a row, well above the national trend of small enrollment gains, as well as a large increase in dual enrollment. Dr. Bell provided enrollment statistics for race and ethnicity, gender, resident status, and online learners.

REGENTS' NOMINATING COMMITTEE

Regent T. Rogers Wade, Chairman of the Nominating Committee, proposed a slate of Board of Regents officers for 2018. The committee proposed that Regents James M. Hull and Don L. Waters be named Chairman and Vice Chairman, respectively. The Chairman thanked the Nominating Committee for their diligent work and announced that the Board will vote on the slate of candidates during the afternoon session of the November 15, 2017, Board meeting.

COLLEGE 2025

Chairman Hopkins introduced Georgia College and State University President Dr. Steven Dorman, Chairman of College 2025, to give an update on the initiative. College 2025 is a working group of faculty, students, and staff from across the University System, as well as representatives from the business community, appointed by the Chancellor to create a five- to ten-year roadmap for the future of higher education in Georgia. Dr. Dorman began by discussing recent changes and disruptions in higher education that have caused many institutions to question formerly enduring practices. Despite these disruptions, the University System of Georgia is at the forefront for adapting to the new realities facing higher education. Dr. Dorman reported on the initiative's work and its three major focus areas of adaptability, lifelong learning, and essential skills. He shared examples of these focus areas currently employed across the University System and how they could be expanded in the future. Dr. Dorman closed by thanking the Board and Chancellor Wrigley for encouraging and supporting this initiative.

CHAIRMAN'S REMARKS

Chairman C. Thomas Hopkins gave his report to the Board at approximately 10:23 a.m. He began by highlighting a number of System's accomplishments from 2017, including the launch of two new initiatives: College 2025, which creates a roadmap for a 21st century model for higher education, and the Comprehensive Administrative Review process, a system-wide focus on finding administrative efficiencies and streamlining processes. Chairman Hopkins commended the System for limiting tuition increases and decreasing the number of mandatory fees students pay to attend USG institutions. He also highlighted the introduction of campus spotlights to Board meetings. These presentations feature research and academic activities conducted on campuses and provide a greater focus on students and faculty at Board meetings. The Chairman commended the Georgia Institute of Technology and the University of Georgia for being ranked among the top 20 public universities in the nation by *U.S. News and World Report*; Georgia is one of only three states with two or more institutions on the list. Chairman Hopkins concluded his remarks by thanking campus and System Office staff; Ms. Erika Triplett, Executive Assistant to the Board of Regents; and the Chancellor for the privilege to serve as Chairman in 2017.

CAMPUS SPOTLIGHT: DALTON STATE COLLEGE

Chairman Hopkins introduced Dalton State College President Dr. Margaret Venable, Dalton State Sesquicentennial Chair Dr. Marilyn Helms and student Mollie Busie, who gave a presentation showcasing the work Dalton State is doing to meet the needs of regional industry.

CHANCELLOR'S REPORT

The Chancellor began his report to the Board by emphasizing the importance of linking degree programs directly to career paths. He announced that changes are being made to the degree proposal process, and USG institutions are expected to propose degrees that meet the needs of the workforce. Chancellor Wrigley gave examples of new career-focused academic programs from around the System, including a pilot program at Georgia State University for students interested in Health IT jobs, the new financial technology emphasis in the University of Georgia's MBA program, a partnership between Georgia Southern University and Savanah State University to establish a High-Demand Business Degree Consortium, and five new majors in the Agribusiness program at Abraham Baldwin Agricultural College.

Chancellor Wrigley then shared several highlights and achievements from across the University System. He announced that as of October, all USG institutions have a dedicated space for student veterans. In addition, Georgia is the only state with two public institutions recognized by *Military Times'* top ten "best for vets" institutions. The National Science Foundation has awarded almost $20 million to the Georgia Institute of Technology and a consortium of universities, including UGA, to establish a new engineering research center in cellular manufacturing. Also, in October, 22 professionals graduated from an intensive, year-long leadership program, known as PINNACLE, offered by the Georgia Public Library System to librarians around the state. PINNACLE prepares librarians for all aspects of library leadership in the 21st century. It is recognized as the premier such program in the nation and its graduates form the heart of library leadership around Georgia. The Chancellor commended Ray Lee, Director of Information and Web Services for the USG, who is retiring from a 35 year career with the University System. Chancellor Wrigley also congratulated Dene Sheheane, Vice President of Government and Community Relations at the Georgia Institute of Technology, on his receipt of the 2017 "Swede" Johnson Achievement Award from the Council for Advancement and Support of Education. Chancellor Wrigley concluded his remarks with a historical note regarding the Jefferson Memorial, which was built and decorated with materials from across the country, including white marble from Pickens County, Georgia.

ELECTION OF OFFICERS

At approximately 1:13 p.m., with motion made and variously seconded, the Regents present voted unanimously to appoint Regents James M. Hull and Don L. Waters as 2018 Chairman and Vice Chairman, respectively.

COMMITTEE REPORTS

Reports of the standing committees are attached hereto.

UNFINISHED BUSINESS
There was none.

NEW BUSINESS
With motion made and variously seconded, the Regents present voted unanimously to delegate approval authority to Chancellor Steve Wrigley until its January 11, 2018, meeting while the Board is in recess.

Regent Philip A. Wilheit, Sr., informed the Board that the Regents' Salute to Education, commonly called the Regents' Gala, benefiting the University System of Georgia Foundation, will be Friday, March 2, 2018, at the St. Regis Hotel in Atlanta, Georgia.

PETITIONS AND COMMUNICATIONS
There were no petitions and communications. Interim Secretary to the Board Kimberly Ballard-Washington announced that the next Board of Regents meeting will be held on January 11, 2018, at the University System Office in Atlanta.

EXECUTIVE SESSION
Following the announcement on Petitions and Communications, Chairman Hopkins called for an executive session at approximately 1:22 p.m. to discuss personnel and compensation matters. With motion properly made and seconded, the Regents present voted unanimously to go into executive session. University System of Georgia staff members who were also present for portions of the executive session included Chancellor Wrigley and members of his staff. An affidavit regarding this executive session is on file with the Office of the Secretary to the Board. Following executive session, Chairman Hopkins reconvened the Board meeting in its regular session at 2:40 p.m. and announced that the Board took no actions during the executive session.

ADJOURNMENT
There being no further business to come before the Board, the meeting adjourned at 2:40 p.m.

_____
C. Thomas Hopkins, Jr.
Chairman, Board of Regents
University System of Georgia

_____
Kimberly Ballard-Washington
Interim Secretary, Board of Regents
University System of Georgia

MINUTES OF THE
EXECUTIVE AND COMPENSATION COMMITTEE

The Executive & Compensation Committee of the Board of Regents of the University System of Georgia met at approximately 9:00 a.m. in Room 8026 of the Board's offices, 270 Washington St., SW, in Atlanta, Georgia. Board Chairman C. Thomas Hopkins, Jr., called the meeting to order. Present, in addition to Chairman Hopkins, were Regents Rusty A. Griffin, Jr.; James M. Hull; Donald M. Leebern, III; Laura Marsh; Doreen Stiles Poitevint; Neil L. Pruitt, Jr.; Sarah-Elizabeth Reed; Benjamin J. Tarbutton, III; T. Rogers Wade; Don L. Waters; and Philip A. Wilheit, Sr.

INFORMATION ITEM

Bylaw revisions were presented for informational purposes for approval at the January 2018 Board meeting. No action was taken.

EXECUTIVE SESSION

At approximately 9:14 a.m., Chairman Hopkins called for an executive session to discuss personnel and compensation matters and pending or potential litigation. With motion made and variously seconded, the Regents who were present voted unanimously to go into executive session. An affidavit regarding this executive session is on file in the Office of the Secretary to the Board.

Chairman Hopkins reconvened the committee in its regular session at approximately 9:25 a.m. and announced that the committee took no actions during executive session.

ADJOURNMENT

There being no further business to come before the committee, the meeting adjourned at approximately 9:25 a.m.

MINUTES OF THE
COMMITTEE ON ACADEMIC AFFAIRS

The Committee on Academic Affairs of the Board of Regents of the University System of Georgia met at approximately 10:40 a.m. in Room 7007 of the Board's Offices, 270 Washington St., SW, in Atlanta, Georgia. Regent Doreen Stiles Poitevint called the meeting to order. Present, in addition to Regent Poitevint, were Board Chairman C. Thomas Hopkins, Jr., and Regents C. Dean Alford; Rutledge Griffin, Jr.; Laura Marsh; Sarah-Elizabeth Reed; T. Rogers Wade; and Larry Walker. Unless otherwise noted, the Regents present approved all items unanimously.

ACTION ITEMS

1. Following a motion by Regent Alford, which was seconded by Regent Wade, the Board approved the revision of the institutional mission statement at Georgia Southwestern State University.

2. Following a motion by Regent Alford, which was seconded by Regent Wade, the Board approved the establishment of a Master of Science with a major in Child Life at the University of Georgia.

3. Following a motion by Regent Alford, which was seconded by Regent Marsh, the Board approved the establishment of a Bachelor of Science with a major in Long-term Care Management (online) at Georgia Southwestern State University.

4. Following a motion by Regent Alford, which was seconded by Regent Reed, the Board approved the establishment of a Bachelor of Science with a major in Respiratory Therapy at Middle Georgia State University.

5. Following a motion being made and properly seconded, the Board approved the establishment of a Master of Science with a major Athletic Training at University of North Georgia. Following approval, Regent Marsh inquired about how students will transition from the undergraduate program as the University of North Georgia introduces the master's level program to comply with the mandate from the Athletic Training Strategic Alliance. Provost and Senior Vice President for Academic Affairs at the University of North Georgia Tom Ormond discussed that students currently in the bachelor's program will shift to similar bachelor's programs.

6. Following a motion by Regent Alford, which was seconded by Regent Marsh, the Board approved the establishment of a Bachelor of Science with a major in Health Sciences at Valdosta State University. Following approval, Regent Griffin requested detail on the anticipated student enrollment in the new program. University System staff discussed the three-year review process following the establishment of the program that includes an evaluation of enrollment trends and success.

CONSENT ITEM

The Board adopted the requested revisions to the list of institutions receiving Border Waiver status.

DISCUSSION

1. The Board discussed the opportunities of online course and program delivery to increase access and expand enrollment across the University System. University System staff noted that there are currently approximately 350 degree programs that can be completed completely online. Also discussed were the various methods that institutions employ to provide courses and programs to students throughout the University System. Regent Griffin highlighted the opportunity to develop a strategic plan for online courses and program. Regent Alford highlighted the opportunity to communicate the success of the

University System in providing the flexibility of online courses and programs to increase completion while lowering the cost of online courses and programs to students.

1. The Board discussed additional information on new program approval to be included as part of the Board materials, including anticipated enrollment and workforce demand. Regent Walker also requested clarification on the new academic program review process and the analysis that occurs prior to Board review and approval.

ADJOURNMENT

There being no further business for committee consideration, the meeting adjourned at approximately 11:20 a.m.

MINUTES OF THE
COMMITTEE ON ORGANIZATION AND LAW

The Committee on Organization and Law of the Board of Regents of the University System of Georgia met at approximately 11:25 a.m. in Room 7007 of the Board's Offices, 270 Washington St., SW, in Atlanta, Georgia. Committee Chairman Larry Walker called the meeting to order. Present, in addition to Chairman Walker, were Regents C. Dean Alford; Rutledge Griffin, Jr.; Laura Marsh; Doreen Stiles Poitevint; Sarah-Elizabeth Reed; and T. Rogers Wade. Also present were Board Chairman C. Thomas Hopkins, Jr., and Chancellor Steve Wrigley. The Board approved all items unanimously.

APPROVAL ITEM

The Board authorized the Coastal College of Georgia to engage in mutually beneficial emergency management services with the Brunswick Police Department, the Camden County Police Department, the Glynn County Police Department, the Glynn County Sheriff's Office, the Kingsland Police Department, and the St. Mary's Police Department.

EXECUTIVE SESSION

Following the vote on the approval items, Chairman Walker called for an executive session at approximately 11:28 a.m. to discuss personnel and compensation matters and pending or potential litigation. With motion properly made and seconded, the Regents who were present voted unanimously to go into executive session. An affidavit regarding this executive session is on file in the Office of the Secretary to the Board.

After the committee exited executive session, Chairman Walker reconvened the committee in its regular session at 11:53 a.m. and announced that no actions were taken.

ADJOURNMENT

There being no further business to come before the committee, the meeting adjourned at 11:53 a.m.

MINUTES OF THE
COMMITTEE ON FINANCE AND BUSINESS OPERATIONS

The Committee on Finance & Business Operations of the Board of Regents of the University System of Georgia met at approximately 10:39 a.m. in Room 8003 of the Board's offices, 270 Washington St., SW, in Atlanta, Georgia. Committee Chairman Ben J. Tarbutton, III, called the meeting to order. Present, in addition to Chairman Tarbutton, were Regents Donald M. Leebern, Jr.; Neil L. Pruitt, Jr.; Sachin Shailendra; Don L. Waters; and Philip A. Wilheit, Sr. Board Vice Chairman James M. Hull and Chancellor Steve Wrigley also were present.

INFORMATION ITEM

The committee heard an information item on the first quarter revenues and expenditure report.

ADJOURNMENT

There being no further business to come before the committee, the meeting adjourned at approximately 10:58 a.m.

MINUTES OF THE
COMMITTEE ON PERSONNEL AND BENEFITS

The Committee on Personnel and Benefits of the Board of Regents of the University System of Georgia met at approximately 10:58 a.m. in Room 8003 of the Board's offices, 270 Washington St., SW, in Atlanta, Georgia. Chairman Neil L. Pruitt, Jr., called the meeting to order. Present, in addition to Regent Pruitt, were Regents Kessel D. Stelling, Jr.; Benjamin J. Tarbutton, III; Richard L. Tucker; Don L. Waters; and Philip A. Wilheit. Board Vice Chairman James M. Hull also was present.

APPROVAL ITEM

With motion made and properly seconded, the Board unanimously approved revisions to Policy 8.2.19 Tuition Assistance Program.

ADJOURNMENT

There being no further business to come before the committee, the meeting adjourned at approximately 11:00 a.m.

MINUTES OF THE
COMMITTEE ON REAL ESTATE & FACILITIES

The Committee on Real Estate & Facilities of the Board of Regents of the University System of Georgia met at approximately 11:00 a.m. in Room 8003 of the Board's offices, 270 Washington St., SW, in Atlanta, Georgia. Committee Chairman Richard L. Tucker and Committee Vice Chairman Kessel D. Stelling, Jr., were excused as absent. Regent Donald M. Leebern, Jr., called the meeting to order. Present, in addition to Regent Leebern, were Regents Sachin Shailendra, Benjamin J. Tarbutton, III; Don L. Waters; and Philip A. Wilheit, Sr. Board Vice Chairman James M. Hull also was present.

INFORMATION ITEMS

1. Vice Chancellor for Real Estate & Facilities Jim James presented an information item on a proposed project to undertake the first phase of a comprehensive multi-phase renovation of the Driftmier Engineering Center at the University of Georgia.

2. Vice Chancellor James presented an information item on a proposed project to renovate the first floor of the Boyd Graduate Studies Research Center at the University of Georgia.

3. Vice Chancellor James presented an information item on a proposed project to design and construct a new science building at Georgia State University's Science Park complex.

4. Vice Chancellor James provided the Board with a written report of real estate actions taken under delegated authority between July and October of this year.

APPROVAL ITEM

1. With motion made and properly seconded, the Board approved the naming of the Butler Garden at the University of Georgia.

ADJOURNMENT

There being no further business to come before the committee, the meeting adjourned at approximately 11:08 a.m.

MINUTES OF THE
COMMITTEE ON INTERNAL AUDIT, RISK AND COMPLIANCE

The Committee on Internal Audit, Risk and Compliance of the Board of Regents of the University System of Georgia met at approximately 11:10 a.m. in Room 8003 of the Board's offices, 270 Washington Street SW, in Atlanta, Georgia. Committee Chairman Don L. Waters called the meeting to order. Present, in addition to Chairman Waters, were Committee Vice Chairman Sachin Shailendra and Regents Donald M. Leebern, Jr.; Benjamin J. Tarbutton, III; and Philip A. Wilheit, Sr. Board Chairman C. Thomas Hopkins, Jr., and Board Vice Chairman James M. Hull also were present.

EXECUTIVE SESSION

Chairman Waters called for an executive session at approximately 11:10 a.m. to discuss personnel and compensation matters. With motion properly made and seconded, the Regents who were present voted unanimously to go into executive session. An affidavit regarding this executive session is on file in the Office of the Secretary to the Board.

After the committee exited executive session, Chairman Waters reconvened the committee in its regular session at 11:22 a.m. and announced that no actions were taken during executive session.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at approximately 11:22 a.m.

MINUTES OF THE MEETING OF THE
BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA
Atlanta, Georgia
December 12, 2017

CALL TO ORDER

The Board of Regents of the University System of Georgia met on Tuesday, December 12, 2017, via a special called telephonic meeting. The Chairman of the Board, Regent C. Thomas Hopkins, Jr., called the meeting to order at approximately 4:30 p.m. Present, in addition to Chairman Hopkins, were Vice Chairman James M. Hull; and Regents C. Dean Alford; W. Paul Bowers; Rutledge A. Griffin, Jr.; Laura Marsh; Doreen Stiles Poitevint; Kessel D. Stelling, Jr.; Richard L. Tucker; T. Rogers Wade; Larry Walker; Don L. Waters; and Philip A. Wilheit, Sr. Regents Donald M. Leebern, Jr.; Neil L. Pruitt, Jr.; Sarah-Elizabeth Reed; Sachin Shailendra; E. Scott Smith; and Ben J. Tarbutton, III, were excused.

SPECIAL CONSOLIDATION COMMITTEE

Chairman Hopkins provided background information on the proposed consolidations of Abraham Baldwin Agricultural College with Bainbridge state College and Georgia Southern University with Armstrong State University and indicated that Vice Chancellor for Organizational Effectiveness John Fuchko, III, was available to answer specific questions related to the proposed consolidations. The original proposal to approve these consolidations was presented and approved by the Board in January 2017 and was subsequently approved by SACSCOC at its annual meeting in December 2017. With motions made and variously seconded, the Regents present unanimously approved:

1. A resolution consolidating Abraham Baldwin Agricultural College and Bainbridge State College, creating Abraham Baldwin Agricultural College, effective January 1, 2018, and updating the bylaws to reflect this change.

2. The appointment of Dr. David C. Bridges as Abraham Baldwin Agricultural College president.

3. A resolution consolidating Georgia Southern University and Armstrong State University, creating Georgia Southern University, effective January 1, 2018, and updating the bylaws to reflect this change.

4. The appointment of Dr. Jaimie Hebert as Georgia Southern University president.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at approximately 4:36 p.m.

C. Thomas Hopkins, Jr.
Chairman, Board of Regents
University System of Georgia

Kimberly Ballard-Washington
Interim Secretary, Board of Regents
University System of Georgia

AGENDA

FINANCE AND BUSINESS OPERATIONS

January 11, 2018

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AGENDA

FINANCE AND BUSINESS OPERATIONS

January 11, 2018

1. Information Item: Fiscal Year 2019 Budget Update

Executive Vice Chancellor for Strategy and Fiscal Affairs, Shelley C. Nickel, will provide an update on the Fiscal Year 2019 budget.

AGENDA

COMMITTEE ON ACADEMIC AFFAIRS

January 11, 2018

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III. CONSENT AGENDA

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12. Named Faculty Positions

- **University of Georgia**
  - Professor Anne Marie Rhodes, Verner F. Chaffin Chair in Fiduciary Law
  - Dr. William Kisaalita, UGA Athletic Association Professorship in Engineering III

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13. Momentum Year Summit

Co-requisite Scale Up

1. Establishment of a Master of Science in Business Analytics, University of Georgia

Recommended: That the Board approve the request by President Jere Morehead that the University of Georgia ("UGA") be authorized to establish a Master of Science in Business Analytics, effective January 11, 2018.

Program Summary: The Terry College of Business proposes a one-year (two semester) graduate program in business analytics at the Master's level. This proposed program is consistent with the Governor's High Demand Career Initiative. The program would align with UGA's Double Dawgs strategic initiative that allows students to earn bachelor and master degrees in five years, and potentially benefit from the Hope Scholarship in doing so. The program involves ten months of study and 33 credit hours. It is designed for students holding or in the process of earning a baccalaureate degree who meet the admissions requirements for proficiency in statistics, calculus, and computer programming. The proposed UGA program is differentiated by a year-long internship with a partnering company/project sponsor and the academic and practical preparation it will provide for students to earn industry-recognized certifications.

Need and Demand: With global demand for data analysts and scientists predicted to exceed supply by more than 50 percent by 2018, there is a great need for university programs to educate and prepare students equipped with the quantitative, technical, and business skills required to fill these high-paying positions. While average employment rates at peer and aspirant MSBA programs, also remain very high, at about 94%. Demand for skilled data analysts will persist: "By 2018, the United States alone could face shortage of 140,000 to 190,000 people with deep analytical skills as well as 1.5 million managers and analysts with the know-how to use the analysis of big data to make effective decisions" (McKinsey, May 2011). As more sophisticated analytics automation tools develop over time, the demand for analysts with the business acumen to translate data analytics into strategic advantages for their employers will remain strong. This program directly responds to employer needs for an educated workforce within a fast-growing segment of the state economy.

List of Similar Existing USG Programs and Productivity:

Enrollments and Degrees Conferred Institutions and Academic Programs	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Master of Science in Business Analytics					
Georgia Institute of Technology (Enrollment)		37	63	81	350
(Degrees Conferred)				29	36

Fiscal and Facilities Impact:

The program's proposed course of study is currently two semesters. Should UGA consider changing the program's length of study in the future from two semesters to some other length of time, the Board will also reconsider the tuition model rate to maintain affordability.

Assessment:

The Office of Academic Affairs will work with the institution to measure the success and continued effectiveness of the proposed program. The program review is in concert with the institution's schedule of comprehensive program reviews.

2. Establishment of a Master of Science with a major in Cybersecurity Management (online delivery), Columbus State University

Recommended: That the Board approve the request of President Chris Markwood that Columbus State University ("CSU") be authorized to establish a Master of Science with a major in Cybersecurity Management (online delivery), effective January 11, 2018.

Program Summary: Columbus State University seeks approval to establish a Master of Science with a major in Cybersecurity Management. The thirty semester-hour program will be delivered online to meet the needs of working professionals. The program will be housed in the D. Abbott Turner College of Business, TSYS School of Computer Science. Columbus State University developed the new program in response to the need for qualified cybersecurity professionals across multiple industries to manage and protect infrastructure and informational systems. The city of Columbus is home to several multinational corporations and financial service companies that have a fundamental need for secure technology systems.

Need and Demand: The Cybersecurity Supply/Demand Heat Map developed for the Department of Homeland Security claims that the total cybersecurity job openings at the national level are 348,975, with approximately 12,783 positions in Georgia, and with 597 employment vacancies in Columbus, Georgia. According to the *Chronicle of Higher Education*, dated February 26, 2017, "Cybersecurity job openings grew 114 percent between years 2011 and 2015, with 86 percent of the jobs requiring at least a bachelor's degree, according to *Burning Blass Technologies*, a job market analytics company. Colleges are meeting only about 24 percent of the entry-level demand for those with four-year degrees." According to the Bureau of Labor Statistics, "more than 209,000 cybersecurity jobs in the U.S. are unfilled, and postings have increased by 74 percent over the past five years.

List of Similar Existing USG Programs and Productivity: Similar programs have been developed within the university system particularly with the onset of system initiatives and in response to the state's High Demand Career Initiative.

Enrollments and Degrees Conferred Institutions and Academic Programs	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016
Cyber						
Georgia Institute of Technology Master of Science in Cybersecurity (Enrollment)	68	60	62	55	82	74
Georgia Institute of Technology Master of Science in Cybersecurity (Degrees Conferred)	32	22	21	20	18	12
Kennesaw State University Bachelor of Science with a major in Cybersecurity	New program approved February 2017					
Information Security						
Augusta University	New program approved August 2016					

Master of Science with a major in Information Security Management						
Georgia Institute of Technology Master of Science in Information Security (Enrollment)	68	60	62	55	82	74
Georgia Institute of Technology Master of Science in Information Security (Degrees Conferred)	32	22	21	20	18	12
Kennesaw State University Bachelor of Business Administration with a major in Information Security and Assurance (Enrollment)	0	65	153	265	291	347
Kennesaw State University Bachelor of Science with a major in Information Security and Assurance (Enrollment; Terminated End Date March 2014)	222	188	140	58		
Kennesaw State University Bachelor of Business Administration with a major in Information Security and Assurance (Degrees Conferred)			1	15	20	37
Kennesaw State University Bachelor of Science with a major in Information Security and Assurance (Degrees Conferred; Terminated End Date March 2014)	26	3	41	31		

Columbus State University Projected New Program Enrollment:

	First Year	Second Year	Third Year	Fourth Year
Student Majors				
Shifted from other programs	3 – 5	5		
New to the institution	10 – 20	20 – 40	20 – 40	50
Total Majors	***13 – 25***	***35 – 65***	***50 – 75***	***75- 100***

Fiscal and Facilities Impact: The initial establishment costs for this new program and enhancements are funded by $700,000 plus in gifts from TSYS and $14,000 from the National Security Agency (NSA). The maintenance of Columbus State University's cybersecurity programs will come from a two million ($2M) dollar endowment from TSYS.

The program will be delivered using existing space as well as technology resources available at the institution. In addition, Columbus State University has used National Security Agency funding and partial gifts from TSYS to purchase current software and hardware to support program content. The new Cybersecurity classroom and lab on the first floor of the CCT Building will be available for collaboration between on campus and online students. The Center is being built with funds from the TSYS gift.

Accountability: The Office of Academic Affairs will work with the institution to measure the success and continued effectiveness of the proposed program. The program review is in concert with the institution's schedule of comprehensive program reviews.

3. Establishment of Doctor of Education in Higher Education Administration, University of West Georgia

Recommended: That the Board approve the request by President Kyle Marrero that the University of West Georgia ("UWG") be authorized to establish a Doctor of Education in Higher Education Administration, effective January 11, 2018.

Program Summary: The Doctorate of Education in Higher Administration focuses on the practical experiences and education through professional development and academic engagement. The program was designed using the Professional Competency and Content Areas for Student Affairs Educators. This program is 60 credit hours and graduates will have the knowledge and skills to address critical issues in higher education administration, higher education finance, advancement and current legal issues in higher education.

Need and Demand: The University of West Georgia has three Ed.D's and one Ph.D. The Ed.D. degrees are in nursing, counseling, and school improvement. The Ed.D. in School Improvement focuses on K-12 administration and has approximately 80 applications per year for 20-25 slots. The proposed degree would expand the doctoral options for students in post-secondary administrative positions.

According to the Employment Projections by the Department of Labor, Bureau of Labor Statistics, administrative positions in postsecondary education are expected to have an 8.7% growth rate. Among all sectors s of education administrators, higher education administrators present the highest rate of growth over the next 8 years. By 2024, nationally it is expected that there will be approximately 66,000 jobs available through growth and replacement.

List of Similar Existing USG Programs and Productivity:

In terms of programmatic expansion, the State of Georgia offers four doctoral programs related to this degree – two of which are at Research Institutions. By offering an online degree at a Regional Comprehensive institution we are providing additional opportunities in the State of Georgia for students who want to remain in the State of Georgia for their education, but may not want the research expectations of a research-intensive institution.

Enrollment and Degree Completion

Enrollments and Degrees Conferred Institutions and Academic Programs	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
Ed.D. Higher Education Administration					
University of Georgia (Enrollment)	19	20	16	19	18
University of Georgia (Degrees Conferred)		14	2	12	2
University of North Georgia[1] (Enrollment)					13
University of North Georgia (Degrees Conferred)					

[1] New Program

Fiscal and Facilities Impact:

None

Assessment:

The Office of Academic Affairs will work with the institution to measure the success and continued effectiveness of the proposed program. The program review is in concert with the institution's schedule of comprehensive program reviews.

4. Substantive change and credit hour waiver to Education degrees, Kennesaw State University

Recommended: That the Board approve the request by President Sam Olens that Kennesaw State University ("KSU") be authorized to substantively change their education degrees and be approved a credit hour waiver, effective January 11, 2018.

Program Summary: Currently KSU offers a separate Bachelor of Science degree with a major in mathematics education, and Bachelor of Science degrees with majors in biology, chemistry, and physics all with teacher certification tracks. These degree programs are housed in the College of Science and Mathematics and have low student enrollments. Kennesaw State University is proposing to collapse these degrees into a single Bachelor of Science in Secondary Education with content tracks (i.e. biology, mathematics, physics, chemistry) and locate the degree in its Bagwell College of Education. In this new structure, resources would be maximized.

BSEDs were common degrees in Georgia many years ago and have an increased emphasis in education; however, they were dissolved a few years ago in favor of BS degrees. Given new standards and state and national standards that place emphasis on the impact of learning, technology, diversity, preparation in working with ELLs, increased emphasis on the needs of children with exceptionalities, and attention now given to assessment and using data to make decisions, the BOR revitalized the BSED, and many institutions are reinstituting them. The BSED Considerations document from the BOR clearly states that tracks can be converted using a substantive change form: "Institutions with teaching content preparation program embedded in a degree program as a track (or concentration, etc.) can convert these programs to a BSED degree through the substantive change process" (BSED Considerations Document, October 21, 2014).

Degree Credit Waiver: Credit hours in the BSED in Secondary Education will be 120-124, depending on the concentration. KSU is requesting degree credit waivers of up to 124 hours for Chemistry, Physics, and Broad Field Biology:

Concentration	Credit Hours	Waiver Requested
Mathematics Education	120	No
Chemistry Education	121	Yes
Physics Education	123	Yes
Broad Field (Biology Emphasis)	124	Yes

Impact on Current Students:
Students enrolled in current programs will continue to progress toward graduation without disruption.

5. Termination of Multiple Degrees , Georgia College and State University

Recommended: That the Board approve the request of President Steve Dorman that Georgia College and State University ("GCSU") be authorized to terminate the following degrees, effective January 11, 2018.

- Bachelor of Business Administration with a Major in Business Information System
- Bachelor of Business Administration with a Major in International Business
- Bachelor of Science with a Major in Art Marketing
- Bachelor of Science with a Major in Legal Assistance Studies
- Bachelor of Arts with a Major in Mathematics
- Bachelor of Science in Health Education
- Bachelor of Science with a Major in History
- Master of Arts with a Major in Public Affairs
- Master of Education with a Major in Teaching Field- Behavior Disorders
- Master of Education with a Major in Teaching Field- Learning Disabilities
- Master of Education with a Major in Teaching Field- Mental Retardation
- Master of Science with a Major in Psychology
- Master of Science in Nursing with a Major in Administration
- Education Specialist with a Major in Health and Physical Education

Abstract: The above degree programs were deactivated in 2014 through proper administrative review and approval at Georgia College and State University in cooperation with the University System Office of Academic Affairs. Through the deactivation process, all students were appropriately advised and counseled. Georgia College and State University verified that there are not students enrolled in the above degrees. There is no adverse impact on faculty members or students.

6. Termination of Academic Degree, University of West Georgia

Recommended: That the Board approve the request of President Kyle Marrero that the University of West Georgia ("UWG") be authorized to terminate one degree effective January 11, 2018.

- Post Baccalaureate Certificate in Integrative Health Studies

Abstract: The above degree program conferred one degree in the last five years. The program was deactivated in 2016 through proper administrative review and approval at the University of West Georgia in cooperation with the University System Office of Academic Affairs. Through the deactivation process, all students were appropriately advised and counseled. The University of West Georgia verified that for the past two years there were no students enrolled in the above degree. The individual courses remain available to students as elective choices and there is no adverse impact on faculty members or students.

7. Termination of Academic Degree, University of Georgia

Recommended: That the Board approve the request of President Jere Morehead that the University of Georgia ("UGA") be authorized to terminate one degree effective January 11, 2018.

- B.S. in Family and Consumer Studies-Honors Interdisciplinary Studies

Abstract: Enrollment and graduation in the above degree program in the past five years yielded only two students. The program was deactivated through proper administrative review and approval at the University of Georgia in cooperation with the University System Office of Academic Affairs. Through the deactivation process, all students were appropriately advised and counseled. The University of Georgia verified that for the past two years there were no students enrolled in the above degree. There is no adverse impact on faculty members or students.

8. a. Revision to The Policy Manual, Section 3.2, Faculties

Revision to Subsection 3.2.1.2 Administrative Officers

Abstract: In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of this policy removal is to simplify Policy language, to provide for consistency in Policy provisions, and to increase the efficiency of The Policy Manual.

Summary: Revisions to this policy are part of the Board of Regents' Policy Manual Review and do not include substantive changes to practice at institutions. The phrase recommended for removal that references approval by the Board of administrative officers appointed by the president does not reflect current practice and is not consistent with the responsibilities of the Board and president as outlined elsewhere in The Policy Manual.

CURRENT POLICY LANGUAGE:

3.2.1.2 Administrative Officers

Faculty status of full-time administrative officers will necessarily vary with the size and complexity of the institution. 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 his/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/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/she ceases to hold the administrative position. An administrative officer having faculty status shall have all the responsibilities and privileges of faculty membership. Administrative officers shall be appointed by the president with the approval of the Board of Regents and shall hold office at the pleasure of the president.

EDITED POLICY LANGUAGE:

*NOTE: Highlighted language in italics moved from elsewhere in policy.

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.

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 ~~p~~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. ~~An administrative officer having faculty status shall have all the responsibilities and privileges of faculty membership. Administrative officers shall be appointed by the president with the approval of the Board of Regents and shall hold office at the pleasure of the president.~~

PROPOSED NEW POLICY LANGUAGE:

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.

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.

8. b. Revision to Subsection 3.2.1.3 Other Faculty Members

Abstract: In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of this policy removal is to simplify Policy language, to provide for consistency in Policy provisions, and to increase the efficiency of The Policy Manual.

Summary: Revisions to this policy are part of the Board of Regents' Policy Manual Review and do not include substantive changes to practice at institutions. Policy section headings are updated to reflect the current institutional sectors. Also, the sentence recommended for removal that references the submission of administrative officers to the Board does not reflect current practice.

CURRENT POLICY LANGUAGE:

3.2.1.3 Other Faculty Members

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

Each institution is required to file with the office of the Board of Regents a list of administrative officers that have faculty status (by office, not by name of individual).

State Universities, State Colleges, and Two-Year Colleges
In addition to the Corps of Instruction, the faculty will consist of the president and the full-time administrative officers, and such other full-time administrative officers as the statues of the institution may designate as having ex officio status. Each institution is required to file with the office of the Board of Regents a list of administrative officers that have faculty status (by office, not by name of individual) (BoR Minutes, 1951-52, pp. 314-319; 1952-53, pp. 159-160; 1953-54, p. 225).

EDITED POLICY LANGUAGE:

3.2.1.3 Other Faculty Members

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

~~Each institution is required to file with the office of the Board of Regents a list of administrative officers that have faculty status (by office, not by name of individual).~~

State Universities~~,~~ and State Colleges~~, and Two-Year Colleges~~
In addition to the Corps of Instruction, the faculty will consist of the ~~p~~President of the institution and ~~the full-time administrative officers, and such~~ other full-time administrative officers as ~~the statues of~~ the institution may designate as having ex officio faculty status. ~~Each institution is required to file with the office of the Board of Regents a list of administrative officers that have faculty status (by office, not by name of individual) (BoR Minutes, 1951-52, pp. 314-319; 1952-53, pp. 159-160; 1953-54, p. 225).~~

PROPOSED NEW POLICY LANGUAGE:

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.

8. c. Revision to Subsection 3.2.2 Election of Faculties

Abstract: In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of this policy removal is to simplify Policy language, to provide for consistency in Policy provisions, and to increase the efficiency of The Policy Manual.

Summary: Revisions to this policy are part of the Board of Regents' Policy Manual Review and do not include substantive changes to practice at institutions. The policy section recommended for removal does not reflect current practice and is not consistent with the responsibilities of the Board and president as outlined elsewhere in The Policy Manual.

CURRENT POLICY LANGUAGE:

3.2.2 Election of Faculties

The Board shall elect all faculty members prior to their initial appointments upon the recommendations of the Chancellor and the president of the appropriate institution. The Chancellor is authorized to approve the appointment of part-time faculty members, other than those faculty members who have previously retired from the USG (BoR Minutes 1984-85, p. 76).

EDITED POLICY LANGUAGE:

~~3.2.2 Election of Faculties~~

~~The Board shall elect all faculty members prior to their initial appointments upon the recommendations of the Chancellor and the president of the appropriate institution. The Chancellor is authorized to approve the appointment of part-time faculty members, other than those faculty members who have previously retired from the USG (BoR Minutes 1984-85, p. 76).~~

NO NEW PROPOSED POLICY LANGUAGE

8. d. Revision to Subsection 3.2.6 Regents' Teaching and Service to Students Awards Program

Abstract: In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of this policy removal is to simplify Policy language, to provide for consistency in Policy provisions, and to increase the efficiency of The Policy Manual.

Summary: Revisions to this policy are part of the Board of Regents' Policy Manual Review and do not include substantive changes to practice at institutions. The recommended revisions reflect the inclusion of all system-wide awards in policy.

CURRENT POLICY LANGUAGE:

3.2.6 Regents' Teaching and Service to Students Awards Program

USG institutions shall implement a Regents' Teaching and Service to Students Awards program to recognize and reward faculty excellence in teaching and service to students. This program will involve system-wide awards to recognize both individual faculty and staff and departments for strong commitment to teaching and service to students. Each institution will be invited to nominate one (1) teaching faculty or staff member and one (1) academic department or program each year for these awards. One (1) faculty/staff award and one (1) department/program award will be given for each sector.

The USG chief academic officer shall publish specific procedures, nomination guidelines, and award criteria.

In addition to the Regents' Teaching and Service to Students Awards, 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.

EDITED POLICY LANGUAGE

3.2.~~6~~2 Regents' ~~Teaching and Service to Students~~ Awards ~~Program~~ for Excellence in Teaching and Student Success

~~USG institutions shall implement a Regents' Teaching and Service to Students Awards program to recognize and~~ The Board of Regents rewards ~~faculty~~ excellence in teaching and student success through a system-wide awards program. ~~and service to students. This program will involve system-wide awards to recognize both individual faculty and staff and departments for strong commitment to teaching and service to students. Each institution will be invited to nominate one (1) teaching faculty or staff member and one (1) academic department or program each year for these awards. One (1) faculty/staff award and one (1) department/program award will be given for each sector.~~

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 ~~c~~Chief ~~a~~Academic ~~o~~Officer shall publish specific procedures, nomination guidelines, and award criteria.

In addition to the Regents' ~~Teaching and Service to Students~~ 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.

PROPOSED NEW POLICY LANGUAGE:

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.

9. Revision to The Policy Manual, Section 3.7, Regents' Reading and Writing Skills Requirement

Abstract: The Regents' Reading and Writing Skills Test and the related course have been discontinued at all University System institutions. After all institutions demonstrated that their degree-seeking students would achieve the required competence in reading and writing through required coursework, the Regents' Tests were discontinued and are no longer available for administration. Southern Association of Colleges and Schools continues to require institutions demonstrate that students obtaining an associate or baccalaureate degree have competence in reading and writing to maintain accreditation and the requirement is satisfied through the content included in the Core Curriculum that was redesigned in 2011.

In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of the removal of this policy is to simplify policy language, to provide for consistency in policy provisions, and to increase the efficiency of The Policy Manual.

Summary: Revisions to this policy are part of the Board of Regents' Policy Manual Review and do not include substantive changes to practice at institutions. The policy section recommended for removal does not reflect current practice. Regents' Tests at all institutions were discontinued and no longer available for administration. The recommended policy removal does not affect accreditation, as the requirements referenced are satisfied as part of the content included in the Core Curriculum that was redesigned in 2011

CURRENT POLICY LANGUAGE:

3.7 Regents' Reading and Writing Skills Requirement

Each USG institution shall ensure that students obtaining an associate or baccalaureate degree from a USG institution have competence in reading and writing.

Consistent with the Southern Association of Colleges and Schools requirements for accreditation, the Board of Regents expects all institutions to assess reading and writing skills and to use those assessments for continuous improvement. All USG institutions should be prepared to demonstrate the following to the Board: a) assessment policies and procedures used to measure student reading and writing competency; b) how the assessment of reading and writing has been used for continuous improvement; c) data to show how students are performing in terms of reading and writing skills. (BoR minutes, April 2012).

EDITED POLICY LANGUAGE:

~~3.7 Regents' Reading and Writing Skills Requirement~~

~~Each USG institution shall ensure that students obtaining an associate or baccalaureate degree from a USG institution have competence in reading and writing.~~

~~Consistent with the Southern Association of Colleges and Schools requirements for accreditation, the Board of Regents expects all institutions to assess reading and writing skills and to use those assessments for continuous improvement. All USG institutions should be prepared to demonstrate the following to the Board: a) assessment policies and procedures used to measure student reading and writing competency; b) how the assessment of reading and writing has been used for continuous improvement; c) data to show how students are performing in terms of reading and writing skills. (BoR minutes, April 2012).~~

NO NEW PROPOSED POLICY LANGUAGE

10. a. Revision to The Policy Manual, Section 3.8, Degrees

Revision to Subsection 3.8.5 Diplomas Earned at Institutions under a Previous Name

Abstract: In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of this policy removal is to simplify Policy language, to provide for consistency in Policy provisions, and to increase the efficiency of The Policy Manual.

Summary: Revisions to this policy are part of the Board of Regents' Policy Manual Review and do not include substantive changes to practice at institutions. The sentences recommended for removal reflect a level of detail not needed in policy. To support this policy change, additional guidance will be added to the Academic and Student Affairs Handbook on diplomas earned at institutions under a previous name.

CURRENT POLICY LANGUAGE:

3.8.5 Diplomas Earned at Institutions Under a Previous Name

Any USG institution may issue upon request a certificate to a graduate, who received a diploma under a previous name of the institution, with wording similar to the following:

"Be it known that (Student)_____, having received in the year _____, the degree of _____ from (Name of Institution)_____ a predecessor of this institution, is hereby recognized as an [alumnus/alumna] of (Present Name of Institution)_____."

This certificate will be signed by the president and appropriate dean of the institution concerned (BoR Minutes, 1965-66, p. 6).

EDITED POLICY LANGUAGE:

3.8.5 Diplomas Earned at Institutions Under a Previous Name

Upon request, a ~~Any~~ USG institution may issue ~~upon request~~ 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~~, with wording similar to the following:~~

~~"Be it known that (Student)_____, having received in the year _____, the degree of _____ from (Name of Institution)_____ a predecessor of this institution, is hereby recognized as an [alumnus/alumna] of (Present Name of Institution)_____."~~

~~This certificate will be signed by the president and appropriate dean of the institution concerned (BoR Minutes, 1965-66, p. 6)~~.

PROPOSED NEW POLICY LANGUAGE:

3.8.5 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.

11. Revision to The Policy Manual, Section 6.1, 6.2, and relocation to Section 3.7

Abstract: In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of this policy removal is to simplify Policy language, to provide for consistency in Policy provisions, and to increase the efficiency of The Policy Manual.

Summary: Revisions to this policy are part of the Board of Regents' Policy Manual Review and do not include substantive changes to practice at institutions. The recommended revisions reflect the inclusion of all system-wide awards in policy.

CURRENT POLICY LANGUAGE:

6.1 General Policy

The Board of Regents of the University System of Georgia shall continue efforts to provide through state appropriations and other outside sources adequate funds for increased research programs of the highest quality at USG institutions (BoR Minutes, 1964-65, p. 287).

6.2 Research Institutions

In addition to the research conducted by faculty at all USG institutions, the following have been approved by the Board of Regents as special research centers:

1. The Agricultural Experiment Stations of the University of Georgia with three main stations:
    - The Georgia Experiment Station at Griffin;
    - The Coastal Plain Experiment Station at Tifton; and,
    - The College Experiment Station at Athens with five branch stations at Blairsville, Calhoun, Eatonton, Midville, and Plains.
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.

EDITED POLICY LANGUAGE:

*NOTE: Highlighted language in italics moved from Section 6.1 and Section 6.2.

3.7 ~~Regents' Reading and Writing Skills Requirement~~ Research

~~Each USG institution shall ensure that students obtaining an associate or baccalaureate degree from a USG institution have competence in reading and writing.~~

~~Consistent with the Southern Association of Colleges and Schools requirements for accreditation, the Board of Regents expects all institutions to assess reading and writing skills and to use those assessments for continuous improvement. All USG institutions should be prepared to demonstrate the following to the Board: a) assessment policies and procedures used to measure student reading and writing competency; b) how the assessment of reading and writing has been used for continuous improvement; c) data to show how students are performing in terms of reading and writing skills. (BoR minutes, April 2012).~~

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.*

~~6.1 General Policy~~

~~The Board of Regents of the University System of Georgia shall continue efforts to provide through state appropriations and other outside sources adequate funds for increased research programs of the highest quality at USG institutions (BoR Minutes, 1964-65, p. 287).~~

~~6.2 Research Institutions~~

~~In addition to the research conducted by faculty at all USG institutions, the following have been approved by the Board of Regents as special research centers:~~

~~4. The Agricultural Experiment Stations of the University of Georgia with three main stations:~~
    - ~~The Georgia Experiment Station at Griffin;~~
    - ~~The Coastal Plain Experiment Station at Tifton; and,~~
    - ~~The College Experiment Station at Athens with five branch stations at Blairsville, Calhoun, Eatonton, Midville, and Plains.~~
~~5. The Georgia Tech Research Institute (GTRI) of the Georgia Institute of Technology in Atlanta.~~
~~6. 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.~~

PROPOSED NEW POLICY LANGUAGE:

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.

12. Named Faculty Appointments:

Details regarding institutional requests to appoint faculty with the appropriate qualifications into named faculty positions are found in the supplemental agenda. The following are included in this month.

Institution Name: University of Georgia
University Faculty's Name: Professor Anne Marie Rhodes
Named Position: Verner F. Chaffin Chair in Fiduciary Law

Institution Name: University of Georgia
University Faculty's Name: Dr. William Kisaalita
Named Position: UGA Athletic Association Professorship in Engineering III

13. Informational Items:

Abstract: Dr. Tristan Denley, Executive Vice Chancellor and Chief Academic Officer will provide information on two key Complete College Georgia initiatives:

- Momentum Year Summit
- Co-requisite Scale Up

AGENDA

COMMITTEE ON ORGANIZATION & LAW

January 11, 2018

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1. New Member Orientation

The Committee will orient new Regents to the structure and activities of the Committee on Organization and Law.

2. Security Clearance Authorizations: Georgia Institute of Technology

The Georgia Institute of Technology seeks the Board's authorization for certain named personnel to apply for and receive United States Government security clearance related to classified government research. This approval is renewed annually and was last approved at the Board's January 2017 meeting.

Background: The Georgia Institute of Technology performs certain classified research on behalf of, and via contract with, the United States Department of Defense and other agencies of the United States government. The National Industrial Security Program Operating Manual requires the Board of Regents to authorize persons to receive necessary security clearances and to make certain declarations regarding the security of designated facilities.

3. Honorary Degree Requests

President Thomas Hynes, Jr., of Clayton State University seeks the Board's approval to award honorary degrees to Mr. Alexander Crumbley and Mr. Robert Edge.

4. Mutual Aid Agreements: Abraham Baldwin Agricultural College

Abraham Baldwin Agricultural College seeks the Board of Regents' permission to enter into mutually beneficial emergency services arrangements with Bainbridge Public Safety and the Decatur County Sheriff's Office.

5. Revision to the Policy Manual: 1.2.5 Institution Responsibilities

In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of the revision to Section 1.2.5 is to simplify and remove redundant Policy language and to increase the efficiency of the Policy Manual.

CURRENT POLICY LANGUAGE:

1.2.5 Institution Responsibilities

Each institution is authorized to develop procedures for approval of the following matters without the necessity of formal Board action (BoR Minutes, February 2007; April 2007):

1. Adjunct (courtesy) appointments;
2. Graduate teaching assistant appointments;
3. Appointment of part-time faculty members, other than those faculty members who have previously retired from the USG;
4. Reappointments of temporary faculty, part-time faculty, and aliens; and,
5. Changes of designation for approved degree programs and approved administrative units.

The institution president, without the necessity of approval by the Chancellor or the Board, shall make decisions regarding appointments, promotions, salaries, transfers, suspensions, and dismissals for members of instructional, research and extension staffs, and all other employees of his/her institution (BoR Minutes, February 2007; April 2007).

Any council, faculty, or committee shall have the right of appeal from a veto of the Chancellor to the Board and to be represented before the Board by any member or members chosen from said council, faculty, or committee.

EDITED POLICY LANGUAGE:

~~1.2.5 Institution Responsibilities~~

~~Each institution is authorized to develop procedures for approval of the following matters without the necessity of formal Board action (BoR Minutes, February 2007; April 2007):~~

1. ~~Adjunct (courtesy) appointments;~~
2. ~~Graduate teaching assistant appointments;~~
3. ~~Appointment of part-time faculty members, other than those faculty members who have previously retired from the USG;~~
4. ~~Reappointments of temporary faculty, part-time faculty, and aliens; and,~~
5. ~~Changes of designation for approved degree programs and approved administrative units.~~

~~The institution president, without the necessity of approval by the Chancellor or the Board, shall make decisions regarding appointments, promotions, salaries, transfers, suspensions, and dismissals for members of instructional, research and extension staffs, and all other employees of his/her institution (BoR Minutes, February 2007; April 2007).~~

~~Any council, faculty, or committee shall have the right of appeal from a veto of the Chancellor to the Board and to be represented before the Board by any member or members chosen from said council, faculty, or committee.~~

6. Revision to the Policy Manual: Section 6 – Campus Affairs

In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of the addition of Section 6, Campus Affairs, and the relocation of the related policies is to simplify Policy language, to provide for consistency in Policy provisions, and to increase the efficiency of the Policy Manual.

6.1 Seals

CURRENT POLICY LANGUAGE:

12.3 Seals

All changes in the seals of the USG institutions shall be submitted to the Board for approval (BoR Minutes, 1957-58, p. 263).

EDITED POLICY LANGUAGE:

Section 6: ~~Research~~ Campus Affairs

~~12.3~~ 6.1 Seals

All changes in the seals of the University System of Georgia (USG) institutions shall be submitted to the Board for approval ~~(BoR Minutes, 1957-58, p. 263)~~.

PROPOSED NEW POLICY LANGUAGE:

Section 6: Campus Affairs

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, Logos, and Trademarks

CURRENT POLICY LANGUAGE:

7.11.3 Use of Institution Names

The name of any institution within the purview of the USG shall not be incorporated as a part of the name of an independent business enterprise that is not under the complete control of the USG in a manner to imply an official relationship (BoR Minutes, 1967-68, p. 459).

EDITED POLICY LANGUAGE:

~~7.11.3~~ 6.2 Use of Institution Names, Logos, 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 ~~within the purview of the USG~~ shall not be ~~incorporated as a part of the name of an~~ used by an independent business enterprise that is not under the complete control of the USG, excluding approved Cooperative Organizations, ~~in a manner~~ to imply an official relationship with the institution or USG ~~(BoR Minutes, 1967-68, p. 459)~~.

PROPOSED NEW POLICY LANGUAGE:

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.

6.4 Political Interference

CURRENT POLICY LANGUAGE:

12.1 Political Interference

The Board of Regents is unalterably opposed to political interference or domination of any kind or character in the affairs of any USG institution (BoR Minutes, 1941-42, p. 88).

EDITED POLICY LANGUAGE:

~~12.1~~ 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 ~~(BoR Minutes, 1941-42, p. 88)~~.

PROPOSED NEW POLICY LANGUAGE:

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.

6.5 Freedom of Expression

CURRENT POLICY LANGUAGE:

12.10 Freedom of Expression

The rights guaranteed by the First Amendment, including the right to free speech, free expression, free exercise of religion, and the right to assemble peaceably are of the utmost importance, and the University System of Georgia is committed to protecting those rights.

As public institutions of higher education, USG institutions must promote open ideas and academic freedom on their campuses. 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. Any parameters placed on the time, place, and manner of expression must not be based on the content of the expression.

To facilitate the free exchange of ideas, institutions may designate accessible, high-traffic locations on campus as public forum areas. The designation of public forum areas may not be used to prohibit individual students, faculty, or staff from engaging in communication elsewhere on campus. Reservation and use of designated public forum areas may only be required in the following limited circumstances: (1) speakers who are not enrolled at or employed by the institution; and (2) students, faculty, or staff who engage in large group demonstrations. Institutions may not consider the content or viewpoint of expression when requiring or assigning use of public forum areas.

EDITED POLICY LANGUAGE:

~~12.10~~ 6.5 Freedom of Expression

The rights guaranteed by the First Amendment, including the right to free speech, free expression, free exercise of religion, and the right to assemble peaceably are of the utmost importance, and the University System of Georgia (USG) is committed to protecting those rights.

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6.6 Non-Discrimination and Anti-Harassment

CURRENT POLICY LANGUAGE:

4.1.2 Non-Discrimination

The Board of Regents stipulates that no USG student, on the ground of race, color, sex, religion, creed, national origin, age or handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the Board of Regents of the University System of Georgia or any of its several institutions now in existence or hereafter established (BoR Minutes, October, 1969, p. 154; 1979-80, p. 15).

EDITED POLICY LANGUAGE:

~~4.1.2~~ 6.6 Non-Discrimination and Anti-Harassment

The Board of Regents prohibits unlawful discrimination, harassment, and retaliation within the University System of Georgia (USG) and all USG institutions based on any characteristic protected by law. ~~stipulates that no USG student, on the ground of race, color, sex, religion, creed, national origin, age or handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by the Board of Regents of the University System of Georgia or any of its several institutions now in existence or hereafter established (BoR Minutes, October, 1969, p. 154; 1979-80, p. 15)~~.

PROPOSED NEW POLICY LANGUAGE:

6.6 Non-Discrimination and Anti-Harassment

The Board of Regents prohibits unlawful discrimination, harassment, and retaliation within the University System of Georgia (USG) and all USG institutions based on any characteristic protected by law.

6.7 Sexual Misconduct Policy

CURRENT POLICY LANGUAGE:

4.1.7 Student Sexual Misconduct Policy

In accordance with Title IX of the Education Amendments of 1972 ("Title IX"), the University System of Georgia (USG) does not discriminate on the basis of sex in any of its education programs or activities or in employment. The USG is committed to ensuring a safe learning and working environment for all members of the USG community. To that end, this Policy prohibits sexual misconduct, as defined herein.

In order to reduce incidents of sexual misconduct, USG institutions are required to provide prevention tools and to conduct ongoing awareness and prevention programming and training for the campus community. Such programs will promote positive and healthy behaviors and educate the campus community on consent, sexual assault, alcohol 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.

Reporting Structure

All Equal Opportunity directors and others having responsibility for coordination of Title IX ("Coordinators") at USG institutions shall have a direct reporting relationship to both the institution's President or the President's designee and the USG System Director for Equity and Investigations ("System Director"). 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 System Director 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 System Director on significant personnel actions involving Coordinators, to include but not be limited to, appointment, evaluation, discipline, change in reporting structure, and termination.

4.1.7.1 Definitions and Prohibited Conduct

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

Complainant: An individual lodging a complaint. The complainant may not always be the alleged victim.

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 either 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. 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, 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 touching (or penetrating) of a person's intimate parts (such as genitalia, groin, breasts, or buttocks); touching (or penetrating) a person with one's own intimate parts; or forcing a person to touch his or her own or another person's intimate parts.

Confidential Employees: Institution employees who have been designated by the Institution's Coordinator to talk with an alleged victim in confidence. Confidential Employees must only report that the incident occurred and provide date, time, location, and name of alleged 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 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("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.

Respondent: 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 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: Unwelcome verbal, nonverbal, or physical conduct, based on sex or on gender stereotypes, that is implicitly or explicitly a term or condition of employment or status in a course, program, or activity; is a basis for employment or educational decisions; or 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.

Sexual Misconduct: Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, nonconsensual sexual contact, 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 his or her safety or the safety of others or suffer substantial emotional distress. 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. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily, require medical or other professional treatment or counseling.

4.1.7.2 Reporting Sexual Misconduct

A complainant of sexual misconduct may, but need not, file a criminal complaint with law enforcement officials; file a misconduct report with a Responsible Employee or Coordinator; or file both. A report may be filed anonymously, although anonymous reports may make it difficult for the institution to address the complaint. Any individual who believes that he or she has been a victim of sexual misconduct is encouraged to report allegations of sexual misconduct promptly.

All reports of sexual misconduct alleged to have been committed by a student must be handled consistently with requirements set forth in Section 4.6.5, *Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings*.

All reports of sexual misconduct alleged to have been committed by a non-student member of the institution community will be addressed and/or resolved through the institution's and the Board of Regents' applicable policies for discipline of non-students.

4.1.7.2 (A) Institutional Reports
Complainants of sexual misconduct who wish to file a report with the institution should notify a Responsible Employee or the Coordinator. Responsible Employees informed about sexual misconduct allegations involving any student should not attempt to resolve the situation, but must notify and report all relevant information to the Coordinator as soon as practicable. Confidential Employees are not bound by this requirement but may be required to report limited information about incidents without revealing the identities of the individuals involved to the Title IX Coordinator, consistent with their ethical and legal obligations. All members of the University System of Georgia institutions' communities are encouraged to report incidents of sexual misconduct promptly.

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. Institutions should encourage complainants to report their complaints in writing, though oral complaints should also be accepted, taken seriously, and investigated, to the extent possible. While complaints should be made as quickly as possible following an alleged incident of sexual misconduct, all reports should be accepted regardless of when reported.

The Coordinator shall refer to the System Director any allegation(s) of sexual misconduct that could, standing alone as reported, lead to the suspension or expulsion of the respondent(s). The System Director will work with the institution to determine whether any interim measure(s) are necessary and to assign an investigator who will work under the direction of the System Director

or designee, if directed by System Director. 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 would require transfer to the System Director, the Title IX Coordinator shall transfer oversight to the System Director or designee. The System Director shall have the discretion to retain oversight or transfer oversight to the institution.

4.1.7.2 (B) Law Enforcement Reports
Because sexual misconduct may constitute criminal activity, a complainant also has the option, should he or she so choose, of filing a report with campus or local police, for his or her own protection and that of the surrounding community. The institution may assist the complainant in reporting the situation to law enforcement officials.

Complainants considering filing a report of sexual misconduct with law enforcement should preserve any evidence of sexual misconduct, including, but not limited to, the following:

1. Clothing worn during the incident including undergarments;
2. Sheets, bedding, and condoms, if used;
3. Lists of witnesses with contact information;
4. Text messages, call history, social media posts;
5. Pictures of injuries; and/or
6. Videos.

4.1.7.2 (C) Anonymous Reports
Each institution shall provide a mechanism by which individuals can report incidents of alleged sexual misconduct anonymously. Complainants should understand, however, that it will be more difficult for the institution to investigate and to take action upon anonymous reports.

4.1.7.2 (D) Retaliation
Anyone who, in good faith, reports what he or she believes to be misconduct under this Policy, or who participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes that he or she has been the target of retaliation for reporting, participating, cooperating in, or otherwise being associated with an investigation should immediately contact the Coordinator for the institution. Any person found to have engaged in retaliation in violation of this Policy shall be subject to disciplinary action.

4.1.7.2 (E) False Complaints
Individuals are prohibited from intentionally giving false statements to a system or institution official. Any person found to have intentionally 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 student conduct policy.

4.1.7.2 (F) 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 an individual during an investigation concerning use of drugs or alcohol will not be used against the

particular individual in a disciplinary proceeding or voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

4.1.7.3 Handling Reports of Sexual Misconduct

4.1.7.3 (A) Support Services
Once a student or employee makes a complaint or receives notice that a complaint has been made against him or her, or the coordinator otherwise learns of a complaint of sexual misconduct. The complainant, respondent and alleged victim (where applicable) should receive written information about support services, such as counseling, advocacy, housing assistance, academic support, disability services, health and mental services, and legal assistance, available at the student's institution.

Information on support services will be provided regardless as to whether an individual elects to go forward with filing a formal complaint of sexual misconduct or with notifying law enforcement. Information on support services will also be provided to students and employees, regardless of where the alleged misconduct occurs.

Available support services should also be listed on the institution's Title IX website.

4.1.7.3 (B) Interim Measures
Interim measures may be undertaken at any point after the institution becomes aware of an allegation of sexual misconduct and should be designed to protect the alleged victim and the community.

Before an interim suspension is issued, the institution must make all reasonable efforts to give the respondent the opportunity to be heard, consistent with the provisions in Policy 4.6.5.

4.1.7.3 (C) Jurisdiction
Each USG institution shall take necessary and appropriate action to protect the safety and well-being of its community. Sexual misconduct allegedly committed by a student are addressed by this Policy when the misconduct occurs on institution property, or at institution-sponsored or affiliated events, or off-campus, as defined by the institution's student conduct policies.

4.1.7.3 (D) Advisors Both the alleged victim and 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 for the express purpose of providing advice and counsel, pursuant to the provisions of Policy 4.6.5.

4.1.7.3 (E) Informal Resolutions
Allegations of sexual misconduct may be resolved informally, without a determination of misconduct, if all of the following are met:

1. When complainant(s) and respondent agree to an informal resolution;
2. When the initial allegation could not result in expulsion;

3. When the complainant(s) and respondent(s) agree to the terms of the informal resolution; and
4. When the investigator concludes that informal resolution is in the best interest of the parties and the institution's community.

The alleged victim(s) and 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.

4.1.7.3 (F) Timeframe
Efforts will be made to complete the investigation within a reasonable timeframe, which will be determined based upon the allegations, availability of witnesses and/or evidence, etc. in a particular case. When the timeframe will extend past the reasonable timeframe, the parties will be informed of the delay and the reason for the delay. The investigator shall keep the parties informed of the status of the investigation.

4.1.7.4 Investigations

All sexual misconduct investigations involving a student respondent, whether overseen by the institution's Coordinator or the System Director, shall follow the investigation process set forth in Section 4.6.5, *Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings*.

4.1.7.5 Hearings, Possible Sanctions and Appeals

All sexual misconduct hearings, sanctions, and appeals involving a student respondent, whether overseen by the institution's Coordinator or the System Director, shall follow the investigation process set forth in 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 the institution's employment policies and procedures.

EDITED POLICY LANGUAGE:

~~4.1.7 Student~~ 6.7 Sexual Misconduct Policy

In accordance with Title IX of the Education Amendments of 1972 ("Title IX"), the University System of Georgia (USG) does not discriminate on the basis of sex in any of its education programs or activities or in employment. The USG is committed to ensuring a safe learning and working environment for all members of the USG community. To that end, this Policy prohibits sexual misconduct, as defined herein.

In order to reduce incidents of sexual misconduct, USG institutions are required to provide prevention tools and to conduct ongoing awareness and prevention programming and training for the campus community. Such programs will promote positive and healthy behaviors and educate the campus community on consent, sexual assault, alcohol 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.

Reporting Structure

All Equal Opportunity directors and others having responsibility for coordination of Title IX ("Coordinators") at USG institutions shall have a direct reporting relationship to both the institution's President or the President's designee and the USG System Director for Equity and Investigations ("System Director"). 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 System Director 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 System Director on significant personnel actions involving Coordinators, to include but not be limited to, appointment, evaluation, discipline, change in reporting structure, and termination.

~~4.1.7~~6.7.1 Definitions and Prohibited Conduct

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

Complainant: An individual lodging a complaint. The complainant may not always be the alleged victim.

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 either 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. 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, 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 touching (or penetrating) of a person's intimate parts (such as genitalia, groin, breasts, or buttocks); touching (or penetrating) a person with one's own intimate parts; or forcing a person to touch his or her own or another person's intimate parts.

Confidential Employees: Institution employees who have been designated by the Institution's Coordinator to talk with an alleged victim in confidence. Confidential Employees must only report that the incident occurred and provide date, time, location, and name of alleged 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 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("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.

Respondent: 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 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: Unwelcome verbal, nonverbal, or physical conduct, based on sex or on gender stereotypes, that is implicitly or explicitly a term or condition of employment or status in a course, program, or activity; is a basis for employment or educational decisions; or 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.

Sexual Misconduct: Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, nonconsensual sexual contact, 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 his or her safety or the safety of others or suffer substantial emotional distress. 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. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily, require medical or other professional treatment or counseling.

~~4.1.7~~6.7.2 Reporting Sexual Misconduct

A complainant of sexual misconduct may, but need not, file a criminal complaint with law enforcement officials; file a misconduct report with a Responsible Employee or Coordinator; or file both. A report may be filed anonymously, although anonymous reports may make it difficult for the institution to address the complaint. Any individual who believes that he or she has been a victim of sexual misconduct is encouraged to report allegations of sexual misconduct promptly.

All reports of sexual misconduct alleged to have been committed by a student must be handled consistently with requirements set forth in Section 4.6.5, *Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings*.

All reports of sexual misconduct alleged to have been committed by a non-student member of the institution community will be addressed and/or resolved through the institution's and the Board of Regents' applicable policies for discipline of non-students.

~~4.1.7~~6.7.2 (A) Institutional Reports
Complainants of sexual misconduct who wish to file a report with the institution should notify a Responsible Employee or the Coordinator. Responsible Employees informed about sexual misconduct allegations involving any student should not attempt to resolve the situation, but must notify and report all relevant information to the Coordinator as soon as practicable. Confidential Employees are not bound by this requirement but may be required to report limited information about incidents without revealing the identities of the individuals involved to the Title IX Coordinator, consistent with their ethical and legal obligations. All members of the University System of Georgia institutions' communities are encouraged to report incidents of sexual misconduct promptly.

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. Institutions should encourage complainants to report their complaints in writing, though oral complaints should also be accepted, taken seriously, and investigated, to the extent possible. While complaints should be made as quickly as possible following an alleged incident of sexual misconduct, all reports should be accepted regardless of when reported.

The Coordinator shall refer to the System Director any allegation(s) of sexual misconduct that could, standing alone as reported, lead to the suspension or expulsion of the respondent(s). The System Director will work with the institution to determine whether any interim measure(s) are necessary and to assign an investigator who will work under the direction of the System Director or designee, if directed by System Director. 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 would require transfer to the System Director, the Title IX Coordinator shall transfer oversight to the System Director or designee. The System Director shall have the discretion to retain oversight or transfer oversight to the institution.

~~4.1.7~~6.7.2 (B) Law Enforcement Reports
Because sexual misconduct may constitute criminal activity, a complainant also has the option, should he or she so choose, of filing a report with campus or local police, for his or her own

protection and that of the surrounding community. The institution may assist the complainant in reporting the situation to law enforcement officials.

Complainants considering filing a report of sexual misconduct with law enforcement should preserve any evidence of sexual misconduct, including, but not limited to, the following:

1. Clothing worn during the incident including undergarments;
2. Sheets, bedding, and condoms, if used;
3. Lists of witnesses with contact information;
4. Text messages, call history, social media posts;
5. Pictures of injuries; and/or
6. Videos.

~~4.1.7~~6.7.2 (C) Anonymous Reports
Each institution shall provide a mechanism by which individuals can report incidents of alleged sexual misconduct anonymously. Complainants should understand, however, that it will be more difficult for the institution to investigate and to take action upon anonymous reports.

~~4.1.7~~6.7.2 (D) Retaliation
Anyone who, in good faith, reports what he or she believes to be misconduct under this Policy, or who participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes that he or she has been the target of retaliation for reporting, participating, cooperating in, or otherwise being associated with an investigation should immediately contact the Coordinator for the institution. Any person found to have engaged in retaliation in violation of this Policy shall be subject to disciplinary action.

~~4.1.7~~6.7.2 (E) False Complaints
Individuals are prohibited from intentionally giving false statements to a system or institution official. Any person found to have intentionally 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 student conduct policy.

~~4.1.7~~6.7.2 (F) 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 an individual during an investigation concerning use of drugs or alcohol will not be used against the particular individual in a disciplinary proceeding or voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

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Each USG institution shall take necessary and appropriate action to protect the safety and well-being of its community. Sexual misconduct allegedly committed by a student are addressed by this Policy when the misconduct occurs on institution property, or at institution-sponsored or affiliated events, or off-campus, as defined by the institution's student conduct policies.

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PROPOSED NEW POLICY LANGUAGE:

6.7 Sexual Misconduct Policy

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In order to reduce incidents of sexual misconduct, USG institutions are required to provide prevention tools and to conduct ongoing awareness and prevention programming and training for the campus community. Such programs will promote positive and healthy behaviors and educate the campus community on consent, sexual assault, alcohol 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.

Reporting Structure

All Equal Opportunity directors and others having responsibility for coordination of Title IX ("Coordinators") at USG institutions shall have a direct reporting relationship to both the institution's President or the President's designee and the USG System Director for Equity and Investigations ("System Director"). 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 System Director 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 System Director 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

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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.

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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, 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 touching (or penetrating) of a person's intimate parts (such as genitalia, groin, breasts, or buttocks); touching (or penetrating) a person with one's own intimate parts; or forcing a person to touch his or her own or another person's intimate parts.

Confidential Employees: Institution employees who have been designated by the Institution's Coordinator to talk with an alleged victim in confidence. Confidential Employees must only report that the incident occurred and provide date, time, location, and name of alleged 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 Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("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.

Respondent: 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 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: Unwelcome verbal, nonverbal, or physical conduct, based on sex or on gender stereotypes, that is implicitly or explicitly a term or condition of employment or status in a course, program, or activity; is a basis for employment or educational decisions; or 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.

Sexual Misconduct: Includes, but is not limited to, such unwanted behavior as dating violence, domestic violence, nonconsensual sexual contact, 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 his or her safety or the safety of others or suffer substantial emotional distress. 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. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. 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

A complainant of sexual misconduct may, but need not, file a criminal complaint with law enforcement officials; file a misconduct report with a Responsible Employee or Coordinator; or file both. A report may be filed anonymously, although anonymous reports may make it difficult for the institution to address the complaint. Any individual who believes that he or she has been a victim of sexual misconduct is encouraged to report allegations of sexual misconduct promptly.

All reports of sexual misconduct alleged to have been committed by a student must be handled consistently with requirements set forth in Section 4.6.5, *Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings*.

All reports of sexual misconduct alleged to have been committed by a non-student member of the institution community will be addressed and/or resolved through the institution's and the Board of Regents' applicable policies for discipline of non-students.

6.7.2 (A) Institutional Reports
Complainants of sexual misconduct who wish to file a report with the institution should notify a Responsible Employee or the Coordinator. Responsible Employees informed about sexual misconduct allegations involving any student should not attempt to resolve the situation, but must notify and report all relevant information to the Coordinator as soon as practicable. Confidential Employees are not bound by this requirement but may be required to report limited information about incidents without revealing the identities of the individuals involved to the Title IX Coordinator, consistent with their ethical and legal obligations. All members of the University System of Georgia institutions' communities are encouraged to report incidents of sexual misconduct promptly.

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. Institutions should encourage complainants to report their complaints in writing, though oral complaints should also be accepted, taken seriously, and investigated, to the extent possible. While complaints should be made as quickly as possible following an alleged incident of sexual misconduct, all reports should be accepted regardless of when reported.

The Coordinator shall refer to the System Director any allegation(s) of sexual misconduct that could, standing alone as reported, lead to the suspension or expulsion of the respondent(s). The System Director will work with the institution to determine whether any interim measure(s) are necessary and to assign an investigator who will work under the direction of the System Director or designee, if directed by System Director. 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 would require transfer to the System Director, the Title IX Coordinator shall transfer oversight to the System Director or designee. The System Director shall have the discretion to retain oversight or transfer oversight to the institution.

6.7.2 (B) Law Enforcement Reports
Because sexual misconduct may constitute criminal activity, a complainant also has the option, should he or she so choose, of filing a report with campus or local police, for his or her own protection and that of the surrounding community. The institution may assist the complainant in reporting the situation to law enforcement officials.

Complainants considering filing a report of sexual misconduct with law enforcement should preserve any evidence of sexual misconduct, including, but not limited to, the following:

1. Clothing worn during the incident including undergarments;
2. Sheets, bedding, and condoms, if used;
3. Lists of witnesses with contact information;
4. Text messages, call history, social media posts;

5. Pictures of injuries; and/or
6. Videos.

6.7.2 (C) Anonymous Reports
Each institution shall provide a mechanism by which individuals can report incidents of alleged sexual misconduct anonymously. Complainants should understand, however, that it will be more difficult for the institution to investigate and to take action upon anonymous reports.

6.7.2 (D) Retaliation
Anyone who, in good faith, reports what he or she believes to be misconduct under this Policy, or who participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes that he or she has been the target of retaliation for reporting, participating, cooperating in, or otherwise being associated with an investigation should immediately contact the Coordinator for the institution. Any person found to have engaged in retaliation in violation of this Policy shall be subject to disciplinary action.

6.7.2 (E) False Complaints
Individuals are prohibited from intentionally giving false statements to a system or institution official. Any person found to have intentionally 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 student conduct policy.

6.7.2 (F) 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 an individual during an investigation concerning use of drugs or alcohol will not be used against the particular individual in a disciplinary proceeding or voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

6.7.3 Handling Reports of Sexual Misconduct

6.7.3 (A) Support Services
Once a student or employee makes a complaint or receives notice that a complaint has been made against him or her, or the coordinator otherwise learns of a complaint of sexual misconduct. The complainant, respondent and alleged victim (where applicable) should receive written information about support services, such as counseling, advocacy, housing assistance, academic support, disability services, health and mental services, and legal assistance, available at the student's institution.

Information on support services will be provided regardless as to whether an individual elects to go forward with filing a formal complaint of sexual misconduct or with notifying law enforcement. Information on support services will also be provided to students and employees, regardless of where the alleged misconduct occurs.

Available support services should also be listed on the institution's Title IX website.

6.7.3 (B) Interim Measures
Interim measures may be undertaken at any point after the institution becomes aware of an allegation of sexual misconduct and should be designed to protect the alleged victim and the community.

Before an interim suspension is issued, the institution must make all reasonable efforts to give the respondent the opportunity to be heard, consistent with the provisions in Policy 4.6.5.

6.7.3 (C) Jurisdiction
Each USG institution shall take necessary and appropriate action to protect the safety and well-being of its community. Sexual misconduct allegedly committed by a student are addressed by this Policy when the misconduct occurs on institution property, or at institution-sponsored or affiliated events, or off-campus, as defined by the institution's student conduct policies.

6.7.3 (D) Advisors Both the alleged victim and 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 for the express purpose of providing advice and counsel, pursuant to the provisions of Policy 4.6.5.

6.7.3 (E) Informal Resolutions
Allegations of sexual misconduct may be resolved informally, without a determination of misconduct, if all of the following are met:

1. When complainant(s) and respondent agree to an informal resolution;
2. When the initial allegation could not result in expulsion;
3. When the complainant(s) and respondent(s) agree to the terms of the informal resolution; and
4. When the investigator concludes that informal resolution is in the best interest of the parties and the institution's community.

The alleged victim(s) and 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 (F) Timeframe
Efforts will be made to complete the investigation within a reasonable timeframe, which will be determined based upon the allegations, availability of witnesses and/or evidence, etc. in a particular case. When the timeframe will extend past the reasonable timeframe, the parties will be informed of the delay and the reason for the delay. The investigator shall keep the parties informed of the status of the investigation.

6.7.4 Investigations

All sexual misconduct investigations involving a student respondent, whether overseen by the institution's Coordinator or the System Director, shall follow the investigation process set forth in Section 4.6.5, *Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings*.

6.7.5 Hearings, Possible Sanctions and Appeals

All sexual misconduct hearings, sanctions, and appeals involving a student respondent, whether overseen by the institution's Coordinator or the System Director, shall follow the investigation process set forth in 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 the institution's employment policies and procedures.

6.8 Disruptive Behavior

CURRENT POLICY LANGUAGE:

4.6.3 Disruptive Behavior

Any student, acting individually or in concert with others, who clearly obstructs or disrupts or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, or public service activity, or any other activity authorized to be discharged or held at any 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 dismissal (BoR Minutes, 1968-69, pp. 166-168; 1970-71, p. 98).

12.2 Disruptive Behavior

Any student, faculty member, administrator, 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, or public service activity, or any other activity authorized to be discharged or held at any 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 dismissal or termination of employment (BoR Minutes, 1968-69, pp. 166-168; 1970-71, p. 98).

EDITED POLICY LANGUAGE:

~~4.6.3 Disruptive Behavior~~

~~Any student, acting individually or in concert with others, who clearly obstructs or disrupts or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, or public service activity, or any other activity authorized to be discharged or held at any 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 dismissal (BoR Minutes, 1968-69, pp. 166-168; 1970-71, p. 98).~~

~~12.2~~ 6.8 Disruptive Behavior

Any student~~, faculty member, administrator,~~ 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, ~~or~~ public service ~~activity,~~ or ~~any~~ other activity ~~authorized to be discharged or held~~ 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 ~~(BoR Minutes, 1968-69, pp. 166-168; 1970-71, p. 98)~~.

PROPOSED NEW POLICY LANGUAGE:

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.

6.9 Programs Serving Minors

CURRENT POLICY LANGUAGE:

12.9 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 are responsible for establishing institution-level procedures to implement these requirements consistent with this policy and with any implementing procedures established by the Chancellor or the Chancellor's designee. Institution presidents shall submit a copy of their institutional procedures as directed by January 1, 2017. This policy will become effective for programs starting on or after May 1, 2017.

EDITED POLICY LANGUAGE:

~~12.9~~ 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 ~~are responsible for~~ shall establish~~ing~~ institution-level procedures to implement ~~these requirements consistent with~~ this policy and related directives from the USG~~with any implementing procedures established by the Chancellor or the Chancellor's designee. Institution presidents shall submit a copy of their institutional procedures as directed by January 1, 2017. This policy will become effective for programs starting on or after May 1, 2017~~.

PROPOSED NEW POLICY LANGUAGE:

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 Tobacco and Smoke-Free Campus Policy

CURRENT POLICY LANGUAGE:

9.1.7 Tobacco and Smoke-Free Campus Policy

In accordance with the Georgia Smoke Free Air Act of 2005, Title 31 Chapter 12A, this policy reinforces the USG commitment to provide a safe and amicable workplace for all employees. The goal of the policy is to preserve and improve the health, comfort and environment of students, employees and any persons occupying our campuses.

The use of all forms of tobacco products on property owned, leased, rented, in the possession of, or in any way used by the USG or its affiliates is expressly prohibited. "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.

Further, this policy prohibits any advertising, sale, or free sampling of tobacco products on USG properties unless specifically stated for research purposes. This prohibition includes but is not limited to all areas indoors and outdoors, buildings and parking lots owned, leased, rented or otherwise used by the USG or its affiliates. The use of tobacco products is prohibited in all vehicles – private or public vehicles - located on USG properties.

This policy applies to all persons who enter the areas described above, including but not limited to students, faculty, staff, contractors and subcontractors, spectators, and visitors. All events hosted by a USG entity shall be tobacco-free. All events hosted by outside groups on behalf of the USG shall also be tobacco-free.

Exceptions for Tobacco Use
The President of each institution will define any exceptions to this policy. Exceptions to the policy will be very limited and on an as needed basis. The intent is the campus is tobacco and smoke free unless otherwise needed for educational purposes and/or the advancement of research on campus.

Enforcement
The overall enforcement and authority of this policy lies with the President of the institution, but it is also a shared community responsibility, which means all students, faculty, and staff share in the responsibility to help keep the campus tobacco-free. Signage to help inform our campus community and visitors will be placed throughout campus.

Violation of Policy
Violation of this policy may result in corrective action under the Student Code of Conduct or campus human resource policies. Visitors refusing to comply may be asked to leave campus.

Resources Available for Tobacco Cessation
From time to time, the Board of Regents will make available resources to assist employees with

tobacco cessation as well as educational materials and other wellness information. Such effort does not limit the amount of resources that the institution can provide for tobacco cessation and any other resources for the positive enforcement of this policy that the campus deems appropriate to provide. Resources for Tobacco Cessation can be found on the USG Workplace Wellness website at http://www.usg.edu/wellness/.

EDITED POLICY LANGUAGE:

*NOTE: Highlighted language in italics moved from elsewhere in policy.

~~9.1.7~~6.10 Tobacco and Smoke-Free Campuses ~~Policy~~

~~In accordance with the Georgia Smoke Free Air Act of 2005, Title 31 Chapter 12A, this policy reinforces t~~The University System of Georgia (USG) is committed~~ment~~ to provide~~e~~ing a safe, *healthy*, and amicable ~~workplace for all employees. The goal of the policy is to preserve and improve the health, comfort and~~ environment ~~of~~ for all students, employees, and ~~any~~ persons ~~occupying~~ visiting ~~our~~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. Visitors refusing to comply may be asked to leave campus. Signage to help inform* the *campus communit*ies *and visitors of these prohibitions* should *be placed throughout campus.*

6.10.1 Definitions

~~The use of all forms of tobacco products on~~ "USG Properties" is defined as property owned, leased, rented, in the possession of, or in any way used by the USG or its affiliates, *includ*ing *all areas indoors and outdoors, buildings, and parking lots* ~~is expressly prohibited~~.

"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.

6.10.2 Prohibition of Tobacco Products

In accordance with the Georgia Smoke Free Air Act of 2005, ~~T~~the use of all forms of ~~t~~Tobacco ~~p~~Products on USG ~~p~~Properties~~y owned, leased, rented, in the possession of, or in any way used by the USG or its affiliates~~ is expressly prohibited. ~~"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. Further, this policy prohibits any~~ The advertising, sale, or free sampling of ~~t~~Tobacco ~~p~~Products on USG ~~p~~Properties is prohibited unless specifically stated for research purposes. ~~This prohibition includes but is not limited to all areas indoors and outdoors, buildings and parking lots owned, leased, rented or otherwise used by the USG or its affiliates. The use of tobacco~~

products is prohibited in all vehicles – private or public vehicles - located on USG properties. *All events hosted by a USG entity* and *by outside groups on behalf of the USG shall be tobacco-free.*

This policy applies to all persons who enter the areas described above, including but not limited to students, faculty, staff, contractors and subcontractors, spectators, and visitors. All events hosted by a USG entity shall be tobacco-free. All events hosted by outside groups on behalf of the USG shall also be tobacco-free.

6.10.3 Exceptions

Exceptions for Tobacco Use
The President of each institution will may define any exceptions to this policy., but Eexceptions to the policy will should be very limited and reflect on an as needed basis. Tthe intent is the for USG campuses to be is tobacco and smoke free unless otherwise needed for educational purposes and/or the advancement of research on campus.

Enforcement
The overall enforcement and authority of this policy lies with the President of the institution, but it is also a shared community responsibility, which means all students, faculty, and staff share in the responsibility to help keep the campus tobacco-free. Signage to help inform our campus community and visitors will be placed throughout campus.

Violation of Policy
Violation of this policy may result in corrective action under the Student Code of Conduct or campus human resource policies. Visitors refusing to comply may be asked to leave campus.

6.10.4 Resources for Tobacco Cessation

Resources Available for Tobacco Cessation
From time to time, the Board of Regents will make available rResources to assist employees individuals with tobacco cessation, as well as educational materials, and other wellness information will be provided by the USG. Such effort does not limit the amount of resources that the a USG institution can may provide for tobacco cessation and any other resources for the positive enforcement of this policy that the campus deems appropriate to provide. Resources for Tobacco Cessation can be found on the USG Workplace Wellness website at http://www.usg.edu/wellness/.

PROPOSED NEW POLICY LANGUAGE:

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.

6.10.1 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.

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.

7. Executive Session

The committee will enter executive session to discuss pending applications for review. These are made to the Board of Regents Office of Legal Affairs pursuant to Policy 8.6 Applications for Discretionary Review and are typically personnel matters and issues of academic status.

AGENDA

JOINT COMMITTEES ON:
FINANCE AND BUSINESS OPERATIONS &
INTERNAL AUDIT, RISK & COMPLIANCE

January 11, 2018

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2.	Presentation of the 2017 Consolidated Annual Financial Report for the University System of Georgia	2

AGENDA

JOINT COMMITTEES ON:
FINANCE AND BUSINESS OPERATIONS &
INTERNAL AUDIT, RISK & COMPLIANCE

January 11, 2018

1. Information Item: Presentation of the Fiscal Year 2017 Financial Engagement Results for the University System of Georgia

Associate Vice Chancellor for Fiscal Affairs, Claire Arnold, will provide information on the Fiscal Year 2017 Financial engagement results for the University System of Georgia including a summary of audit trends and action plans to address Fiscal Year 2017 findings.

2. Information Item: Presentation of the Fiscal Year 2017 Consolidated Annual Financial Report for the University System of Georgia

Associate Vice Chancellor for Fiscal Affairs Claire Arnold will present information on the Fiscal Year 2017 Consolidated Annual Financial Report for the University System of Georgia. The Fiscal Year 2017 Consolidated Annual Financial Report was provided to the Board members in advance of the meeting.

AGENDA

COMMITTEE ON FINANCE AND BUSINESS OPERATIONS

January 11, 2018

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3.	Move Board Policy Section 7.11.3, Use of Institution Names to the New Section 6 "Campus Affairs."	6
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AGENDA

COMMITTEE ON FINANCE AND BUSINESS OPERATIONS

January 11, 2018

1. **Approval of Professional Program Tuition for Master of Science in Business Analytics, University of Georgia**

Recommended: That the Board approve the request of President Jere Morehead of the University of Georgia for a professional program in-state tuition rate of $8,552 per semester ($713 per credit hour) and a professional program out-of-state tuition rate of $16,546 per semester ($1,379 per credit hour) for the Master of Science in Business Analytics degree program, effective Fall semester 2018, contingent upon approval of the program by the Board of Regents.

The program's proposed course of study is currently two semesters. Should the University of Georgia consider changing the program's length of study in the future from two semesters to some other length of time, the Board will also reconsider the tuition rate to maintain affordability.

Background: The Board of Regents will be considering approval of the establishment of the Master of Science in Business Analytics at the University of Georgia (UGA) during the January 2018 meeting. The new program, if approved, is scheduled to begin Fall semester 2018. UGA has requested that the program's proposed tuition rate be considered for approval at the Board's January 2018 meeting as well. This program will reside at UGA's main campus in Athens with classes taught at UGA's Terry College of Business. The program is designed to be completed in 10 months (2 semesters) with students required, in concert with the program's course curriculum, to participate in an internship where they will work in teams on a real-world, big data problem for a corporate partner and present their results to the client.

UGA developed this proposed degree program in response to the Governor's High Demand Career Initiative (HDCI) along with recognizing several consultant company reports and emerging trends among U.S. universities all documenting the growing demand for trained data analysts. The proposed 33 credit hour program will be offered in a traditional in-class format targeting students with undergraduate backgrounds in business, economics, statistics, science, technology, engineering, and mathematics. Program students will cultivate expertise in the collection, storage, analysis, visualization, and interpretation of data, as well as learn the most predominant computer programming languages in the field. The program's primary objective is to develop students' technical expertise in collecting, analyzing and interpreting big data, as well as to teach students these skills in a business context in order for students to learn how data analyses are used to fashion strategic business insights and decisions.

1. **Approval of Professional Program Tuition for Master of Science in Business Analytics, University of Georgia (Continued)**

UGA is requesting Board approval of the professional program in-state tuition rate of $8,552 per semester ($713 per credit hour) and a professional program out-of-state tuition rate of $16,546 per semester ($1,379 per credit hour) for the program, effective Fall semester 2018. Assuming students complete the program in the intended two-semester timeframe, this rate is the equivalent of a total tuition cost of $17,104 for full-time in-state students and $33,092 for full-time out-of-state students under this 33 credit hour program. The requested program rate is nationally competitive, and consistent with Board Policy 7.3.1.3. The differential tuition will be applied towards funding key program components such as faculty and program coordinator costs, industry software, program marketing and program student career services.

2. **Approval of Revision to Board of Regents Policy Manual, Section 7.3.1.1 Tuition Definitions**

Recommended: That the Board approve the proposed revision to the Board of Regents Policy Manual, Section 7.3.1.1 Tuition Definitions allowing the Georgia Institute of Technology (GIT) to assess undergraduate summer semester tuition on a per credit hour basis as an exception to the "finish in four" flat undergraduate tuition model presently in use for all semesters at GIT.

Further Recommended: That the revision become effective summer semester 2017.

Background: In April 2013, the Board approved revisions to the Board of Regents Policy Manual Section 7.3.1.1 on Tuition Definitions. Included in those revisions was a provision permitting undergraduate students enrolled during the summer semester to be charged tuition on a per credit hour basis at the following USG institutions where a "finish in four" flat undergraduate tuition model is in effect: Augusta University, University of Georgia and Georgia College and State University. Those institutions were granted this flexibility concerning summer semester undergraduate students to address the issue of affordability for summer semester undergraduate students who may only need to take one or two courses during the summer semester to complete their degree requirements or are limited to enrolling in one or two courses during the summer semester due to work and/or other obligations. Though GIT also uses a "finish in four" flat undergraduate tuition model, it did not request at that time to be included with the other "finish in four" institutions regarding the summer semester per credit hour tuition exception to the "finish in four" flat undergraduate tuition model.

Through an ongoing review of its summer semester programs and undergraduate enrollments, GIT has determined it is now appropriate to be included in the Board Policy provision permitting an undergraduate student enrolled during the summer semester at a USG institution using a "finish in four" flat undergraduate tuition model to be charged tuition on a per credit hour basis for summer semester classes. GIT believes this tuition flexibility for undergraduate summer semester classes will encourage additional enrollment, especially for students who have coops or internships and who only wish to sign up for a limited number of hours. The per credit hour tuition model will make those classes more affordable, while allowing GIT to increase both course offerings and enrollment to the end of providing students the classes necessary to graduate.

2. **Approval of Revision to Board of Regents Policy Manual, Section 7.3.1.1 Tuition Definitions (Continued)**

Below is the Board Policy revision recommended for Board approval. Please note, strikethrough text represents a deletion from the current version, and highlighted text represents an addition.

Section 7.0: Finance and Business

7.3.1 Tuition

7.3.1.1 Definitions

Tuition

~~**Tuition**~~ "Tuition" is ~~shall be~~ 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 ~~both~~ undergraduate ~~and graduate~~ students enrolled at a USG institution shall be charged at the full rate for students enrolled for ~~fifteen (~~15~~)~~ credit hours or more, and at a per credit hour rate for students enrolled for less than ~~fifteen (~~15~~)~~ credit hours~~, effective July 1, 2009~~. Graduate tuition will be charged at the full rate for students enrolled for ~~twelve (~~12~~)~~ credit hours, and at a per credit hour rate for students enrolled for less than ~~twelve (~~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 ~~fifteen (~~15~~)~~ hours a semester will be charged at University of Georgia, Georgia Institute of Technology, and Georgia College and State University for all undergraduate students taking in excess of six ~~(6)~~ hours, to encourage students to graduate in four ~~(4)~~ years. Students taking six ~~(6)~~ hours or fewer will pay a flat rate that will be lower than the 15-hour rate. ~~The "finish-in-four" model is effective July 1, 2009, for University of Georgia and Georgia Institute of Technology and July 1, 2011, for and Georgia College & State University.~~

A "finish-in-four" tuition model that provides for a flat tuition based on ~~fifteen (~~15~~)~~ hours a semester will be charged at Augusta University for all undergraduate students taking ten ~~(10)~~ hours or more. Students enrolled at Augusta University taking less than ten ~~(10)~~ hours will continue to be charged tuition on a per-credit-hour basis.

Students enrolled during the summer semester at ~~the University of Georgia,~~ Augusta University, ~~and~~ 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. ~~(BoR Minutes, June 2009; April 2013; Jan. 2017)~~

2. **Approval of Revision to Board of Regents Policy Manual, Section 7.3.1.1 Tuition Definitions (Continued)**

In-State Tuition
~~**In-State Tuition**~~ "In-State Tuition" is ~~shall be~~ defined as the rate paid by students who meet the residency status requirements as provided in Section 4.3 of this Policy Manual.

Out-of-StateTuition
~~**Out-of-State Tuition**~~ "Out-of-State Tuition" is ~~shall be~~ defined as the rate paid by students who do not meet the residency status requirements as provided in Section 4.3 of this Policy Manual. Out-of-state tuition at all USG institutions shall be established by the Board, taking into consideration: ~~(1)~~ out-of-state tuition rates of peer or comparable institutions~~,~~ and ~~(2)~~ 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.

Semester
~~**Semester**~~ "Semester" is ~~shall be~~ 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. ~~(BoR Minutes, Oct. 2006; April 2014)~~

3. **INFORMATION ITEM: Move Board Policy Section 7.11.3, Use of Institution Names to the New Section 6, "Campus Affairs."**

In line with the goals of the Board of Regents' Policy Manual Review, revisions are being made section 7.11.3 to simplify Policy language, to provide for consistency in Policy provisions, and to increase the efficiency of the Policy Manual. Additionally, as a part of the Policy Review process, the Working Group recommends creating a section entitled "Campus Affairs," to streamline the Policy Manual and group like policies. The recommendation is to move the policy from Section 7, Finance and Business, to the new Section 6, Campus Affairs.

This policy change and the addition of the new Section 6, Campus Affairs, are being considered for approval by the Committee on Organization & Law at the January 2018 Board meeting and are provided here for your information.

CURRENT POLICY LANGUAGE:

7.11.3 Use of Institution Names
The name of any institution within the purview of the USG shall not be incorporated as a part of the name of an independent business enterprise that is not under the complete control of the USG in a manner to imply an official relationship (BoR Minutes, 1967-68, p. 459).

PROPOSED NEW POLICY LANGUAGE:

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.

7.11.3 Reserved
[Reserved]

4. **INFORMATION ITEM: USG Student Information System (SIS) Banner Managed Services (BMS) Update**

Vice Chancellor and Chief Information Officer, Dr. Bobby Laurine, will provide a USG Student Information System (SIS) Banner Managed Services (BMS) update. The presentation will provide an overview, current operational challenges and the opportunities to expand Banner Managed Services in support of USG Strategic Priorities, the Momentum Year and enhanced cybersecurity.

AGENDA

COMMITTEE ON INTERNAL AUDIT, RISK, AND COMPLIANCE

January 11, 2018

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AGENDA

COMMITTEE ON INTERNAL AUDIT, RISK, AND COMPLIANCE

January 11, 2018

1. Information Item: Committee on Internal Audit, Risk, and Compliance Orientation and Forward Agenda

The Committee on Internal Audit, Risk, and Compliance (Committee) maintains a one-year forward agenda that details items scheduled for approval and review by the Committee. At this meeting, Chief Audit Officer & Vice Chancellor for Internal Audit Terry Thompson will review the planned forward agenda and obtain the Committee's feedback on additional agenda items that should be addressed over the coming year.

The operations of the Committee are specified in the Committee's Charter as approved by the Board of Regents. A copy of the proposed 2018 charter is included as part of item four within the Committee's agenda.

2. Approval Item: Internal Audit Charter

Recommended: That the Board approve the Internal Audit Charter.

Background: The Internal Audit Charter defines the purpose, authority, and responsibility of the internal audit function of the University System of Georgia. The professional standards governing internal audit state that the chief audit executive must "periodically review the internal audit charter and present it to senior management and the board for approval." The charter was last approved in January 2017. At this meeting, Chief Audit Officer & Vice Chancellor for Internal Audit Terry Thompson will present the Internal Audit Charter for approval. No changes have been made to the previously approved charter.

UNIVERSITY SYSTEM OF GEORGIA (USG)
INTERNAL AUDIT CHARTER

Introduction

Internal auditing provides independent and objective assurance and consulting services to the Board of Regents (Board), the Chancellor, and institution leadership in order to add value and improve operations. The internal audit activity helps the University System Office (USO) and USG institutions accomplish their objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of governance, risk management, compliance, and internal control processes.

Role of the Internal Audit Function

USO Internal Audit and the campus internal audit staffs will provide internal audit services for the University System. All institutional chief auditors at institutions having an internal audit function shall have a direct reporting relationship to the President of that institution and to the Chief Audit Officer / Vice Chancellor (CAO). The CAO shall have the authority to direct the institutional internal audit functions to audit specific areas at their institutions as needed to fulfill the system-wide audit plan. The CAO will report all significant audit issues directly to the Chair of the Committee on Internal Audit, Risk, and Compliance (Committee) and to the Chancellor.

Organizational Responsibilities

1. The CAO has the responsibility to develop a system-wide audit plan for approval by the Committee based on a documented risk assessment that encompasses all components of the System. The Committee will approve this plan while the CAO may approve minor changes to the Audit Plan as needed. The CAO will coordinate audit plan implementation with USG institution internal auditors and with the State Department of Audits and Accounts.

2. The CAO is responsible for providing functional coordination and guidance for System-wide audit activities to include:

a) Meet with appropriate component officials to review the status of institution audit work and available resources.
b) Approve campus internal audit charters.
c) Review audit results from all campus-based internal auditors and the State Department of Audits and Accounts.
d) Monitor the implementation of audit recommendations system-wide. Chief Business Officers and/or campus audit directors will prepare a report of the implementation status of all audit recommendations, have it approved by the campus President and submit it to the CAO on a periodic basis using the procedures established by the CAO. Implementation status of significant and material audit recommendations will be reported periodically to the Committee.
e) Periodically prepare a summary of internal audits and highlight matters of interest for audits conducted at each institution and present such data to the Committee and to the Chancellor.
f) Attend meetings of the Committee and Board as required.
g) Ensure that all audits conducted by the University System Office have been thoroughly reviewed and discussed with appropriate institutional officials prior to being released to the Chancellor or to the Committee Chair.
h) Provide formal input to the performance evaluations of institutional chief auditors in consultation with the respective institutional president.

3. USG internal audit professionals and the USG internal audit function shall comply with the International Standards for the Professional Practice of Internal Auditing as published by the Institute of Internal Auditors (IIA). All USG internal auditors, to include institutional and System Office auditors, shall comply with the IIA Code of Ethics.

Definition of Audit Engagement Scope

The scope of internal auditing encompasses the examination and evaluation of the adequacy and effectiveness of the organization's system of governance, risk management, compliance, internal control and the quality of performance in carrying out assigned responsibilities. The scope will vary by institution or area and may include:

1. Review the effectiveness of governance processes to include the:

a) Promotion of ethical behavior within the organization;
b) Efficiency of organizational performance management and accountability;
c) Communication of risk and control information to appropriate areas of the organization; and,
d) Coordination of activities and information among the Board, external and internal auditors, and management.

2. Review the effectiveness of risk management processes to include the:

a) Alignment of organizational objectives in support of the USG and institutional missions;
b) Identification and assessment of significant risks;
c) Alignment of risk responses with the USG's risk appetite; and,
d) Capturing and communication of relevant risk information across the USG and its institutions so as to enable staff, management, and the Board to carry out their responsibilities.

3. Review the reliability and integrity of financial and operating information and the means used to identify, measure, classify, and report such information.

4. Review the systems established to ensure compliance with those policies, plans, procedures, laws, and regulations which could have a significant impact on operations and reports and whether the System is in compliance.

5. Review the means of safeguarding assets and, as appropriate, verify the existence of such assets.

6. Review and appraise the economy and efficiency with which resources are employed.

7. Review operations or programs to ascertain whether results are consistent with established objectives and goals and whether the operations or programs are being carried out as planned.

8. Review the status of Information Technology policies and procedures, verifying that required hardware, software and process controls have been implemented and that the controls are functioning properly.

9. Conduct special audits at the request of the Committee Chair, the Chancellor or institution presidents.

10. Investigate reported occurrences of fraud, waste, and abuse and recommend controls to both prevent and detect such occurrences.

11. Analyze and review public private ventures associated with the USG, USG institutions, and cooperative organizations.

12. Provide consulting services at the request of institution management and with the CAO's approval consistent with the IIA standards governing consulting engagements. Consulting engagements undertaken by the OIAC should have the potential to contribute to the improvement of governance, risk management, compliance, and/or internal controls within the USG or within a USG institution.

Reporting Procedures

The President of the institution receiving an internal audit report from the OIAC will respond within 30 days. This response will indicate agreement or disagreement, proposed actions, and the dates for completion for each specific finding and recommendation. If a recommendation is not accepted, the reason should be given. A final written report will be prepared and issued by the CAO.

Authorization

To the extent permitted by law, the OIAC has full access to all activities, records, properties, and personnel within the University System of Georgia. The OIAC is authorized to review and appraise all operations, policies, plans, and procedures. Documents and other materials provided to the OIAC will be handled in the same prudent manner as handled by those employees normally accountable for them.

Approved by the Board of Regents of the University System of Georgia on January 11, 2018:

_____ _____

James M. Hull Date

Chair of the Board of Regents

_____ _____

Sachin D. Shailendra Date

Chair of the Committee on Internal Audit,

Risk, and Compliance

_____ _____

Dr. Steve Wrigley Date

Chancellor

3. Approval Item: Compliance and Ethics Charter

Recommended: That the Board approve the Compliance and Ethics Charter.

Background: The Compliance and Ethics Charter defines the purpose, authority, and responsibility of the University System of Georgia compliance and ethics function. The federal standards governing compliance programs states that the "organization's governing authority shall be knowledgeable about the content and operation of the compliance and ethics program and shall exercise reasonable oversight with respect to the implementation and effectiveness of the compliance and ethics program." A charter is a recognized tool to enhance oversight of the compliance and ethics function. The charter was last approved in January 2018. At this meeting, Vice Chancellor for Organizational Effectiveness John Fuchko, III will present the Compliance and Ethics Charter for approval. No changes have been made to the previously approved charter.

UNIVERSITY SYSTEM OF GEORGIA (USG)
COMPLIANCE AND ETHICS CHARTER

Introduction

The Compliance and Ethics Program promotes an organizational culture that encourages ethical conduct and a commitment to compliance with the law. The Compliance and Ethics Program also assists the Board, the Chancellor, and institution leadership prevent and detect criminal conduct by USG employees involving USG institutions through exercising due diligence. Board Policy 7.16 Compliance and Board Policy 8.2.20 University System of Georgia Ethics Policy serve as the primary policy framework for the Compliance and Ethics Program.

Role of the Compliance Function

The USO Compliance and Ethics Program (Compliance) is responsible for directing the University System Office Compliance function which oversees the management of USO-specific compliance risks. Compliance advises the Board, the Chancellor, and System/institution leadership on significant compliance risks and action steps to mitigate significant compliance risks across the USG. The Vice Chancellor for Organizational Effectiveness (VCOE) is responsible for providing system-wide coordination and support to USG institutional compliance functions through the Director of Ethics and Compliance. Finally, Compliance may conduct compliance investigations and reviews across the USG as needed to discharge an effective compliance program.

Organizational Responsibilities

1. The VCOE and Director of Ethics and Compliance are responsible for providing functional coordination and guidance for System-wide compliance activities that include:

a) Attend meetings of the Committee and Board as required.
b) Oversee the establishment of a USG compliance and ethics function and support the establishment of institutional compliance and ethics functions.
c) Periodically report to the Committee on significant compliance and ethics activities.

2. USG compliance and ethics professionals shall implement a compliance and ethics program consistent with the federal government's definition of an Effective Compliance and Ethics Program as outlined in Board Policy 7.16.3. Additionally, compliance and ethics program personnel shall comply with the Code of Ethics for Compliance and Ethics Professionals as adopted by the Society of Corporate Compliance and Ethics.

Compliance and Ethics Program Responsibilities

The compliance and ethics program responsibilities include:

1. Develop and manage a USO compliance and ethics function to manage USO-specific compliance risks;

2. Advise the Board, the Chancellor, and institution management on significant campus or USO compliance risks and provide action steps to mitigate significant compliance risks;

3. Coordinate and support USG institutional compliance functions;

4. Conduct compliance investigations and reviews as needed to discharge an effective compliance and ethics program.

5. Receive reports of alleged employee malfeasance and ensure those reports, in consultation with the USG Chief Audit Officer and Chief Legal Officer, are forwarded to the Attorney General's Office for further investigation.

Authorization

To the extent permitted by law, Compliance and Ethics Program personnel have full access to all activities, records, properties, and personnel within the University System of Georgia. Compliance and Ethics Program personnel are authorized to review and appraise all policies, plans, and procedures. Documents and other materials provided to Compliance and Ethics Program personnel will be handled in the same prudent manner as handled by those employees normally accountable for them.

Approved by the Board of Regents of the University System of Georgia on January 11, 2018:

_____ _____

James M. Hull Date

Chair of the Board of Regents

_____ _____

Sachin D. Shailendra Date

Chair of the Committee on Internal Audit,

Risk, and Compliance

_____ _____

Dr. Steve Wrigley Date

Chancellor

4. Approval Item: Committee on Internal Audit, Risk and Compliance Charter

Recommended: That the Board approve the Committee on Internal Audit, Risk, and Compliance Charter.

Background: The oversight role of the Committee on Internal Audit, Risk, and Compliance (hereafter Committee) is defined within the "Internal Audit Charter" and the "Compliance and Ethics Charter." Additionally, the Committee's role with respect to oversight of USG risk management is defined within the proposed charter. The Committee charter was last approved in January 2017.

At this meeting, Chief Audit Officer & Vice Chancellor for Internal Audit Terry Thompson and Vice Chancellor for Organizational Effectiveness John Fuchko, III will present the Committee on Internal Audit, Risk, and Compliance Charter for approval. No changes have been made to the previously approved charter.

BOARD OF REGENTS
COMMITTEE ON INTERNAL AUDIT, RISK, AND COMPLIANCE
CHARTER

Introduction

The Committee on Internal Audit, Risk, and Compliance (Committee) is the primary committee of the Board of Regents (Board) charged with oversight for auditing, risk management, and compliance and ethics activities within the University System of Georgia (USG). This Charter broadly defines the Committee's roles with respect to auditing, risk management, and compliance. However, nothing in this Charter shall be construed to the limit the authority of the Board or the Committee.

Committee Responsibilities - Auditing

The responsibilities of the Committee, as it pertains to auditing, are broadly summarized as follows:

1. Monitor the effectiveness of management's system of internal control.
2. Monitor the USG's efforts to prevent, deter, and detect fraud.
3. Ensure open communications among management, internal auditors, external auditors, and the Committee.
4. Discuss audit issues with external auditors as required by relevant professional standards.
5. Monitor the performance of the USG internal audit function to include ensuring institutional audit officer and USG chief audit officer (CAO) qualifications and independence.
6. Review the results of the internal audit quality assurance program.
7. Meet with the CAO on a periodic basis to review the internal audit risk assessment and audit plan.
8. Review selected significant findings with the CAO and management to include management's response to those findings, any restrictions placed on the scope of audit work, and any significant changes to the approved audit plan.
9. Direct the CAO to conduct audits or reviews as needed to address significant risk issues.
10. Periodically review the status of open audit findings and other issues to include the progress made in closing open issues.
11. Solicit feedback from institutional and USG management on specific findings or issues as deemed necessary by the Committee.
12. Review and submit the Audit Charter to the Board for approval on a periodic basis to include changes needed to ensure that the audit function is complying with professional standards and addressing emerging audit issues.
13. Approve the appointment and termination of the USG CAO.

Committee Responsibilities – Risk Management

The responsibilities of the Committee, as it pertains to risk management, are broadly summarized as follows:

1. Assist the Board in fulfilling its oversight responsibilities with regards to major USG risks as defined in Board policy.
2. Provide assurance to the Board that major risks are being identified and managed across the USG through formal risk management programs.
3. Ensure that major risks are being aggregated at the System level and review the steps management has taken with respect to these risks.
4. Evaluate USG risk exposure and define the Board's risk tolerance.

5. Review reports pertaining to major risks and pertaining to the effectiveness of the USG risk management activities.
6. Escalate major risks and other significant risk management issues to the full Board for review and potential action.

Committee Responsibilities – Compliance and Ethics

The responsibilities of the Committee, as it pertains to the compliance and ethics program, are broadly summarized as follows:

1. Ensure that the proper tone for compliance and ethics is established and reinforced through programs subject to review by the Committee.
2. Provide oversight as needed to ensure that the Compliance and Ethics Program effectively prevents and detects misconduct by employees and officers of the University System of Georgia and its institutions.
3. Review the USG Ethics Policy on a periodic basis and make recommendations for changes as appropriate.
4. Assess the effectiveness of management's system for receiving and resolving allegations pertaining to non-compliance with law, policy, and procedure.
5. Monitor the performance of the compliance and ethics function.
6. Meet with the Vice Chancellor for Organizational Effectiveness on a periodic basis to review compliance risk assessments, action plans, and other steps taken to ensure the management of an effective compliance function.
7. Review and submit the Compliance Charter to the Board for approval on a periodic basis to include changes needed to ensure that the compliance function is complying with professional standards and addressing emerging compliance and ethics issues.

Periodic Charter Review and Evaluation

The Committee shall periodically assess its activities with respect to the responsibilities outlined in this charter and shall take action as needed in response to this assessment. This assessment shall include a review of the adequacy of the Committee Charter. Recommended revisions to the Committee Charter shall be submitted for approval to the Board.

Approved by the Board of Regents of the University System of Georgia on January 11, 2018:

_____ _____

James M. Hull — Date

Chair of the Board of Regents

_____ _____

Sachin D. Shailendra — Date

Chair of the Committee on Internal Audit,

Risk, and Compliance

_____ _____

Dr. Steve Wrigley — Date

Chancellor

COMMITTEE ON REAL ESTATE AND FACILITIES

January 11, 2018

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AGENDA

COMMITTEE ON REAL ESTATE AND FACILITIES

January 11, 2018

1. Renovation of Building 032 for ACC Network Production, Georgia Institute of Technology

Georgia Institute of Technology ("GIT") proposes to convert the existing Facilities Administration Building ("Building 032") into a high definition production facility ("HD Production Facility") for events to be broadcast on ESPN's Atlantic Coast Conference ("ACC") Network. The renovation of Building 032 would occur in three phases: (1) demolition of existing interior walls to allow space fit-up for a central production facility; (2) installation of program production equipment and infrastructure; and (3) development of a new fiber optic infrastructure between the central production facility and GIT's sports venues.

The HD Production Facility would include control rooms, a small production studio, support spaces and staff offices. The new fiber optic infrastructure would support productions originating from the sports venues and produced in the facility's control rooms.

Completion of this project would allow GIT to meet the ACC's requirement to have production facilities on-site and would allow for sharing of revenues generated from the ACC's contract with ESPN. The total estimated project cost of $10,000,000 would be funded by the Georgia Tech Athletic Association.

2. Financing Update, Lockheed South Campus, Georgia Institute of Technology

Vice Chancellor Jim James will update the Board on the financing secured in December 2017 for the Lockheed South Campus by Georgia Tech Cobb Research Campus, LLC (the "LLC"), a wholly-owned subsidiary of Georgia Advanced Technology Ventures ("GATV").

3. Authorization of Project No. BR-10-1802, Driftmier Engineering Center Renovations-Phase I, University of Georgia

Recommended: That the Board authorize Project No. BR-10-1802, Driftmier Engineering Center Renovation-Phase I at the University of Georgia ("UGA"). With a total budget of $5,500,000, this project would be funded from the redirection of savings from the Coverdell Center debt defeasement and indirect cost recovery funds.

Understandings: Since its opening in the late 1960's, the Driftmier Engineering Center ("Driftmier") has undergone several narrowly focused rehabilitation projects, but no comprehensive renovation. In order to repurpose the building as the core of undergraduate engineering instruction, UGA's College of Engineering is systematically moving space-intensive research functions from Driftmier to other research specific facilities on campus. These relocations allow for the planned, multi-phase renovation that would improve the quantity and quality of undergraduate instructional space in Driftmier. Approximately 21,000 of the building's 81,600 square feet would be renovated in the first phase of the project, which would also involve upgrades to major mechanical, electrical and plumbing components that serve the entire building.

As currently planned, the reconfigured and new instructional space would include two, 72-seat traditional classrooms and nine new wet and dry labs. Core IT support spaces would be renovated to support the new instructional space. New restrooms, student meeting spaces and study/collaborative seating areas would also be added.

The estimated construction cost for this project is $4,000,000. If authorized by the Board, the University System Office staff and UGA will proceed with design and construction of the project in accordance with Board of Regents procedures.

4. Authorization of Project No. BR-10-1803, Boyd Graduate Studies Research Center-First Floor Renovation, University of Georgia

Recommended**:** That the Board authorize Project No. BR-10-1803, Boyd Graduate Studies Research Center-First Floor Renovation at the University of Georgia ("UGA"). With a total budget of $5,750,000, this project would be funded from a redirection of savings from debt defeasement and refinancing, along with indirect cost recovery funds.

Understandings: The University of Georgia proposes to renovate approximately 21,500 square feet of space on the first floor of the Boyd Graduate Studies Research Center ("Boyd") to provide research, office and support space for the College of Engineering's Electrical and Computer Engineering masters and doctoral programs.

A newly renovated Boyd would offer students increased opportunities to engage with faculty on undergraduate research, experiential learning, and hands-on projects. In addition, the project would provide approximately thirteen new offices for research faculty currently housed in the Driftmier Engineering Center, which is scheduled to undergo a comprehensive renovation, subject to separate approvals by the Board.

The project scope also includes around 30 graduate student workstations and new conference and collaboration space. Some building system components would be upgraded, including the electrical distribution system, air handling unit and ductwork, and fire sprinkler and alarm systems.

The estimated construction cost for this project is $4,157,000.

If authorized by the Board, the University System Office staff and UGA will proceed with design and construction of the project in accordance with Board of Regents procedures.

5. Authorization of Project No. BR-50-1801, Science Park Phase III, Georgia State University

Recommended: That the Board authorize Project No. BR-50-1801, Science Park Phase III, Georgia State University ("GSU") with a total project budget of $84,000,000 to be funded from indirect cost recovery funds and reserves.

Understandings: The new building would be entirely dedicated to advanced research with a focus on highly infectious diseases, providing critical information for prevention, treatment and future drug and vaccine development. The building would house highly specialized Biosafety Level 3 ("BSL-3") and Biosafety Level 4 ("BSL-4") laboratory space, open laboratories with associated support spaces and offices, and a small vivarium. Extensive mechanical support space and heating, ventilation, and air conditioning systems would be needed to meet advanced filtration and containment needs for the BSL-3 and BSL-4 laboratories. The proposed building would facilitate GSU's collaborative research efforts and enhance GSU's leadership in the area of global infectious disease research.

The estimated construction cost for this project is $66,230,000. If authorized by the Board, the University System Office staff and GSU will proceed with design and construction of the project in accordance with Board of Regents procedures.

6. Ground Lease, Kappa Alpha Theta Sorority, Fifth Street NW, Atlanta, Georgia Institute of Technology

Recommended: That the Board declare approximately 0.27 acres of real property ("Property") on the campus of the Georgia Institute of Technology ("GIT"), to be no longer advantageously useful to GIT or other units of the University System of Georgia, but only to the extent and for the purpose of allowing this real property to be ground leased to Kappa Alpha Theta Fraternity Housing Corporation ("KAT"), for the construction and operation of Greek housing for the benefit of students at GIT.

Recommended further: That the Board authorize the execution of a ground lease of the Property (the "Ground Lease") between the Board of Regents, as Lessor, and KAT, as Lessee, for a period up to one (1) year for construction followed by fifty (50) years for operation of Greek housing to benefit GIT students. As compensation for the Ground Lease, GIT would collect annual rent of $20,304, escalating at a rate of 1.5% per year.

Understandings: KAT anticipates commencing construction of the new house in summer of 2018 with completion no later than July 16, 2019.

At the end of the term of the Ground Lease, the real property and any improvements would revert to the Board of Regents. To preserve flexibility and future uses of the Property, the Board has the right to terminate the ground lease, if needed, after 15 years.

7. Revisions to Policy Section 9.1, General Policy on Real Estate and Facilities

Recommended: That the Board approve revisions to Policy Section 9.1, General Policy on Real Estate and Facilities, and its subsections 9.1.1, 9.1.2, 9.1.3, 9.1.4, 9.1.5, and 9.1.6, effective as of January 11, 2018.

Understandings: In line with the goals of the Board of Regents' Policy Manual Review, the main purpose of these revisions is to simplify Policy language, to provide for consistency in Policy provisions, and to increase the efficiency of the Policy Manual.

The current and proposed policies are shown below, with strikethroughs and highlights to show the proposed revisions.

CURRENT POLICY LANGUAGE:

9.1 General Policy on Real Estate and Facilities

The term "real estate" includes:

1. Land and anything permanently affixed to or growing upon the land;
2. All rights issuing out of, annexed to, and exercisable within or about real property; or,
3. Any estate or interest in real property.

The term "facilities" includes buildings of all types, as well as institution grounds and athletic venues. It includes all outdoor areas of a USG institution including streets, entrances, gates, and landscape features such as quadrangles, gardens, lakes, fountains, and fields (BoR Minutes, August, 2007).

9.1.1 Definitions

The term "Real Estate" will have the same meaning as "Real Property" and includes: (1) Land and anything permanently affixed to or growing upon the land; (2) All rights issuing out of, annexed to, and exercisable within or about land; (3) Any estate or interest in land.

The term "Facility" or "Facilities" includes buildings structures and improvements of all types, outdoor areas, campus grounds and athletic venues.

The term "Property" includes both Real Property and Facilities. The Term "Property Activity" or "Property Activities" includes all activities related to Property such a planning, acquisition, development (including design, construction and renovation), management, operations, use, and disposition.

7. Revisions to Policy Section 9.1, General Policy on Real Estate and Facilities *(continued)*

9.1.2 Portfolio Management and Utilization

The Board of Regents shall hold title to the Property of each institution, so that each institution shall receive the use and benefit of the Property devoted to its use, and in no event shall the Property of one institution be subject to the liabilities or obligations of any other institution, provided, however, that this restriction shall not prevent the Board of Regents from utilizing the Property, educational or otherwise, of one institution for the advancement or assistance of another.

The Board of Regents shall act as good stewards of the Property of whatever nature held in their trust. The University System chief facilities officer shall be responsible for the management of the Property on behalf of the Board of Regents and shall assist the Board of Regents to maximize the long-term utility of the Property to accomplish the educational mission of the University System. The Board of Regents, the Chancellor, or the University System chief facilities officer may require System institutions to provide reports related to Property in formats determined by the Board of Regents, the Chancellor, or the University System chief facilities officer.

9.1.3 Compliance and Risk Management

The Board of Regents recognizes the importance of compliance with all applicable laws and regulations and encourages the employment of knowledgeable professionals for Property Activities. In the absence of specific laws or regulations, industry standards and good management practices shall be followed.

Standards and guidelines shall be established for Property Activities to ensure compliance with all applicable laws and regulations and appropriate avoidance or mitigation of risks.

9.1.4 Board of Regents Procedures and Guidelines

The Board of Regents holds the University System chief facilities officer responsible for the establishment of standards and guidelines for Property Activities. Documentation of standards and guidelines shall be maintained and updated in electronic format and shall be readily available tothe public. A complete list of current standards and guidelines will be accessible on the USG web site.

The University System 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.

The University System chief facilities officer shall periodically update the Board on the status of standards and guidelines for Property Activities (BoR minutes, April 2011).

7. Revisions to Policy Section 9.1, General Policy on Real Estate and Facilities *(continued)*

9.1.5 Training and Staff Development

[Reserved]

9.1.6 Delegation of Authority

For the purposes of this section of this Policy Manual, unless specifically designated otherwise, the Chancellor's designee shall be the USG chief facilities officer or any other person designated by the Chancellor in writing from time to time.

Where the Board has authorized action or has previously delegated authority, the Chancellor, the Chancellor's designee, and the USG chief facilities officer shall be authorized and empowered, in the name 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 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 granted and authority delegated for all public private venture transactions and all USG real property transactions. Such authorization may not be further delegated to individual USG institutions (BoR Minutes, January, 2008).

7. Revisions to Policy Section 9.1, General Policy on Real Estate and Facilities *(continued)*

EDITED POLICY LANGUAGE:

9.1 General Policy on Real Estate and Facilities

~~The term "real estate" includes:~~

~~1. Land and anything permanently affixed to or growing upon the land;~~
~~2. All rights issuing out of, annexed to, and exercisable within or about real property; or,~~
~~3. Any estate or interest in real property.~~

~~The term "facilities" includes buildings of all types, as well as institution grounds and athletic venues. It includes all outdoor areas of a USG institution including streets, entrances, gates, and landscape features such as quadrangles, gardens, lakes, fountains, and fields (BoR Minutes, August, 2007).~~

9.1.1 Definitions

*NOTE: Highlighted language in italics moved from Section 9.1.

The term "Real Estate" ~~will have~~ has the same meaning as "Real Property" and includes~~: (1) L~~land and anything permanently affixed to or growing upon the land; ~~(2) A~~all rights issuing out of, annexed to, and exercisable within or about land; and ~~(3) A~~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~~, outdoor areas, campus grounds and athletic venues~~.

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.

7. Revisions to Policy Section 9.1, General Policy on Real Estate and Facilities *(continued)*

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~~, and i~~. In no event shall the Property of one institution be subject to the liabilities or obligations of any other institution~~, provided, however,~~ but ~~that this restriction shall not prevent~~ the Board of Regents ~~from~~ may utilize~~ing~~ the Property, educational or otherwise, of one institution for the advancement or assistance of another.

The Board ~~of Regents~~ shall act as good stewards of the Property ~~of whatever nature~~ held in their trust. The ~~University System~~ 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 ~~of Regents to~~ in maximize~~e~~ing the long-term utility of the Property to accomplish the educational mission of the University System. The Board of Regents, the Chancellor, or the ~~University System~~ USG chief facilities officer may require ~~System~~ USG institutions to provide reports related to USG Property ~~in formats determined by the Board of Regents, the Chancellor, or the University System chief facilities officer~~.

~~**9.1.3 Compliance and Risk Management**~~

~~The Board of Regents recognizes the importance of compliance with all applicable laws and regulations and encourages the employment of knowledgeable professionals for Property Activities. In the absence of specific laws or regulations, industry standards and good management practices shall be followed.~~

~~Standards and guidelines shall be established for Property Activities to ensure compliance with all applicable laws and regulations and appropriate avoidance or mitigation of risks.~~

9.1.43 ~~Board of Regents~~ Procedures, Standards, and Guidelines

The ~~Board of Regents holds the~~ University System USG chief facilities officer is responsible for ~~the~~ establishing~~ment of~~ standards and guidelines for Property Activities. ~~Documentation of standards and guidelines shall be maintained and updated in electronic format and shall be readily available to the public.~~ A complete list of current standards and guidelines will be accessible on the USG web-site.

7. Revisions to Policy Section 9.1, General Policy on Real Estate and Facilities *(continued)*

The ~~University System~~ 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.

~~The University System chief facilities officer shall periodically update the Board on the status of standards and guidelines for Property Activities (BoR minutes, April 2011).~~

~~**9.1.5 Training and Staff Development**~~

~~[Reserved]~~

9.1.~~6~~4 Real Estate Delegation of Authority

*NOTE: Highlighted language in italics moved from other portions of Section 9.1.6.

~~For the purposes of this section of this Policy Manual, u~~Unless specifically designated otherwise, the Chancellor~~'s~~ delegates the authority that he or she has under Section 9 this Policy Manual to ~~designee shall be~~ the USG chief facilities officer ~~or any other person designated by the Chancellor in writing from time to time~~. *The authorization may not be further delegated to USG institutions.*

~~Where the Board has authorized action or has previously delegated authority, the Chancellor, the Chancellor's designee, and the USG chief facilities officer shall be authorized and empowered,~~ When acting with delegated authority *for public private venture transactions and USG real property transactions* ~~Such~~ in the name of and on behalf of the Board of Regents ~~of the University System of Georgia~~, USG officials may *execute and deliver documents* and ~~to~~ take ~~or cause to be taken any and all such further~~ other actions 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 ~~granted and authority~~ delegated to those officials ~~for all public private venture transactions and all USG real property transactions~~. ~~Such authorization may not be further delegated to individual USG institutions (BoR Minutes, January, 2008)~~.

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7. Revisions to Policy Section 9.1, General Policy on Real Estate and Facilities *(continued)*

PROPOSED NEW POLICY LANGUAGE:

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.

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7. Revisions to Board of Regents' Policy Section 9.1, General Policy on Real Estate and Facilities *(continued)*

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 website.

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.

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8. Authorization of Budget Modification, Ground Lease and Rental Agreement, Project No. PPV-71-1701, Student Health Center, University of West Georgia

Recommended: That the Board modify the budget of Project No. PPV-71-1701, Student Health Center, University of West Georgia to increase the total project budget from $4,490,000 to $5,050,000.

Recommended further: That the Board declare approximately four (4) acres of real property (the "Property") on the Carrollton campus of the University of West Georgia ("UWG"), to be no longer advantageously useful to UWG or other units of the University System of Georgia, but only to the extent and for the purpose of allowing this real property to be ground leased to Tanner Health System or an affiliated special purpose entity created for the purpose of this development ("Tanner"), for the construction of a student health center totaling approximately 14,403 square feet (the "Project").

Recommended further: That the Board authorize the execution of a ground lease of the Property (the "Ground Lease") and the grant of any necessary access and use easements, between the Board of Regents, as Lessor and Grantor, and Tanner, as Lessee and Grantee, for a construction term not to exceed two (2) years, and a primary term not to exceed twenty-one (21) years from the date Tanner obtains a certificate of occupancy for the Project, along with an option to renew the Ground Lease for up to five (5) additional years should there be debt outstanding at the end of the primary term.

Recommended further: That the Board authorize the execution of a rental agreement for the Project between Tanner, as Landlord, and the Board of Regents, as Tenant, with the initial term ending on June 30, 2018 and an option to renew annually for up to twenty-one (21) consecutive, one-year periods. Base rent payment will commence on the first day of the month after Tanner obtains a certificate of occupancy for the Project, and will not exceed $236,000 per year.

Understandings: In April 2017, the Board authorized construction of the Project as a public-private venture ("PPV") with a total project budget of approximately $4,490,000. Despite a competitive contractor selection process and collaboration between Tanner, UWG staff and selected contractors to reduce the cost through value engineering and other measures, the estimated construction cost of $4,002,000 is higher than anticipated.

The project budget includes a $1,547,600 contribution from UWG auxiliary reserves and institution funds for related site and infrastructure work and removable furniture, fixtures and equipment. The anticipated schedule is for construction of the Project to commence in January 2018, with completion by July 2019.

At the end of the term of the Ground Lease, the real property, all improvements, and any accumulated capital reserves would revert to the Board of Regents.

9. Naming of Sanford and Barbara Orkin Hall, University of Georgia

Recommended: That the Board approve the naming of one of the buildings to be constructed as Phase III of the Terry College of Business Learning Community at the University of Georgia ("UGA") as "Sanford and Barbara Orkin Hall" in recognition of the philanthropy and service of Sanford and Barbara Orkin.

Understandings: President Jere Morehead confirms that this naming conforms to the UGA naming guidelines and with the Board of Regents naming policy.

Sanford and Barbara Orkin both attended the University of Georgia. Drafted into the military while still a student, Sanford joined his family's pest control business after returning from the Korean War. Following the sale of Orkin Pest Control to Rollins, Inc. in 1964, Sanford has since contributed his time and talent to UGA in various roles, including emeritus trustee of the UGA Foundation and the UGA Real Estate Foundation. For his longstanding support of UGA, Sanford was honored with the Blue Key Service Award in 2007. Four years later, Sanford and Barbara were recognized as members of the 1785 Society for their commitment to improving lives of others through the University.

The Orkins have pledged a $5,000,000 gift towards this naming, half of which has been received to date. The remaining $2,500,000 is scheduled to be paid in 2018 and 2019.

Phase III of the Business Learning Community includes approximately 72,100 square feet in two buildings that will complete the six-building community. Phase III is expected to be completed in 2019.

10. Gift of Real Property, 445 Capitol Avenue, Atlanta, Georgia State University

Recommended: That the Board accept a gift of approximately 5.669 acres of real property (the "Property") located at 445 Capitol Avenue, Atlanta, from the Georgia Building Authority ("GBA") for the use and benefit of Georgia State University ("GSU").

Recommended further: That acquisition of this Property be subject to completion of an environmental site assessment indicating no significant problems or, if environmental problems are indicated, completion of an action plan for mitigation of such problems prior to redevelopment of the Property.

Recommended further: That acquisition of this Property be subject to completion of a recordable survey showing no easements or restrictions that would be considered to adversely affect the use of the Property.

Understandings: On December 12, 2017, the GBA approved a resolution authorizing transfer of the Property to the Board of Regents. As a condition of this transfer, the GBA would reserve a temporary revocable license agreement ("RLA") with the Gilbane Building Company. The RLA, which was granted for logistics activities related to the construction of the new Judicial Complex, is scheduled to expire on August 30, 2019.

If acquired, the Property, which is currently improved with a small amount of asphalt parking, would be used for future expansion of GSU's downtown campus and improved connectivity between the campus and Georgia State Stadium.

11. Disposition of Real Property, U.S. Highway 41 North and I-75 Interchange, Tifton, University of Georgia

Recommended: That the Board declare approximately 12.19 acres of real property (the "Property") located in the southeast quadrant of the U.S. Highway 41 and I-75 Interchange in Tifton to be no longer advantageously useful to the University of Georgia ("UGA") or other units of the University System of Georgia, but only to the extent and for the purpose of allowing the sale of this real property to 31 North Real Estate Investors, LLC or an affiliated special purpose entity created for the purpose of this acquisition ("31 North").

Recommended further: That the Board authorize the sale of the Property to 31 North for $1,700,000.

Recommended further: That the sale of this Property be contingent upon the successful completion of due diligence by 31 North.

Understandings: The Property, which is improved with a shop/barn structure, greenhouse, and two shade hoop houses, was previously used for agricultural research purposes by the UGA College of Agricultural and Environmental Sciences. Recent use of the Property for research has been limited and the Property, which is not contiguous with any other Board-owned property, is now considered a surplus outparcel.

Two independent appraisals of the real property are as follows:

Appraiser	Appraised Value	Average
R. Bryan Almand, MAI, Valdosta	$1,350,000	
Greg F. Crumley, MAI, Tifton	$1,195,000	$1,272,500

Should the Board authorize this sale, 31 North will begin the necessary due diligence to acquire the Property. Completion of due diligence is expected to take approximately nine (9) months. Closing would take place within ninety (90) days of the due diligence period.