

**MINUTES OF THE MEETING OF THE
BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA
HELD AT
Atlanta Georgia
October 14-15, 2008**

CALL TO ORDER

The Board of Regents of the University System of Georgia met on Tuesday, October 14, 2008, in the Board Room, 270 Washington St., S.W., Atlanta, Georgia. The Chair of the Board, Regent Richard L. Tucker, called the meeting to order at approximately 1:00 p.m. Present on Tuesday, in addition to Chair Tucker, were Vice Chair Robert F. Hatcher and Regents James A. Bishop, Kenneth R. Bernard, Jr., Hugh A. Carter, Jr., William H. Cleveland, Felton Jenkins, W. Mansfield Jennings, Jr., James R. Jolly, Elridge W. McMillan, Donald M. Leebern, Jr., William H. NeSmith, Jr., Doreen Stiles Poitevint, Willis J. Potts, Jr., Kessell D. Stelling, Jr., Benjamin Tarbutton, III, and Allan Vigil.

INVOCATION

The invocation was given on Tuesday, October 14, 2008, by Regent Kessel D. Stelling, Jr.

SAFETY BRIEFING

The Assistant Vice Chancellor for Compliance and Operations, Sandra L. Neuse, gave a briefing of basic safety information.

ATTENDANCE REPORT

The attendance report was read on Tuesday, October 14, 2008, by the Secretary to the Board, J. Burns Newsome, who announced that Regent Wanda Yancey Rodwell received permission to be absent that day.

APPROVAL OF MINUTES

The minutes of the Board of Regents meetings held on August 19-20, 2008, were unanimously approved.

RECOGNITION OF STUDENT ADVISORY COUNCIL MEMBERS

Chancellor Erroll B. Davis, Jr. recognized three Student Advisory Council members, German Daniel Sanchez, David Horton, and Jesse Gaylor. Mr. Sanchez is a biology and pre-med student who serves as student government association president at Dalton State College. Mr. Horton, a marketing major, is the vice president of the student government association at Georgia Gwinnett College. Covington

native, Jesse Gaylor, serves as president of the Student Government Association at Georgia Perimeter College at the Rockdale/Newton campus.

RECOGNITION OF CUSTOMER SERVICE WINNERS

The Legislative Analyst and Projects Director for External Affairs, Deborah R. Scott, announced the winners of the 2008 Chancellor's Customer Service Award. The complete list of winners is on file in the Office of Legal Affairs. The Gold winners are listed below.

Customer Service Excellence Award of the Year – Individual

Amy Wells Bainbridge College
Cori Loftis University System Office

Customer Service Excellence Award of the Year - Team

UGA North Deck Traffic Flow Re-engineering Team University of Georgia
GALILEO University System Office

Call Center/Service Desk/Help Desk Excellence Award

Information Technology Helpdesk Valdosta State University
Customer Services / Helpdesk University System Office

Outstanding Customer Service Leadership Award

Anthony Tricoli Georgia Perimeter College
Thomas Daniel University System Office

Outstanding Customer Service Improvement Initiative Award

Student Success Center Valdosta State University

Joseph Greene Award -Champion of the Year

Linda Lyons Kennesaw State University

Customer Service Institution of the Year

Kennesaw State University Kennesaw State University

COMMITTEE OF THE WHOLE: FINANCE AND BUSINESS OPERATIONS

Under the leadership of Chair Willis J. Potts, Jr., the Committee on Finance and Business Operations met as a Committee of the Whole. Chair Potts introduced the Interim Vice Chancellor for Fiscal Affairs, Usha Ramachandran, who presented the Fiscal Year 2010 budget request in three parts: operating budget, capital budget, and budget reduction plans for 6 percent, 8 percent, and 10 percent. A summary of the items discussed is on file in the Office of Fiscal Affairs.

As a result of the slowing economy, the Governor's Office of Planning and Budget directed state agencies to submit reduction plans of 6%, 8%, and 10%. Accordingly, budget reduction plans were

developed at the 6%, 8% and 10% levels for the University System as a whole. The Board approved the USG reduction plan at the August meeting. Of the three levels of reduction, 6% is the minimum, and therefore, the System is taking action to meet this cut. A reduction of 10% is recommended for the University System Office.

All institutions submitted budget reduction plans at 5%. To provide additional tools to help institutions meet the budget reductions at the 6% level, in August the Board also approved capping the indemnity plan premium for the employer share of health insurance to the level of the preferred provider organization (“PPO”) plan. The change was made possible by an expanded PPO network that offers similar coverage as the current indemnity plan. The amount of assistance this action will provide to each institution will vary depending on the number of employees enrolled in the indemnity plan. The savings from capping the indemnity plan premiums will help institutions offset a portion of their budget reduction.

Following a robust discussion, Regent Stelling stated that although he would vote to approve the budget as proposed, he felt the process was flawed in that allocations to schools were disproportionate, while the budget cuts the same across the System. He expressed concern that some institutions would face difficulties maintaining the quality of education, especially those who had received smaller initial allocations. Regent Stelling stated that institutions such as the University of Georgia, which is the flagship institution of the University System, need the tools and resources necessary to maintain the quality of the education they provide so that the System’s favorable reputation is preserved and expanded. Chair Tucker echoed Regent Stelling’s comments and added that the Regents would be even more engaged in the budget allocation process in the future.

With motion properly made, seconded, and unanimously adopted, the Board approved the Fiscal Year 2010 budget request including the operating budget, capital budget, and budget reduction plans.

The Committee adjourned at approximately 1:34 p.m., and the Board began their regular committee meetings.

CALL TO ORDER

The Board of Regents of the University System of Georgia met on Wednesday, October 15, 2008, in the Board Room, 270 Washington St., S.W., Atlanta, Georgia. The Chair of the Board, Regent Richard L. Tucker, called the meeting to order at approximately 9:00 a.m. Present on Wednesday, in addition to Chair Tucker, were Vice Chair Robert F. Hatcher and Regents James A. Bishop, Kenneth R. Bernard, Jr., Hugh A. Carter, Jr., William H. Cleveland, Felton Jenkins, W. Mansfield Jennings, Jr., James R. Jolly, Elridge W. McMillan, Donald M. Leebern Jr., William H. NeSmith, Jr., Doreen Stiles Poitevint, Willis J. Potts, Jr., Kessel D. Stelling, Jr., Benjamin Tarbuton, III, and Allan Vigil.

INVOCATION

The invocation was given on Wednesday, October 15, 2008, by Regent Donald M. Leebern, Jr.

SAFETY BRIEFING

The Environmental Health and Safety Program Manager, Alex H. Lehocky, gave a briefing of basic safety information.

ATTENDANCE REPORT

The attendance report was read on Wednesday, October 15, 2008, by the Secretary to the Board, who announced that Regent Wanda Yancey Rodwell received permission to be absent that day.

REMARKS FROM THE CHANCELLOR

Chancellor Erroll B. Davis, Jr. focused on three main areas of activity, the economy and budget, teacher preparation and ethics. He stated that in any economic climate, the System must continue to educate the leaders of tomorrow. The University System could not make shortsighted decisions, but should use the strategic plan to remain focused on the long term. The decisions made by the System must create the structures and programs needed to help Georgians prepare educationally for the future. One of the most direct and critical ways in which the System prepares for the future is by meeting the state's needs for teachers. He noted that with the Board's recent approval of an online master of arts in teaching degree through the Georgia ONmyLINE initiative and several more degree programs presented at this meeting for the College of Coastal Georgia, the System now offers teacher preparation programs at 21 of its 35 institutions. The Chancellor also noted that once the Board approves the new ethics policy, the System Office staff will begin and integrated, three-pronged strategy around risk management including the policy, new compliance programs, and an enterprise risk management system.

COMMITTEE OF THE WHOLE: STRATEGIC PLANNING

Under the leadership of Chair Robert F. Hatcher, the Strategic Planning Committee, meeting as a Committee of the Whole, heard one presentation on Goals Four and Six of the Strategic Plan. The Associate Vice Chancellor for Planning and Implementation, Shelley C. Nickel, introduced the founding President of Georgia Gwinnett ("GGC"), Daniel J. Kaufman, to update the Board on activities at the campus. These activities included its candidacy for accreditation with the Commission on Colleges of the Southern Association of Colleges and Schools, and how the institution continues to create enrollment capacity in the University System of Georgia. He was joined by Dr. Jessica Damian, an Assistant English Professor from the GGC, who discussed the student engagement and the cross-curricular atmosphere created by allowing faculty to operate without the constraints of separate departments and department chairs.

The Committee adjourned at approximately 9:54 a.m.

COMMITTEE REPORTS

EXECUTIVE AND COMPENSATION COMMITTEE

The Executive and Compensation Committee met on Tuesday, October 14, 2008, at approximately 9:30 a.m. in room 7019. Committee members in attendance were Chair Richard L. Tucker, Vice Chair Robert F. Hatcher, and Regents W. Mansfield Jennings, Jr., James R. Jolly, Donald M. Leebern, Jr., Elridge McMillan, and Allan Vigil. Chancellor Erroll B. Davis, Jr. and members of the Chancellor's senior staff also was present. Chair Tucker reported to the Board that the Committee reviewed four (4) items, two (2) of which required action.

1. Schedule for Future Board of Regents Meetings

The Board approved, in principle, the following schedule for away meetings of the Board as shown below, with the composition and scheduling of Board members' visits to two-year institutions in 2009 to be determined.

Institution	Acronym	Projected Visit	
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Research Universities (Spring Rotation)

Georgia Institute of Technology	GIT	2012	2016
Georgia State University	GSU	2010	2014
Medical College of Georgia/Augusta State University	MCG/AUSU	2009	2013
University of Georgia	UGA	2011	2015

Comprehensive - Universities (Fall Rotation)

Albany State University	ALSU	October	2012
Armstrong Atlantic State University	AASU	October	2018
Augusta State University	AUGU	October	2023
Clayton State University	CLSU	October	2011
Columbus State University	CSU	October	2022
Fort Valley State University	FVSU	October	2019
Georgia College & State University	GCSU	October	2015
Georgia Southwestern State University	GSSU	October	2010
Georgia Southern University	GSOU	October	2020
Kennesaw State University	KSU	October	2016
North Georgia College & State University	NGCSU	October	2009
Savannah State University	SSU	October	2013
Southern Polytechnic State University	SPSU	October	2014
Valdosta State University	VSU	October	2017
University of West Georgia	UWG	October	2021

2. Board of Regents' Retreat

The Executive and Compensation Committee tentatively determined that the Board would have a Board retreat on Tuesday, November 11, 2008, on the campus of Clayton State University. The Board asked the Chancellor and his staff to propose topics for Board discussion at the retreat.

3. Information Item: Paper Reduction Strategies

The committee heard a presentation from the Secretary to the Board concerning ways in which the University System Office might better and more efficiently communicate with members of the Board. The Secretary agreed to collect Board members' suggestions in this regard and report back to the Board Chair on paper reduction strategies.

4. Executive Session: Personnel Matters

At approximately 10:00 a.m. on Tuesday, October 14, 2008, Chair Richard L. Tucker called for an executive session for the purpose of discussing personnel matters. With motion properly made and seconded, the Regents who were present voted unanimously to go into executive session. Those Regents are as listed above. The Chancellor and members of his senior staff also were present. In accordance with H.B. 278, Section 3 (amending O.C.G.A. 50-14-4), an affidavit regarding this executive session is on file in the Office of the Secretary to the Board.

At approximately 10:30 a.m., Chair Tucker reconvened the committee in its regular session and announced that no actions were taken during executive session.

The committee meeting adjourned at approximately 10:40 a.m.

COMMITTEE ON ACADEMIC AFFAIRS

The Committee on Academic Affairs met on Tuesday, October 14, 2008, at approximately 1:55 p.m. in room 1-101. Committee members in attendance were Chair James A. Bishop, Vice Chair Kessel D. Stelling, Jr., and Regents Kenneth R. Bernard, Jr., Hugh A. Carter, Jr., W. Mansfield Jennings, Jr., Elridge W. McMillan, and Doreen Stiles Poitevint. The Chair of the Board, Richard L. Tucker, and Chancellor Erroll B. Davis, Jr. were also in attendance. The Chief Academic Officer & Executive Vice Chancellor, Susan Herbst, the Chief of Staff for Academic Affairs, Melinda Spencer, the Chief Operating Officer, Robert E. Watts, the Vice Chancellor for Legal Affairs & Secretary to the Board, J. Burns Newsome, the Director of Academic Program Coordination, Marci M. Middleton, other System Office staff and representatives from System institutions were also in attendance. Chair Bishop reported to the Board that the Committee had reviewed 25 items, 24 of which required action. Item 24 was withdrawn at the institution's request. Additionally, 95 regular faculty appointments were reviewed and recommended for approval. Of the aggregate, 90 actions concerned part-time retiree appointments. With motion properly made, seconded, and unanimously adopted, the Board approved and authorized the following:

1. Revisions to The Policy Manual, Section 800: Personnel

The Board approved revisions to The Policy Manual, Section 800: Personnel.

The following grid provides a brief overview of the changes made to The Policy Manual, Section 800: Personnel.

Summary of Changes to Section 800 of The Policy Manual

<u>Section</u>	<u>Reason for Change</u>
802.07.01	Typographical error
802.08.03	Decentralizes oversight of rehire of USG retiree to campus presidents
803.01.01	Correct title for Dr. Herbst's position
803.01.02	Former version did not include minimum expectations for scholarship
803.03 (Note: The section numbering changes after this point. Old numbers have been used for this summary)	More inclusive of which campus administrators should recommend Board committee name corrected
803.0301	More inclusive of which campus administrators should recommend Board committee name corrected
803.03.02	Table column label clarifies institution type Clarifies rank requirement for these positions
803.05	Removes requirement to send notice of renewal All other changes clarify which faculty must be notified and now includes lecturers, senior lecturers, and faculty at Georgia Gwinnett College
803.07	Title correction for Dr. Herbst's position Clarifies service must be professional and adds areas where service can be done Address research expectations for promotion Adds Master's degree requirement for promotion at state and two-year colleges and specifies type of study required for those without a master's
803.08	Section addresses only criteria for tenure – not promotion. Section Title is changed to reflect content Exempts Georgia Gwinnett College Spells out percent Specifies the rank required to be eligible for tenure

	Adds requirement for data reporting
803.08.03	Removes requirement to send notice to renew to non-tenure track personnel as well Includes laboratory as a place where academic professionals can work with faculty Clarifies when notice of non-reappointment must be made
803.10.03	Includes limited term personnel
803.12	Identifies types of contracts that can be used, including Georgia Gwinnett College, and removes contract forms from Policy Manual. Directs reader to Academic Affairs Handbook where forms will be included
803.14	Includes option to award emeritus status to faculty who die prior to retirement, but still meet same criteria for retired faculty

The policy sections with changes can be found on successive pages. Policy 800: Personnel, as a whole, is not included, but rather, only sections that have undergone revisions are displayed in their entirety. Please note that the strikethrough texts represent deletions from the current version, and the bold, highlighted texts represent additions.

802.07 LEAVE

802.07.01 VACATION/ANNUAL LEAVE

A. Regular Employee

A regular employee, as defined in Business Procedures Manual (BPM), Volume 3A Revised, who works one-half time or more shall earn paid vacation/annual leave. A full-time regular employee shall be entitled to vacation/annual leave earned at the rate of:

1. one and one-fourth working days per month (10 hours) for each of the first five years of continuous employment;
2. one and one-half working days per month (12 hours) for each of the next five years of continuous employment; and
3. one and three-fourths working days per month (14 hours) for each year after the completion of ten years of continuous employment.

The accrual rate of vacation/annual leave for an hourly employee will be based upon his/her standard work commitment. The use of approved vacation/annual leave shall be recorded on institutional leave records.

A regular employee who works one-half time or more but less ~~that~~ **than** full-time shall accrue vacation/annual leave prorated on the basis of full-time employment. An employee who is employed less than one-half time shall not be eligible to accrue vacation/annual leave.

B. Temporary Employee

A temporary employee, as defined in Business Procedures Manual (BPM), Volume 3A Revised, is not eligible to accrue vacation/annual leave.

C. Faculty and Administrative Officers

The Policy Manual defines a member of the faculty and an administrative officer in Sections 302.01, 302.02, and 302.03.

A full-time faculty member employed on a 12-month or fiscal year basis shall be entitled to vacation/annual leave earned at the rate of one and three-fourths working days (14 hours) per month. All working days during the fiscal year shall be counted; absences during academic calendar breaks shall be recorded as vacation; and all vacation days shall be recorded on institutional leave records.

A full-time administrative officer employed on a 12-month or fiscal year basis shall be entitled to vacation/annual leave earned at the rate of one and three-fourths working days (14 hours) per month. The use of approved vacation/annual leave shall be recorded on institutional leave records.

- B. An individual who has retired from another State of Georgia sponsored retirement plan may not count such retirement service toward meeting the eligibility criteria for retirement from the University System of Georgia (BR Minutes, October 2002).

802.08.03 EMPLOYMENT BEYOND RETIREMENT

~~When a~~ **An individual who has retired** retires from the University System of Georgia and is receiving benefits from the Teachers Retirement System, the Employees Retirement System, or the Regent's Retirement Plan, **may be eligible for reemployment on a part-time basis.** ~~he/she shall not be reemployed by the University System, without the prior approval of the Board of Regents. When an employee has retired from the University System of Georgia, he/she may be reemployed~~ **Reemployment of USG retirees** by the University System of Georgia **must fall** under the following conditions:

- A. The reemployment of a University System of Georgia retiree must be approved by the **hiring institution's president. Institutions must submit a copy of their hiring and approval procedures to rehire USG retirees to the Office of Faculty Affairs.** ~~Board of Regents;~~
- B. A rehired retiree must have a minimum break of **at least** one month-between the effective date of his/her retirement and the effective date of his/her reemployment;
- C. The work commitment of a rehired retiree must be less than half-time; i.e., less than **49** ~~50~~%;
- D. The salary that is paid to a rehired retiree must be either:
 - 1. ~~Less than 50~~ **No more than 49**% of the annual benefit-base compensation amount that he/she was earning at the time of his/her retirement, with consideration for the average merit increase percentages that have been applied since the employee retired, or;
 - 2. ~~Less~~ **No more** than ~~50~~ **49**% of the average compensation for the position into which the retiree is being hired based on the institution's existing compensations plan, or, if not applicable, the average compensation of existing or previous incumbents, or,
 - 3. ~~Less~~ **No more** than ~~50~~ **49**% of a reasonable market competitive rate for the position into which the retiree is being rehired as determined by the institutional chief human resources officer
- E. The salary that is paid to a rehired retiree must be consistent with his/her work commitment (BR Minutes, April 2002; November 2007).

803 FACULTY POLICIES, ADDITIONAL

803.01 FACULTY EMPLOYMENT

803.01.01 RECRUITMENT AND APPOINTMENT

Each institution shall publish comprehensive, clearly stated written policies and procedures for the recruitment and appointment of faculty members. These policies and procedures shall conform to guidelines promulgated by the ~~Senior Vice Chancellor for Academic Affairs.~~ **University System Chief Academic Officer.**

803.01.02 MINIMUM QUALIFICATIONS FOR EMPLOYMENT

- 1. Minimum employment qualifications for all institutions and all academic ranks within these institutions shall be:

2. Consistent with the Southern Association of Colleges and Schools' requirements for institutional accreditation;
 - a. Evidence of ability as a teacher;
 - b. Evidence of ability and activity **in research, scholarship, and/or creative activity and as a scholar** in all other aspects of duties assigned;
 - c. Successful experience (this must necessarily be waived in the case of those just entering the academic profession who meet all other requirements); and
 - d. Desirable personal qualities judged on the basis of personal interview, complete biographical data, and recommendations.
2. Research and Regional Universities. In addition to "A" above, initial appointees to the associate or full professorial rank should have the terminal degree in the appropriate discipline or equivalent in training, ability, or experience.
3. State Universities. In addition to "A" above, initial appointees to the full professorial rank should have a terminal degree in the appropriate discipline or the equivalent in training, ability or experience.

803.032 REGENTS' PROFESSORSHIPS

Regents' Professorships may be granted by the Board of Regents to outstanding faculty members of the Georgia Institute of Technology, the University of Georgia, the Medical

College of Georgia, Georgia State University, and, in special circumstances approved by the Board, other University System institutions. A Regents' Professorship shall be awarded by the Board only upon the unanimous recommendation of the president, the **chief academic officer,** ~~dean of the graduate school, the administrative dean,~~ the **appropriate** academic dean, and three other members of the faculty to be named by the president, and upon the approval of the Chancellor and the Committee on ~~Education, Research and Extension~~ **Academic Affairs.**

A Regents' Professorship shall be granted by the Board for a period of three years. Consideration of the renewal of the professorship for a second three-year period shall be given by the Board upon recommendation of the president of the institution, the Chancellor, and the Committee on ~~Education~~ **Academic Affairs.** After a period of six years the Regents' Professorship shall automatically become coincidental in term with the regular professorship (BR Minutes, 1946-47, pp. 166-167).

803.032.01 REGENTS' RESEARCHERS

Regents' Researcher titles may be granted by the Board of Regents to outstanding full-time principal researchers of the Georgia Institute of Technology, the University of Georgia, the Medical College of Georgia, Georgia State University, and in special circumstances approved by the Board, other University System institutions. The Regents' Researcher title shall be awarded by the Board only upon the unanimous recommendation of the president, the ~~appropriate vice president~~ **Chief Academic Officer**, and three members of the faculty to be named by the president, and upon the approval of the Chancellor and the Committee on ~~Education, Research and Extension~~ **Academic Affairs**.

A Regents' Researcher title shall be granted by the Board for a period of three years. Consideration of the renewal of the title for a second three-year period shall be given by the Board upon recommendation of the president of the institution, the Chancellor, and the Committee on ~~Education, Research and Extension~~ **Academic Affairs**. After a period of six years, the Regents' Researcher title shall automatically become coincidental with the term of his or her employment.

803.032.02 ESTABLISHMENT OF SPECIAL FACULTY POSITIONS

Support of Academic Positions from Gifts and Endowments: No endowed chair, professorship or fellowship will be established or announced without prior approval of the Board of Regents, and no initial appointment will be made to a chair, professorship or fellowship without prior approval by the Board. Recommendations to the Board concerning specially designated academic positions will be made through the Chancellor to the Board. Before the final action of the Board, such recommendations will be referred to the Finance and Business Operations Committee and the Academic Affairs Committee (BR Minutes, August 2007).

The minimum funding levels for each endowed academic position listed below shall be established periodically by the Board upon recommendation by the Chancellor. Institutions may require funds greater than the stated minimum funding levels when developing support for endowed chairs (BR Minutes, August 2007). (The initial recommendations are included below for each position.)

The categories of endowed academic positions shall be described as follows:

Research and
Regional Universities

State Colleges and Universities
and ~~Associate Degree~~ **Two-Year** Colleges

Distinguished University Chairs	\$2,000,000		
Distinguished Chairs	\$1,000,000	Distinguished Chairs	\$500,000

Chairs	\$500,000	Chairs	\$300,000
Distinguished Professorships	\$400,000	Distinguished Professorships	\$200,000
Professorships	\$200,000	Professorships	\$100,000
Distinguished Scholar	\$100,000	Distinguished Scholar	\$50,000
Fellowships	\$50,000	Fellowships	\$30,000
Lecture or Seminar Series	\$50,000	Lecture or Seminar Series	#30,000

Specialty Designated Faculty Positions Funded By Endowments: The endowed chairs, professorships and fellowships will be established by the Board of Regents upon request of the institutional President and recommendation of the Chancellor only after it is assured and documented that the endowment is properly funded and that the investment strategy of the endowment, wherever held, will meet the continuing demands of the chair, professorship or fellowship (BR Minutes, August 2007). This assurance must address the proper mix of capital growth, income production and liquidity. The institution will pay from its funds such amounts as are necessary to set the salary of the holder at a level commensurate with his or her record, experience, and position in the faculty. The endowment income will be used for salary supplementation and for other professional support of the holder of the endowed position, including assistance in the research of the holder.

The holder of a fellowship shall be a qualified person of ~~any academic~~ **professorial** rank (**professor, associate professor, or assistant professor**), without regard to tenure status. The endowed fellowship will be used to provide temporary support (not to exceed one academic year) of distinguished scholars who are in temporary residence at the institution while participating in planned academic programs; visiting scholars who are in temporary residence at the institution for special academic programs or purposes; institution faculty who have made unique contributions to academic life or to knowledge in their academic discipline; and institution faculty of any academic rank irrespective of tenure status, who have been selected for teaching excellence through procedures established by the institution.

803.043 INTRASYSTEM RECRUITMENT

It is recognized as a good practice for University System institutions to employ principal administrators and faculty members from other institutions of the System. When a president wishes to consider for employment a principal administrator or faculty member of another institution in the System, he/she shall notify the president of the employing institution before an

offer is being made to the principal administrator or faculty member. When a formal offer is made, the letter shall include a statement to the effect that acceptance can be made only after all contractual obligations have been fulfilled (BR Minutes, August 2007).

803.054 NOTICE OF EMPLOYMENT AND RESIGNATION

The following notification requirements apply to those members of the faculty who have been awarded the ranks of instructor, assistant professor, associate professor, or professor:

Tenured Faculty: All tenured faculty members employed under written contract for the fiscal or academic year shall give at least sixty days written notice of their intention to resign to the president of the institution or to his/her authorized representative.

Nontenured Faculty with Academic Ranks of Instructor, Assistant Professor, Associate Professor, Professor: Each year, on or before the dates specified in Regents' tenure regulations, the president of an institution or his/her authorized representative, shall advise, in writing, ~~a~~ **All non-tenured faculty who have been awarded academic rank (instructor, assistant professor, associate professor, professor), and who are employed under written contract, and who served full-time for the entire previous year have the presumption of renewal of the next academic year unless notified in writing, by the president of an institution or his/her authorized representative, of the intent not to renew.** ~~whether an employment contract for the succeeding academic year will be offered to them. Such w~~ **Written notice of intent not to renew** shall be delivered by hand or by certified mail, to be delivered to the addressee only, with receipt to show to whom and when delivered and the address where delivered.

Notice of intention to renew or not to renew a nontenured faculty member who has been awarded academic rank (instructor, assistant professor, associate professor, professor) shall be furnished, in writing, according to the following schedule:

- A. at least three months before the date of termination of an initial one-year contract;
- B. at least six months before the date of termination of a second one-year contract;
- C. at least nine months before the date of termination of a contract after two or more years of service in the institution. ~~This schedule of notification does not apply to persons holding temporary or part-time positions, or persons with courtesy appointments, such as adjunct appointments.~~

D. This schedule of notification does not apply to persons holding temporary, limited-term, or part-time positions, or persons with courtesy appointments such as adjunct appointments.

E. This schedule of notification does not apply to Georgia Gwinnett College (see above).

Lecturers and Senior Lecturers:

A. Full-time lecturers and senior lecturers are appointed by institutions on a year-to-year basis.

B. Lecturers and senior lecturers who have served full-time for the entire previous academic year have the presumption of reappointment for the subsequent academic year unless notified in writing to the contrary as follows:

a. For lecturers with less than three years of full-time service, institutions are encouraged to provide non-reappointment notice as early as possible, but no specific notice is required.

b. For lecturers with three or more years but less than six years of full-time service, institutions must provide non-reappointment notice at least 30 calendar days prior to the institution's first day of classes in the semester.

c. For senior lecturers or lecturers with six years or more of full-time service, institutions must provide non-reappointment notice at least 180 calendar days prior to the institution's first day of classes in the semester.

C. Lecturers or Senior Lecturers who have served for six or more years of full-time service at an institution and who have received timely notice of non-reappointment shall be entitled to a review of the decision in accordance with published procedures developed by the institution. The procedures must be approved by the Chancellor or his/her designee prior to implementation. Additional appeal procedures are contained in Section VIII of the Bylaws of the Board of Regents of the University System of Georgia.

D. In no case will the service as lecturer or senior lecturer imply any claim upon tenure or reappointment under other conditions than those above.

Georgia Gwinnett College Faculty: The notice of employment and resignation language noted in Parts A and B of this section does not apply to faculty at Georgia Gwinnett College (GGC). Full-time faculty at GGC are appointed into non-tenure-track positions. GGC faculty members are eligible for renewable contracts, with modified contract notification rights as approved by the Board of Regents effective June 2007. GGC faculty appointments and notification shall be governed by the following policy:

A. Each successful GGC faculty appointment will be eligible to receive one of the following contracts upon acceptance of an employment offer authorized by the President. For all initial faculty appointments, the President retains the discretion to determine whether a successful candidate will be offered a one-year standard non-renewable contract or a three- or five-year renewable appointment according to the faculty rank guidelines in Parts D.2 and D.3.

B. Candidates offered the position of Assistant Professor or below will be eligible to receive either a three-year renewable appointment or a standard one-year non-renewable appointment

C. Candidates offered the position of Professor or Associate Professor will be eligible to receive either a three- or five-year renewable appointment or a standard one-year non-renewable appointment.

D. Contract Expiration Guidance for One-Year Non-Renewable Appointments. A faculty member who is nearing completion of an initial one-year standard non-renewable contract will receive at least three months advance written notice of intent to issue a new contract for the following year or notice of intent to end the employment relationship at contract end. Faculty serving under a second one-year standard non-renewable contract will receive at least six months advance written notice of intent to issue a new contract or intent to end the employment relationship at contract end. Faculty serving under a one-year standard non-renewable contract after two or more years of service to the institution will receive at least nine months notice of intent to issue a new contract or intent to end the employment relationship at contract end.

No further requirements other than the written notifications noted herein will be applicable in concluding the employment relationship for a standard non-renewable one-year faculty contract.

E. Contract Expiration Three or Five Year Renewable Appointment: A faculty member employed under a three or five year renewable appointment will receive at least nine months written notice prior to the contract expiration in the last year of a renewable appointment term. The notice shall state the President's intent to issue a new renewable appointment for either a three or five year term (based on the faculty member's rank at contract expiration) or an intent to end the employment relationship at the end of the contract.

No further requirements other than the nine months written notification in the final appointment year will be applicable in concluding the employment relationship for a three or five year renewable faculty appointment.

F. Evaluations and Promotions: Regardless of the length or type of faculty appointment offered, each year all full-time faculty members will receive a faculty performance review.

G. Provisional Period for Renewable Contracts: Faculty members serving under an initial three or five year renewable appointment may be required to complete a one time provisional period not to exceed six months. At any time during the initial six months provisional period of a three or five year renewable appointment, a decision can be made to notify a faculty member that a contract will not be forthcoming for the remaining two or four years respectively, except that written notice must be given at least three months prior to the end of the initial appointment year. Faculty members who have previously served under a non-renewable faculty contract with Georgia Gwinnett College will not be required to serve a provisional period upon acceptance of a renewable appointment.

H. No further requirements other than the written notification will be applicable in concluding the employment relationship during the provisional period of a renewable appointment.

Non-tenured faculty and other non-tenured personnel employed under written contract shall be employed only for the term specified in the contract, and subsequent or future employment, if any, shall result solely from a separate offer and acceptance requisite to execution of a new and distinct contract.

803.065 EVALUATION OF FACULTY

Each institution shall establish definite and stated criteria, consistent with Regents' policies and the statutes of the institution, against which the performance of each faculty member will be evaluated. The evaluation shall occur at least annually and shall follow stated procedures as prescribed by each institution. Each institution, as part of its evaluative procedures, will utilize a written system of faculty evaluations by students, with the improvement of teaching effectiveness as the main focus of these student evaluations. The evaluation procedures may also utilize a written system of peer evaluations, with emphasis placed on the faculty member's professional development. In those cases in which a faculty member's primary responsibilities do not include teaching, the evaluation should focus on excellence in those areas (e.g., research, administration) where the individual's major responsibilities lie. Institutional policies and procedures shall ensure that each faculty member will receive a written report of each evaluation and that the results of the evaluation will be reflected in the faculty member's annual salary recommendations. Institutions will ensure that the individuals responsible for conducting performance evaluations are appropriately trained to carry out such evaluations.

Each institution shall conduct in-depth pre-tenure reviews of all faculty in their third year of progress toward tenure. The criteria established for promotion and tenure, emphasizing

excellence in teaching, shall be used as the focus for these reviews. The institution shall develop pre-tenure review policies, as well as any subsequent revisions (BR Minutes, February 2007, 28).

Institutions employing graduate teaching and/or laboratory assistants shall develop procedures to (a) provide appropriate training to support and enhance these assistants' teaching effectiveness, (b) conduct regular assessments, based on written procedures and including results of student and faculty evaluations, of each assistant's teaching effectiveness and performance, and (c) assess competency in English and, if needed, provide training in English language proficiency.

Senior administrators shall be evaluated by the administrator's supervisor, using a performance management instrument which emphasizes leadership qualities, management style, planning and organizing capacities, effective communication skills, accountability for diversity efforts and results, and success at meeting goals and objectives. All senior administrators shall be evaluated by their subordinates (one level down) at least once every five years. Evaluation results will be the basis for the senior administrator's development plan.

Each institution shall conduct post-tenure reviews of all tenured faculty members. Each faculty member is to be reviewed five years after the most recent promotion or personnel action, and reviews shall continue at five-year intervals unless interrupted by a further review for promotion. Administrators who have tenure and who may also have some teaching responsibilities will not be subject to post-tenure review as long as a majority of their duties are administrative in nature. At such time as an administrator may return full time to the faculty, she/he will be placed into the post-tenure review cycle and will be evaluated under those guidelines as a faculty member in the fifth year following the return to the faculty and at subsequent five year intervals (BR Minutes, August 2007).

The institution president shall review and approve institutional post-tenure review policies, as well as any subsequent revisions (BR Minutes, February 2007). These institutional policies must conform to the institution's mission and to System procedures for post-tenure review. Institutional policies also shall address cases in which a tenured faculty member's performance is deemed unsatisfactory.

803.076 CRITERIA FOR PROMOTION

Each University System institution shall establish clearly stated promotion criteria and procedures that emphasize excellence in teaching for all teaching faculty. These policies will be submitted to the ~~Senior Vice Chancellor for Academic Affairs~~ **University System Chief Academic Officer** for review.

Minimum for all three types of institutions in all professorial ranks:

1. Superior teaching.

2. Outstanding **professional** service to the **profession**, institution, **and/or the community**.
3. **Outstanding research, scholarship, creative activity or academic achievement.**
4. Professional growth and development.

Noteworthy achievement in all four of the above need not be demanded, but should be expected in at least two. A written recommendation should be submitted by the head of the department concerned setting forth the reasons for promotion. The faculty member's length of service with an institution shall be taken into consideration in determining whether or not the faculty member should be promoted.

Research and Regional Universities: In addition to "A" above, promotion to the rank of associate or full professor requires the earned doctorate or its equivalent in training, ability, and/or experience. Neither the possession of a doctorate nor longevity of service is a guarantee per se of promotion.

State Universities: In addition to "A" above, promotion to the rank of professor requires the earned doctorate or its equivalent in training, ability, and/or experience. Neither the possession of a doctorate nor longevity of service is a guarantee per se of promotion.

State and Two-Year Colleges: In addition to "A" above, promotion to the rank of professor requires **a master's degree in the teaching discipline**, or in rare cases at least the equivalent of two years of full-time **graduate or first professional** study beyond the bachelor's degree. Longevity of service is not a guarantee per se of promotion.

803.087 TENURE AND CRITERIA FOR PROMOTION TENURE

Each institution in the University System **with the exception of Georgia Gwinnett College** shall establish clearly stated tenure criteria and procedures that emphasize excellence in teaching for all teaching faculty. Such policies shall conform to the requirements listed below and shall be reviewed and approved by the University System chief academic officer (BR Minutes, August 2007, 27). The requirements listed below shall be the minimum standard for award of tenure, but they are to be sufficiently flexible to permit an institution to make individual adjustments to its own peculiar problems or circumstances. These policies are to be considered a statement of general requirements which are capable of application throughout the System and are not a limitation upon any additional standards and requirements which a particular institution may wish to adopt for its own improvement. Such additional standards and requirements, which must be consistent with the Regents' policies and approved by the Board of Regents, shall be incorporated into the statutes of an institution.

Criteria for Tenure

1. Minimum for all three types of institutions in all professorial ranks:

- a. Superior teaching; demonstrating excellence in instruction
- b. Research or academic achievement, as appropriate to the mission
- c. Outstanding service to the institution, profession, or community
- d. Professional growth and development

Noteworthy achievement in all four of the above need not be demanded, but should be expected in at least two. A written recommendation should be submitted by the head of the department concerned, setting forth the reasons for tenure. The faculty member's length of service with an institution shall be taken into consideration in determining whether or not the faculty member should be tenured.

2. Research and Regional Universities: In addition to "1" above, tenure at the rank of associate or full professor requires the earned doctorate or its equivalent in training, ability, or experience. Neither the possession of a doctorate nor longevity of service is a guarantee of tenure.
3. State Universities: In addition to "1" above, tenure requires the earned doctorate or its equivalent in training, ability, and/or experience. Neither the possession of a doctorate nor longevity of service is a guarantee of tenure.
4. State and Two-Year Colleges: In addition to "1" above, tenure requires at least the equivalent of two years of full-time study beyond the bachelor's degree. Longevity of service is not a guarantee of tenure.

Tenure resides at the institutional level. Institutional responsibility for employment of a tenured individual is to the extent of continued employment on a 100 **percent** % workload basis for two out of every three consecutive academic terms until retirement, dismissal for cause, or release because of financial exigency, or program modification as determined by the Board.

~~Normally, o~~ **Only** assistant professors, associate professors, and professors **are eligible for tenure. Normally, only faculty** who are employed full-time (as defined by Regents' policies) by an institution are eligible for tenure. However, faculty members holding these professorial ranks who are employed by or on the staff of the Medical College of Georgia (MCG) on less than a full-time basis, and who also hold an appointment at the Veterans Administration Medical Center-Augusta, shall be eligible for promotion and/or the award of tenure by the institutional president (BR Minutes, August 2007, 28). The term "full-time" is used in these tenure regulations to denote service on a 100% work load basis for at least two out of three consecutive

academic terms. Faculty members with **non-tenure track** adjunct appointments shall not acquire tenure. The award of tenure is limited to the above academic ranks and shall not be construed to include honorific appointments, **such as adjunct appointments**.

Tenure may be awarded, upon approval by the President, upon completion of a probationary period of at least five years of full-time service at the rank of assistant professor or higher (BR Minutes, August 2007, 29). The five-year period must be continuous except that a maximum of two years interruption because of a leave of absence or part-time service may be permitted, provided, however that an award of credit for the probationary period of an interruption shall be at the discretion of the President. In all cases in which a leave of absence, approved by the President, is based on birth or adoption of a child, or serious disability or prolonged illness of the employee or immediate family member, the five-year probationary period may be suspended during the leave of absence. A maximum of three years¹ credit toward the minimum probationary period may be allowed for service in tenure track positions at other institutions or for full-time service at the rank of instructor or lecturer at the same institution. Such credit for prior service shall be approved in writing by the President at the time of the initial appointment at the rank of assistant professor or higher. Notwithstanding anything to the contrary in this Policy Manual, in exceptional cases a president may approve an outstanding, distinguished senior faculty member for the award

Tenure or probationary credit towards tenure is lost upon resignation from an institution, or written resignation from a tenured position in order to take a non-tenured position, or written resignation from a position for which probationary credit toward tenure is given in order to take a position for which no probationary credit is given. In the event such an individual is again employed as a candidate for tenure, probationary credit for the prior service may be awarded in the same manner as for service at another institution.

Upon approval of the award of tenure to an individual by the president, that individual shall be notified in writing by the president of his/her institution, with a copy of the notification forwarded to the University System chief academic officer (BR Minutes, August 2007, 30). Each institution shall provide data annually to the University System chief academic officer showing the institution's tenure rates by gender and race. **Each institution shall provide official data on faculty and other employees each academic term to the Board of Regents. None of the procedures in Section 803.08 apply to faculty at Georgia Gwinnett College.** (BR Minutes, August 2007, 30).

803.087.01 PROGRAM MODIFICATION

As part of its broad constitutional authority to manage the University System of Georgia, the Board of Regents may exercise its authority to modify programs at various institutions of the System. Such modification may result from a significant change of institutional mission or academic priorities which may be influenced by long-term declines in degree program productivity. These changes may result in permanent termination of academic programs or permanent and significant reduction in size thereof. A program modification of such magnitude

that requires the termination of tenured faculty members will be implemented only after completion of a study, with institutional administrative and faculty participation, by the Chancellor's staff. The Chancellor will report the results of that study to the Board along with recommended guidelines under which program modification will be effected. The University System chief academic officer shall issue procedures on program modification. (BR Minutes, 1982-83, p. 254; January 2008).

803.098 NON-TENURE TRACK PERSONNEL

Institutions of the University System are authorized to establish professional positions designated as non-tenure track positions. Each institution shall prepare annually, along with its budget, a list of positions so designated for submission to and approval by the Chancellor or his/her designee. Subsequent requests for such designations submitted during the budget year must also be approved by the Chancellor or his/her designee. Positions designated as non-tenure track positions or as tenure track positions may be converted to the other type only with approval by the institutional president (BR Minutes, August 2007).

Non-tenure track positions may be established for full-time professional personnel employed in administrative positions or to staff research, technical, special, career, and public service programs or programs which are anticipated to have a limited lifespan or which are funded, fully or partially, through non-System sources. There shall be no maximum time limitation for service in positions in this category.

The following provisions shall apply to all non-tenure track professional personnel:

1. Individuals employed in non-tenure track positions shall not be eligible for consideration for the award of tenure.
2. Probationary credit toward tenure shall not be awarded for service in non-tenure track positions.
3. Notice of intention ~~to renew or~~ not to renew contracts of non-tenure track personnel who have been awarded academic rank (Instructor, Assistant Professor, Associate Professor, Professor) shall follow the schedule required for tenure track personnel. This schedule of notification shall not apply to other professional personnel.
4. Individuals employed in non-tenure track positions may apply on an equal basis with other candidates for tenure track positions which may become available.

The transfer of individuals from tenure-track positions to non-tenure track positions shall be effected on a voluntary basis only.

803.08.01 **EMPLOYMENT OF FULL-TIME LECTURERS**

To carry out special instructional functions such as basic skills instruction, universities may appoint instructional staff members to the position of lecturer. Lecturers are not eligible for the award of tenure. Reappointment of a lecturer who has completed six consecutive years of service to an institution will be permitted only if the lecturer has demonstrated exceptional teaching ability and extraordinary value to the institution. The reappointment process must follow procedures outlined by the institution (BR Minutes, February 2007). Not more than 10% of an institution's FTE corps of primarily undergraduate instruction may be lecturers and/or senior lecturers (BR Minutes, 1992- 93, p. 188).

803.08.02 **SENIOR LECTURERS**

The title of senior lecturer may be used at the discretion of the universities that employ lecturers. Universities are discouraged from initial hiring at the senior lecturer level. Lecturers who have served for a period of at least six years at the employing university may be considered for promotion to senior lecturer if the university has adopted this title and has clearly stated promotion criteria. Promotion to senior lecturer requires approval by the president and must be reported as a matter of information to the Senior Vice Chancellor for Academics and Fiscal Affairs when promotions for ranked faculty are transmitted to the University System Office. Reappointment procedures for senior lecturers follow the same reappointment procedures as those for lecturers. Senior lecturers are not eligible for the award of tenure (BR Minutes, August 2002).

803.08.03 **ACADEMIC PROFESSIONALS**

Academic Professional titles may be assigned to appropriate positions (as defined below). Institutions are authorized to establish non-tenure track professional positions. Persons in such positions may be involved in duties of a managerial, research, technical, special, career, public service or instructional support nature. Examples of such positions currently existing are Public Service Professional, Research Scientist, Research Associate, Research Engineer, and Research Technologist. The title Academic Professional would be similar to those currently in use (BR Minutes, February, 2007, 31).

Institutions are authorized to establish non-tenure track professional positions, with the approval of the Chancellor. Persons in such positions may be involved in duties of a managerial, research, technical, special, career, public service, or instructional support nature. Examples of such positions currently existing are Public Service Professional, Research Scientist, Research Associate, Research Engineer, and Research Technologist. The title Academic Professional would be similar to those currently in use.

The following stipulations apply to all Academic Professional Positions:

1. The position requires an appropriate terminal degree, or in rare and extraordinary circumstances, qualification on the basis of demonstrably successful related experience,

which exception is expressly approved by the institution president (BR Minutes, February 2007, 31).

2. The Academic Professional designation may not be assigned to a position where the teaching and research responsibilities total 50% or more of the total assignment.
3. The position is not a tenure-track position, and the holder of the position is not eligible for consideration for the award of tenure, or for probationary credit toward tenure.

The designation Academic Professional would apply to a variety of academic assignments that call for academic background similar to that of a faculty member with professorial rank, but which are distinctly different from professorial positions. Examples include managing instructional laboratories, assuming academic program management roles not suited for expectations applied to tenure-track faculty members, operating instructional technology support programs, being responsible for general academic advising, assuming professional student counseling center responsibilities, providing specialized skill acquisition training as support for academic programs, and working with tenure-track faculty members in course and curriculum development **and in the laboratory**.

General categories for Academic Professionals would include:

1. Training and Instructional Support. This includes educational needs assessment, program development and coordination, instructional materials and technology development, delivery of specialized or skill acquisition instruction, and program evaluation. In light of the restriction above, Academic Professionals must be persons whose instructional duties account for less than half of their total time.
2. Technical Assistants. An advisory or operating role which provides specialized knowledge appropriate for program support and development. The activities range from a significant or advisory or operating role to managing a technical support unit to development of organizational structures and function.
3. evaluation. In light of the restriction above, Academic Professionals must be persons whose instructional duties account for less than half of their total time.
4. Technical Assistants. An advisory or operating role which provides specialized knowledge appropriate for program support and development. The activities range from a significant or advisory or operating role to managing a technical support unit to development of organizational structures and function.
5. Specialized Management. This includes supervision of clinical practice or field experience, or providing services or out-of-class educational opportunities for students.

Career ladders may be established for Academic Professionals, using the following titles: Academic Professional Associate, Academic Professional, and Senior Academic Professional (BR Minutes, February 2007).

Reappointment of Academic Professionals ~~would be~~ **is** made annually. Notice of ~~reappointment~~ and non-reappointment must be made in a timely manner consistent with Board of Regents policy, **using the three-month, six-month, and nine-month notification schedule depending upon length of service in the position.**

All provisions of Section 803.10 of the Board of Regents' Policy Manual will apply to the employment of Academic Professionals.

803.0910 DISCIPLINE AND REMOVAL OF FACULTY MEMBERS

The president of an institution may at any time remove any faculty member or other employee of an institution for cause. Cause shall include willful or intentional violation of the policies of the Board of Regents or the approved statutes of an institution. Further causes or grounds for dismissal are set forth in the tenure regulations of the policies of the Board of Regents and in the approved statutes or bylaws of an institution.

803.0910.01 GROUNDS FOR REMOVAL

A tenured faculty member, or a non-tenured faculty member, before the end of his/her contract term, may be dismissed for any of the following reasons provided that the institution has complied with procedural due process requirements:

1. Conviction or admission of guilt of a felony or of a crime involving moral turpitude during the period of employment--or prior thereto if the conviction or admission of guilt was willfully concealed;
2. Professional incompetency, neglect of duty, or default of academic integrity in teaching, in research, or in scholarship;
3. Unlawful manufacture, distribution, sale, use or possession of marijuana, a controlled substance, or other illegal or dangerous drugs as defined by Georgia laws; teaching or working under the influence of alcohol which interferes with the faculty member's
4. performance of duty or his/her responsibilities to the institution or to his/her profession;
5. Conviction or admission of guilt in a court proceeding of any criminal drug offense;
6. Physical or mental incompetency as determined by law or by a medical board of three or more licensed physicians and reviewed by a committee of the faculty;

7. False swearing with respect to official documents filed with the institution;
8. Disruption of any teaching, research, administrative, disciplinary, public service or other authorized activity;
9. Such other grounds for dismissal as may be specified in the Statutes of the institution.

Each institution, as a part of its statutes, may supplement Regents' policies governing causes for dismissal and procedures for dismissal. Each institution should provide for standards governing faculty conduct, including sanctions short of dismissal, and procedures for the implementation of such sanctions. In the imposition of sanctions, the burden of proof lies with the institution.

803.0910.02 PROCEDURES

Introduction: These procedures shall apply only to the dismissal of a faculty member with tenure, or a non-tenured faculty member before the end of the term specified in his/her contract.

It is intended that the procedures set forth below shall be considered as minimum standards of due process and shall not be construed as a limitation upon individual standards or procedures, consistent with the Policy Manual and Bylaws of the Board, which an institution of the System may elect to adopt for its own improvement or to make adjustment to its own particular circumstances. Such additional standards or procedures shall be incorporated into the statutes of the institution.

The president may at any time remove any faculty member for cause. Cause or grounds for dismissal are set forth in this Policy Manual and in the approved statutes or bylaws of an institution. Whenever the words "president" or "administration" are used in these procedures, they shall be construed to include the designated representative of the president.

Preliminary Procedures: The dismissal of a tenured faculty member, or a non-tenured faculty member during his/her contract term should be preceded by:

1. Discussion between the faculty member and appropriate administrative officers looking toward a mutual settlement.
 2. Informal inquiry by an appropriate faculty committee which may, upon failing to effect an adjustment, advise the president whether dismissal proceedings should be undertaken; its advisory opinion shall not be binding upon the president.
- M. If the Committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the president. If the president does not approve the report, he should state his reasons in writing to the Committee for response before rendering his final decision. If the Committee concludes that an academic penalty less than dismissal

would be more appropriate than dismissal, it may so recommend with supporting reasons. The president may or may not follow the recommendations of the Committee;

- N. After complying with the foregoing procedures, the president shall send an official letter to the faculty member notifying him/her of his/her retention or removal for cause. Such letter shall be delivered to addressee only, with receipt to show to whom and when delivered and address where delivered. The letter shall clearly state any charges which the president has found sustained and shall notify such person that he/she may appeal to the Board of Regents for review. The appeal shall be submitted in writing to the Chancellor within twenty (20) days following the decision of the president. It shall state the decision complained of and the redress desired. The Board or a committee of the Board shall investigate the matter thoroughly and render its decision thereon within sixty (60) days from the date of the receipt of the appeal or from the date of any hearing which may be held thereon;
- O. Upon dismissal by the president, the faculty member shall be suspended from employment without pay from the date of the final decision of the president. Should the faculty member be reinstated by action of the Board of Regents, he/she shall be compensated from the date of the suspension.

803.0910.03 DISMISSAL OF TEMPORARY, LIMITED TERM, OR PART-TIME INSTRUCTIONAL PERSONNEL

Temporary, **limited-term**, or part-time personnel serving without a written contract hold their employment at the pleasure of the president, chief academic officer, or their immediate supervisor, any of whom may discontinue the employment of such employees without cause or advance notice.

803.0910.04 SUSPENSION FOR VIOLATION OF STATE OR FEDERAL LAWS

When a faculty member of any institution of the University System is charged with the violation of a state or federal law, or is indicted for any such offense, a thorough review of the circumstances shall be carried out by the president.

In the event a faculty member is temporarily suspended, the administration shall immediately convene an ad hoc faculty committee or utilize the services of an appropriate existing faculty committee for the purpose of hearing an appeal by the faculty member. The appeal shall be submitted in writing in accordance with procedures to be established by the hearing committee, which shall render its decision within ten (10) days from the conclusion of the hearing. Thereafter, any further appeal by the faculty member shall be in accordance with the procedures set forth in Article VIII of the Bylaws of the Board of Regents.

803.101 ~~803.12~~ FACULTY EMPLOYMENT APPLICATION FORMS

An employment application form shall be completed by each person formally applying for a faculty position in an institution of the University System. The application must be kept on file at the institution concerned. An applicant will be ineligible for employment if he or she has been

convicted of a crime involving moral turpitude, unless the applicant has been pardoned as provided by law.

803.112 FACULTY CONTRACT FORMS

The institutions of the University System shall use the appropriate official contract forms approved by the Board of Regents, which are **contained in the Academic Affairs Handbook** ~~printed on the following pages~~. The institutions of the University System of Georgia should not use the following contracts for full-time temporary, **limited-term**, or part-time faculty. The administrative contract should only be used for ~~faculty-ranked~~ administrators **with professorial rank**. Failure to sign and return such contracts within the time period specified therein may be construed as an abandonment of employment rights.

Contracts are specified for the following categories of employees at all institutions except Georgia Gwinnett College:

- A. Fiscal year (twelve month) contract for non-tenured faculty on tenure track and for non-tenure track personnel (to include non-tenure track personnel and lecturers and senior lecturers);**
- B. Fiscal year (twelve month) contract for tenured faculty;**
- C. Academic year contract for tenured faculty;**
- D. Fiscal year (twelve month) contract for tenured personnel holding joint employment at the Veteran's Affairs Medical Center, Augusta and the Medical College of Georgia;**
- E. Contract for administrators with professorial ranks in the following categories: tenured personnel, non-tenured personnel on tenure track and non-tenure track personnel;**
- F. Contract form for faculty at Georgia Gwinnett College: Renewable appointment contract for three (3) or five (5) year terms.**

Any other provision in these policies to the contrary notwithstanding, faculty members who fail to verify or maintain the credentials, degree, certification or license required to teach the subject matter of their contract shall be subject to immediate dismissal for breach of their employment contract.

~~803.12.01 FISCAL YEAR NON-TENURED/TRACK CONTRACT~~

~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA~~

~~FISCAL YEAR (TWELVE MONTH) EMPLOYMENT CONTRACT FOR~~

~~___NON TENURE TRACK PERSONNEL~~

~~___NON TENURED PERSONNEL ON TENURE TRACK~~

To: _____

Please be advised that the Board of Regents of the University System of Georgia has approved your employment as _____

(Title)

at the _____

(Institution)

The period of your employment is from _____ to _____

Your salary will be _____ and is payable according to the applicable funding sources and the Institution's payroll schedule. For fractional portions of a pay period in which service is rendered, payment of salary will be computed as the fraction of the salary for that payroll period.

Your specific job-related duties, responsibilities, and assignments associated with this employment contract are defined elsewhere, are subject to modification as needed, and are determined by the administrative officers of the institution in your reporting line to the president.

This agreement is made expressly subject to the applicable state and federal laws and to the statutes and regulations of this institution and to the Bylaws and Policies of the Board of Regents, which are available for your inspection upon request.

Please signify your acceptance of this employment by signing and returning the enclosed original contract and all one of the copies to _____ at this institution within twenty (20) days from this date. Failure to reply within this deadline may void this offer.

~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA,~~

~~BY AND ON BEHALF OF: _____~~

~~(Institution)~~

~~By: _____~~

~~(President)~~

~~Date: _____~~

CONTRACT ACCEPTANCE

I accept the employment described above under the terms set forth. I understand that at the expiration of the terms this contract I will not be re-employed unless there is a new and separate offer by the Board of Regents on behalf of

(Institution)

and acceptance thereof by me.

Signed: _____

Date: _____

~~803.12..02 FISCAL YEAR TENURED CONTRACT~~
~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA~~
~~FISCAL YEAR (TWELVE MONTH) EMPLOYMENT CONTRACT~~

~~_____TENURED PERSONNEL~~

To: _____

Please be advised that the Board of Regents of the University System of Georgia has approved your employment as _____
(Title)

at the _____
(Institution)

The period of your employment is from _____ to _____

Your salary will be _____ and is payable according to the applicable funding sources and the Institution's payroll schedule. For fractional portions of a pay period in which service is rendered, payment of salary will be computed as the fraction of the salary for that payroll period.

Your specific job-related duties, responsibilities, and assignments associated with this employment contract are defined elsewhere, are subject to modification as needed, and are determined by the administrative officers of the institution in your reporting line to the president.

This agreement is made expressly subject to the applicable state and federal laws and to the statutes and regulations of this institution and to the Bylaws and Policies of the Board of Regents, which are available for your inspection upon request.

Please signify your acceptance of this employment by signing and returning the enclosed original contract and all but one of the copies to _____ at this institution within twenty (20) days from this date. Failure to reply within this deadline may void this offer.

~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA,~~

BY AND ON BEHALF OF: _____

(Institution)

By: _____

(President)

Date: _____

CONTRACT ACCEPTANCE

I accept the employment described above under the terms set forth. I understand that at the expiration of the terms this contract I will not be re-employed unless there is a new and separate offer by the Board of Regents on behalf of

(Institution)

and acceptance thereof by me:

Signed: _____

Date: _____

~~803.12.03 — ACADEMIC YEAR NON-TENURED/TRACK CONTRACT~~
~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA~~
~~ACADEMIC YEAR EMPLOYMENT CONTRACT FOR~~

~~___NON-TENURED PERSONNEL~~

~~___NON-TENURE TRACK PERSONNEL~~

To: _____

Please be advised that the Board of Regents of the University System of Georgia has approved your employment as _____

(Title)

at the _____

(Institution)

The period of your employment is for the academic year beginning on _____ and ending on _____.

Your salary for the academic year will be _____ and is payable according to the applicable funding sources and the Institution's payroll schedule. For fractional portions of a pay

~~period in which service is rendered, payment of salary will be computed as the fraction of the salary for that payroll period. If your services should be needed beyond your full-time academic year commitment, a separate arrangement will be made with you covering your services.~~

~~Your specific job-related duties, responsibilities, and assignments associated with this employment contract are defined elsewhere, are subject to modification as needed, and are determined by the administrative officers of the institution in your reporting line to the president.~~

~~This agreement is made expressly subject to the applicable state and federal laws and to the statutes and regulations of this institution and to the Bylaws and Policies of the Board of Regents, which are available for your inspection upon request.~~

~~Please signify your acceptance of this employment by signing and returning the enclosed original contract and all but one of the copies to _____ at this institution within twenty (20) days from this date. Failure to reply within this deadline may void this offer.~~

~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA,~~

~~BY AND ON BEHALF OF: _____
(Institution)~~

~~By: _____
(President)~~

~~Date: _____~~

CONTRACT ACCEPTANCE

~~I accept the employment described above under the terms set forth. I understand that at the expiration of the terms this contract I will not be re-employed unless there is a new and separate offer by the Board of Regents on behalf of~~

~~_____
(Institution)~~

~~and acceptance thereof by me.~~

~~Signed: _____~~

~~Date: _____~~

803.12.04 — ACADEMIC YEAR TENURED CONTRACT

~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA~~

ACADEMIC YEAR EMPLOYMENT CONTRACT

~~_____TENURED PERSONNEL~~

To: _____

Please be advised that the Board of Regents of the University System of Georgia has approved your employment as _____

(Title)

at the _____

(Institution)

The period of your employment is for the academic year beginning on _____ and ending on _____.

Your salary for the academic year will be _____ and is payable according to the applicable funding sources and the Institution's payroll schedule. For fractional portions of a pay period in which service is rendered, payment of salary will be computed as the fraction of the salary for that payroll period. If your services should be needed beyond your full-time academic year commitment, a separate arrangement will be made with you covering your services.

Your specific job-related duties, responsibilities, and assignments associated with this employment contract are defined elsewhere, are subject to modification as needed, and are determined by the administrative officers of the institution in your reporting line to the president.

This agreement is made expressly subject to the applicable state and federal laws and to the statutes and regulations of this institution and to the Bylaws and Policies of the Board of Regents, which are available for your inspection upon request.

Please signify your acceptance of this employment by signing and returning the enclosed original contract and all but one of the copies to _____ at this institution within twenty (20) days from this date. Failure to reply within this deadline may void this offer.

BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA,

BY AND ON BEHALF OF: _____

(Institution)

By: _____

(President)

Date: _____

CONTRACT ACCEPTANCE

I accept the employment described above under the terms set forth. I understand that at the expiration of the terms this contract I will not be re-employed unless there is a new and separate offer by the Board of Regents on behalf of

(Institution)

and acceptance thereof by me:

Signed: _____

Date: _____

~~803.12.05 — TENURED PERSONNEL HOLDING JOINT EMPLOYMENT AT THE VETERANS AFFAIRS MEDICAL CENTER AUGUSTA AND THE MEDICAL COLLEGE OF GEORGIA~~

~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA~~

~~FISCAL YEAR (TWELVE MONTH) EMPLOYMENT CONTRACT~~

~~FOR TENURED PERSONNEL~~

To: _____

Please be advised that the Board of Regents of the University System of Georgia has approved your employment as _____

(Title)

at the Medical College of Georgia.

The effective date of your employment is from _____ to _____ and is expressly subject to and conditioned upon the provisions of Section 803.09, paragraph 5, of the Policies of the Board of Regents and your continued employment by the Veterans Affairs Medical Center Augusta.

Your salary will be _____ and is payable according to the applicable funding sources and the Institution's payroll schedule. For fractional portions of a pay period in which service is rendered, payment of salary will be computed as the fraction of the salary for that payroll period.

Your specific job-related duties, responsibilities, and assignments associated with this employment contract are defined elsewhere, are subject to modification as needed, and are determined by the administrative officers of the institution in your reporting line to the president.

This contract is also made expressly subject to the applicable state and federal laws and to the statutes and regulations of this institution and to the Bylaws and Policies of the Board of Regents, which are available for your inspection upon request.

Please signify your acceptance of this employment by signing and returning the enclosed original contract and all but one of the copies to _____ at this institution within twenty (20) days from this date. Failure to reply within this deadline may void this offer.

~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA,~~

BY AND ON BEHALF OF: _____
_____ (Institution)

By: _____
_____ (President)

Date: _____

~~CONTRACT ACCEPTANCE~~

~~I accept the employment described above under the terms set forth. I understand that at the expiration of the terms this contract I will not be re-employed unless there is a new and separate offer by the Board of Regents on behalf of~~

_____ (Institution)

~~and acceptance thereof by me.~~

Signed: _____

Date: _____

803.12.06 — CONTRACT FOR FACULTY RANKED ADMINISTRATORS

~~BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA~~

~~CONTRACT FOR FACULTY RANKED ADMINISTRATORS~~

~~___ TENURED PERSONNEL~~

~~___ NONTENURE TRACK PERSONNEL~~

~~___ NONTENURED PERSONNEL~~

To: _____

Please be advised that your employment as _____

(Administrative Title)

is at a salary of _____ from _____ to _____

(Date)

(Date)

Your salary is payable according to the applicable funding sources and the Institution's payroll schedule. For fractional portions of a pay period in which service is rendered, payment of salary will be computed as the fraction of the salary for that payroll period.

Your specific job-related duties, responsibilities, and assignments associated with this contract are defined elsewhere, are subject to modification by the institution as needed, and are determined by the administrative officers of the institution in your reporting line to the president. You are not guaranteed to hold your administrative position for the duration of this contract, because you hold your administrative title and position at the pleasure of the President. Your tenure status applies only to your appointment as a faculty member and not to your appointed position as an administrator. Should your administrative position be vacated and, if you are reassigned, your salary may be changed.

This administrative appointment is made expressly subject to the applicable state and federal laws and to the statutes and regulations of this institution and to the bylaws and policies of the Board of Regents which are available for your inspection upon request.

Please signify your acceptance of this employment by signing and returning the enclosed original contract and all but one of the copies to _____ at this institution within twenty (20) days from this date. Failure to reply within this deadline may void this offer.

BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA,

BY AND ON BEHALF OF: _____

(Institution)

By: _____

(President)

Date: _____

CONTRACT ACCEPTANCE

I agree to perform the administrative duties referenced above under the terms set forth herein.

Signed: _____

(Employee Signature)

Date: _____

803.123 COMPENSATION

803.123.01 SALARIES

The Board receives an annual appropriation from the General Assembly for all phases of its operations. This appropriation may be increased or decreased by the Legislature or the Governor during the period of any fiscal year. Expenditures for operation of the University System are therefore necessarily contingent upon legislative appropriations. In the event that the General Assembly or the Governor at any time reduces the amount of funds appropriated to the Board, the compensation of all employees and other operating expenses may as a consequence be correspondingly reduced. It shall, however, be the intent of the Board to maintain current salary commitments in so far as possible to every employee, and the Board will exert its composite influence and best efforts to that end.

803.123.02 CRITERIA FOR DETERMINING SALARIES

Consistent with Regents' policy on nondiscrimination and with the approved purpose of the institution, each institution of the University System shall utilize specific criteria for the determination of entry-level salaries for full-time members of the Corps of Instruction employed at the ranks of lecturer, senior lecturer, instructor, assistant professor, associate professor, and professor and for the determination of the extent of salary increases awarded to currently employed full-time faculty members.

1. Each entry-level salary shall be determined on the basis of the specific requirements of the position and the qualifications of the individual employed to fill the position. Position criteria shall include the academic rank, the academic discipline and the nature of the responsibilities to be performed. Criteria related to the qualifications of the individual shall include academic degrees earned, teaching and other relevant experience, research and publication record, academic achievements and honors, and relevant professional achievements or recognitions.
2. Salary increases for full-time teaching faculty shall be awarded on the basis of merit. The criteria for the determination of the extent of such increases shall include teaching ability, completion of significant professional development activities including the attainment of additional academic degrees, promotion in rank, research productivity, academic achievements and publications, academic honors and recognitions, relevant professional achievements and recognitions, and non-teaching services to the institution. Each institution shall identify specific criteria, consistent with this policy, upon which the determination of the extent of salary increases will be based. The institution shall also identify the methods by which the faculty member's performance will be evaluated for purpose of the determination of salary increases. The criteria and the evaluation methods shall be published in the faculty handbook of instruction (BR Minutes, February 2007, 34).
3. When a fiscal year administrative employee returns to an academic appointment as a faculty member, the salary shall be determined on the same basis as other faculty members with similar rank and experience within the department to which he/she returns or in other similar positions within the institution.

803.123.03 SUMMER SCHOOL SALARIES

Payment of compensation to faculty members for full-time employment during the summer session shall be at a rate not to exceed 33-1/3% of their regular nine months compensation for the previous academic year.

803.123.04 RESEARCH, SATURDAY CLASSES AND OFF-CAMPUS CONTINUING EDUCATION

Research and Saturday classes will ordinarily be carried by System personnel as part of their normal work load without additional financial compensation. Adequate allowance in time assigned for the extra duties shall be made by a proportionate decrease in the teaching load.

Extra compensation may be paid, however, when all four of the following conditions exist:

1. The work is carried in addition to a normal full load.
2. No qualified person is available to carry the work as part of his/her normal load.
3. The work produces sufficient income to be self-supporting.
4. The additional duties are not so heavy as to interfere with the performance of regular duties.

When extra compensation is paid, it shall be in line with compensation paid for performance of the employee's normal duties.

When off-campus services conducted through a continuing education center can be included in the normal work load of an individual, no additional compensation shall be paid. Extra compensation shall be paid when the off-campus service meets the four conditions stated above.

803.123.05 SALARY SUPPLEMENTS FROM COOPERATIVE ORGANIZATIONS

No consideration shall be given to salary supplements that may be paid from cooperative organizations or other sources in order that salary supplements will be over and above the regular salary paid with state funds.

A supplemental budget shall be prepared to include supplements to be paid from cooperative organizations or other sources.

The salary to be paid from state funds for summer school employment or for a leave of absence with pay shall be based on the approved salary exclusive of any supplement.

Each faculty or staff member receiving a salary supplement shall be advised that he/she is receiving the salary supplement with information as to the amount and source of funds and that the salary supplement is provided upon the recommendation of the president of the institution.

803.123.06 EMPLOYMENT OF FACULTY MEMBERS WITH AGENCIES' FUNDS

Whenever it is desired to employ a person at any institution of the System whose salary is to be paid in whole or in part with funds provided by a person, foundation, organization, or any agency other than a governmental agency, the president of the institution concerned shall recommend to the Board of Regents, through the Chancellor, the employment of the person, with full details of his/her qualifications and the availability of funds for paying his/her salary.

803.123.07 EMPLOYEE AUDITING OF COURSES

Employees of an institution of the University System of Georgia may attend classes offered by the same institution without registering as "auditors" and without credit being offered for such attendance. This provision applies to non-credit courses on a space-available basis. Institutions may permit employees to attend job-related continuing education classes, as determined by appropriate supervisory authority, at a reduced rate or without payment of a fee.

803.134 EMERITUS TITLE

The institution may confer, at its discretion, the title of "emeritus" on any retired and tenured professor, associate professor, or assistant professor, or ~~Board-approved~~ non-tenure track faculty of equivalent rank, who, at the time of retirement, had ten years or more of honorable and distinguished service in the University System. ~~Also, t~~ The institution may **also** confer, at its discretion, the title of "emeritus" on any retired administrative officer who, at the time of retirement, had ten years or more of honorable and distinguished service in the University System (BR Minutes, February 2007, 35). **In rare cases, the institution may confer, at its discretion, the title of emeritus on any deceased tenured faculty member who, at their time of death, had 10 years or more of honorable and distinguished service in the University System.** This title may be conferred upon the recommendation of the president of the institution in which the employee has served.

803.145 FACULTY DEVELOPMENT

Each University System institution shall establish a faculty development plan which shall emphasize enhancement of scholarship, especially teaching, as a major goal and shall include appropriate educational programs for faculty in each discipline, which programs shall be co-sponsored by the System Academic Committee of the discipline and a hosting institution. Each institution also shall establish a development plan for senior administrators in conjunction with the advice and guidance of the University System Office.

803.156 WORK IN THE SCHOOLS

Board of Regents' approval of University System of Georgia institutions to prepare teachers includes the expectation that public colleges and universities with a teacher preparation mission will collaborate with the K-12 schools. University System institutions that prepare teachers will support and reward all faculty who participate significantly in approved teacher preparation

efforts and in school improvement through decisions in promotion and tenure, pretenure and posttenure review, annual review and merit pay, workload, recognition, allocation of resources, and other rewards. Participation in teacher preparation and in school improvement may include documented efforts of these faculty in:

- Improving their own teaching so as to model effective teaching practices in courses taken by prospective teachers;
- Contributing scholarship that promotes and improves student learning and achievement in the schools and in the university; and
- Collaborating with public schools to strengthen teaching quality and to increase student learning.

The Chancellor shall issue guidelines, to be published in the Academic Affairs Handbook, which serve to encourage formal institutional recognition and reward for all faculty in realizing the expectations embodied in this policy (BR Minutes, October 2006).

2. Establishment of a Bachelor of Science in Education with a Major in Early Childhood Education/Special Education, College of Coastal Georgia

The Board approved the request of Interim President Valerie Hepburn that the College of Coastal Georgia (“CCG”) be authorized to establish a Bachelor of Science in Education with a major in Early Childhood Education/Special Education, effective October 15, 2008.

3. **Establishment of a Bachelor of Science in Education with a Major in Middle Grades Education, College of Coastal Georgia**

The Board approved the request of Interim President Valerie Hepburn that the College of Coastal Georgia (“CCG”) be authorized to establish a Bachelor of Science in Education with a major in Middle Grades Education, effective October 15, 2008.

4. **Establishment of a Bachelor of Science in Nursing (Generic and RN to BSN Completion), College of Coastal Georgia**

The Board approved the request of Interim President Valerie Hepburn that the College of Coastal Georgia (“CCG”) be authorized to establish a Bachelor of Science in Nursing (Generic and RN to BSN completion), effective October 15, 2008.

5. **Establishment of a Bachelor Business Administration in General Business, College of Coastal Georgia**

The Board approved the request of Interim President Valerie Hepburn that the College of Coastal Georgia (“CCG”) be authorized to establish a Bachelor of Business Administration, effective October 15, 2008.

6. **Establishment of a Bachelor of Arts and Bachelor of Science in Rural Studies, Abraham Baldwin Agricultural College**

The Board approved the request of President David C. Bridges that Abraham Baldwin Agricultural College (“ABAC”) be authorized to establish a Bachelor of Arts and Bachelor of Science in Rural Studies, effective October 15, 2008.

7. **Establishment of a Bachelor of Science with a Major in Computer Science, Clayton State University**

The Board approved the request of President Thomas K. Harden that Clayton State University (“CLSU”) be authorized to establish a Bachelor of Science in Computer Science, effective October 15, 2008.

8. **Establishment of a Master of Arts in Teaching with Majors in English and Mathematics with Secondary Teacher Certification, Clayton State University**

The Board approved the request of President Thomas K. Harden that Clayton State University (“CSU”) be authorized to establish a Master of Arts in Teaching with majors in English and Mathematics with Secondary Teacher Certification, effective October 15, 2008.

9. Establishment of a Master of Science in Biotechnology, Fort Valley State University

The Board approved the request of President Larry E. Rivers that Fort Valley State University (“FVSU”) be authorized to establish a Master of Science in Biotechnology, effective October 15, 2008.

10. Establishment of Specific External Degree Programs, Fort Valley State University

The Board approved the request of President Larry Rivers that Fort Valley State University (“FVSU”) be authorized to establish specific external degree programs, effective October 15, 2008.

11. Establishment of a Bachelor of Fine Arts in Design and Technology for Theatre, Gainesville State College

The Board approved the request of President Martha Nesbitt that Gainesville State College (“GSC”) be authorized to establish a Bachelor of Fine Arts in Design and Technology for Theatre, effective October 15, 2008.

12. Establishment of a Doctor of Philosophy with a Major in Plant Breeding, Genetics & Genomics, University of Georgia

The Board approved the request of President Michael F. Adams that the University of Georgia (“UGA”) be authorized to establish a Doctor of Philosophy with a major in Plant Breeding, Genetics & Genomics, effective October 15, 2008.

13. Establishment of a Master of Natural Resources, University of Georgia

The Board approved the request of President Michael F. Adams that the University of Georgia (“UGA”) be authorized to establish a Master of Natural Resources, effective October 15, 2008.

14. Establishment of a Master of Arts in International Affairs, North Georgia College & State University

The Board approved the request of President David Potter that North Georgia College & State University (“NGCSU”) be authorized to establish a Master of Arts in International Affairs, effective October 15, 2008.

15. Establishment of the Existing Master of Education in Adult and Career Education as an External Degree, Valdosta State University

The Board approved the request of President Patrick J. Schloss that Valdosta State University (“VSU”) be authorized to establish the existing Master of Education in Adult and Career Education as an external degree, effective October 15, 2008.

16. Establishment of the Existing Associate of Arts and Associate of Science as External

Degrees at 34 Peachtree, Atlanta Metropolitan College

The Board approved the request of President Gary A. McGaha that Atlanta Metropolitan College (“AMC”) be authorized to establish the existing Associate of Arts and Associate of Science as external degrees at 34 Peachtree, effective October 15, 2008.

17. Establishment of the Existing Associate of Arts as an External Degree in Gilmer County, Dalton State College

The Board approved the request of President John O. Schwenn that Dalton State College (“DSC”) be authorized to establish the existing Associate of Arts as an external degree in Gilmer County, effective October 15, 2008.

18. Establishment of the B. J. and Dicksie Bandy Chair in History, Dalton State College

The Board approved the request of President John O. Schwenn that Dalton State College (“DSC”) be authorized to establish the B. J. and Dicksie Bandy Chair in History, effective October 15, 2008.

19. Establishment of the Hightower Professorship in Engineering, Georgia Institute of Technology

The Board approved the request of Interim President Gary B. Schuster that the Georgia Institute of Technology (“GIT”) be authorized to establish the Hightower Professorship in Engineering, effective October 15, 2008.

20. Establishment of the Hightower Chair in Biopolymers, Georgia Institute of Technology

The Board approved the request of Interim President Gary B. Schuster that the Georgia Institute of Technology (“GIT”) be authorized to establish the Hightower Chair in Biopolymers, effective October 15, 2008.

21. Administrative and Academic Appointments and Personnel Actions, Various System Institutions

The administrative and academic appointments were reviewed by the Chair of the Committee on Academic Affairs. A full list of the appointments is on file in the Office of Faculty Affairs.

22. Revision of the Thomas M. Kirbo Professorship to the Charles H. Kirbo Chair, University of Georgia

The Board approved the request of President Michael F. Adams that the University of Georgia (“UGA”) be authorized to revise the existing Thomas M. Kirbo Professorship to the Charles H. Kirbo Chair, effective October 15, 2008.

23. Approval of Degree Waivers for Programs with Teacher Certification, Columbus State University

The Board approved the request of President Timothy S. Mescon that Columbus State University (“CSU”) be authorized for a waiver to degree credit hour length for the programs with teacher certification, effective October 15, 2008.

24. Approval of a Degree Waiver for the Bachelor of Science in Mechanical Engineering Technology, Georgia Southern University

This item was withdrawn by the institution prior to the committee meeting.

25. Establishment of the Five-year Bachelor of Science/Master of Science in Computational Media – Digital Media, Georgia Institute of Technology

The Board approved the request of Interim President Gary B. Schuster that Georgia Institute of Technology (“GIT”) be authorized to establish a five-year Bachelor of Science/Master of Science in Computational Media – Digital Media, effective October 15, 2008.

26. Information Item: Program Review

The Chief of Staff for Academic Affairs, Melinda G. Spencer, provided an update on the processes associated with program review for both new programs and the follow-up assessment commonly referred to as comprehensive program review.

The Committee adjourned at approximately 2:35 p.m.

COMMITTEE ON FINANCE AND BUSINESS OPERATIONS

The Committee on Finance and Business Operations met on Tuesday, October 14, 2008, at approximately 1:41 p.m. in the Board Room. Committee members in attendance were Chair Willis J. Potts, Jr., Vice Chair William H. Cleveland, and Regents Felton Jenkins, James R. Jolly, Donald M. Leebern, Jr., William H. NeSmith, Jr., Benjamin J. Tarbutton, III, and Allan Vigil. The Chair of the Board, Richard L. Tucker, the Vice Chair of the Board, Robert F. Hatcher, the Interim Vice Chancellor for Fiscal Affairs, Usha Ramachandran, and the Interim Associate Vice Chancellor for Life and Health Benefits, Dorothy Roberts, were also in attendance. Chair Potts reported to the Board that the Committee reviewed four (4) items, two (2) of which required action. Item 1 was discussed and approved during the Committee of the Whole meeting. With motion properly made, seconded, and unanimously adopted, the Board approved and authorized the following:

1. Fiscal Year 2009 Budget Reduction Addressed By Committee of the Whole

The Board approved a 6% reduction to the Fiscal Year 2009 state funds budget at all institutions as listed in Appendix I. All appendices are on file in the Office of Fiscal Affairs.

2. Revision to The Policy Manual 704.041: Out-Of-State Tuition Waivers

The Board approved revisions to The Policy Manual, Section 704.041, Out-of-State Tuition Waivers, effective January 1, 2009.

Background and Rationale: The Georgia Department of Audits and Accounts conducted a review of the Board of Regents Policy 704.041 on Out-of-State Tuition Waivers last year that resulted in several findings. The proposed revisions are based on the recommendations for changes in language and practice.

Here is a summary of the proposed changes and the rationale:

Waiver E – Full-Time School Employees

Rationale – Department of Technical and Adult Education received approval to change its name to Technical College System of Georgia. Policy updated to reflect the updated name.

Waiver I – Border County Residents

Rationale – As a result of a recent tuition classification audit by the State it became apparent that the Board of Regents needed to formulate guidelines requiring institutions to petition for permission to award Border waivers. This change will require institutions to seek, in addition to permission to offer the program, authorization to offer border waivers for students enrolling in said programs. Petitions should include the rationale for requesting the approval, the name of the program, the location of the program, and the name of the out-of-state counties from which students must reside in order to receive the waiver. Petitions must be approved by the Office of the Chief of Staff prior to awarding any waivers. The Office of Student Affairs will maintain a list of approved institutions, programs and locations as part of the tuition classification documentation.

Waiver J – National Guard Members

Rationale – The original intent of the National Guard waiver was to make a waiver available to the “weekend warrior”. Since this is a role filled by the members of the Georgia Reserves, the policy clarifies that the national guard waiver includes reservists.

Waiver M – Students in Pilot Programs

Rationale – There is no documentation on the criteria for awarding this waiver and based on a review of the data this waiver has never been used. This waiver is being deleted.

Waiver O – Domestic Exchange Program Participants

Rationale – The Domestic Exchange Program Participants waiver has been updated to provide domestic exchange participants with the same benefit as international exchange program participants.

Waiver P – Economic Advantage

Rationale – The Economic Advantage waiver has been updated to clarify the requirement that evidence be provided documenting that a student, or a dependent student’s parent, spouse or U.S. court-appointed legal guardian has taken legally permissible steps toward establishing legal permanent residence in the United States. The change includes adding the requirement that evidence

be provided documenting that the independent student, or the dependent student's parent, spouse or U.S. court-appointed legal guardian is in possession of a valid employment-related non-immigrant visa and be currently employed by a business in the state of Georgia.

Waiver Q – Recently Separated Military Service Personnel

Rationale – In an effort to sufficiently service the families of members of the United States Armed Forces, the Recently Separated Military Service Personnel waiver has been expanded to include the spouses and dependent children of the recently separated member of the U.S. military. Currently, this waiver may only be utilized by the recently separated member of the U.S. military.

Waiver R – Nonresident Student

Rationale – The Nonresident Student Waiver has been updated to remove the requirement that an independent student applying for the waiver based on marriage to a spouse with Georgia domicile be married for a period of 12 months proceeding the first day of classes. The waiver no longer requires that the marriage has been in existence for a minimum amount of time. In addition, the change helps clarify the requirements for independent and dependent students.

New Waivers

Waiver S – Vocational Rehabilitation

Rationale – The Vocational Rehabilitation Waiver has been created to comply with an agreement between the University System of Georgia and the Georgia Department of Labor. The agreement allows the University System of Georgia to make the in-state tuition rate available to those individuals referred to an institution by the Vocational Rehabilitation Program.

Understandings: The proposed policy, section 704.041: Out-of-State Tuition Waivers, constitutes significant changes to the policy. Proposed revisions follow. Please note that the strikethrough text represent deletions from the current version, and the bold, highlighted text represent additions.

Revised Policy

704.041 OUT-OF-STATE TUITION WAIVERS

- A. Academic Common Market. Students selected to participate in a program offered through the Academic Common Market.
- B. International and Superior Out-of-State Students. International students and superior out-of-state students selected by the institutional president or an authorized representative, provided that the number of such waivers in effect does not exceed 2% of the equivalent full-time students enrolled at the institution in the fall term immediately preceding the term for which the out-of-state tuition is to be waived.
- C. University System Employees and Dependents. Full-time employees of the University System, their spouses, and their dependent children.
- D. Medical/Dental Students and Interns. Medical and dental residents and medical and dental interns at the Medical College of Georgia (BR Minutes, 1986-87, p. 340).
- E. Full-Time School Employees. Full-time employees in the public schools of Georgia or ~~the Department of Technical and Adult Education~~ **Technical College System of Georgia**, their

spouses, and their dependent children. Teachers employed full-time on military bases in Georgia shall also qualify for this waiver (BR Minutes, 1988-89, p. 43).

- F. Career Consular Officials. Career consular officers, their spouses, and their dependent children who are citizens of the foreign nation that their consular office represents and who are stationed and living in Georgia under orders of their respective governments.
- G. Military Personnel. Military personnel, their spouses, and their dependent children stationed in or assigned to Georgia and on active duty. The waiver can be retained by the military personnel, their spouses, and their dependent children if the military sponsor is reassigned outside of Georgia, as long as the student(s) remain(s) continuously enrolled and the military sponsor remains on active military status (BR Minutes, February 2004).
- H. Research University Graduate Students. Graduate students attending the University of Georgia, the Georgia Institute of Technology, Georgia State University, and the Medical College of Georgia, which shall be authorized to waive the out-of-state tuition differential for a limited number of graduate students each year, with the understanding that the number of students at each of these institutions to whom such waivers are granted, shall not exceed the number assigned below at any one point in time:

University of Georgia 80

Georgia Institute of Technology 60

Georgia State University 80

Medical College of Georgia 20

- I. ~~Border County Residents. Residents of an out-of-state county bordering a Georgia county in which the reporting institution or a Board approved external center of the University System is located.~~ **Students domiciled in an out-of-state county bordering Georgia, enrolling in a program offered at a location approved by the Board of Regents and for which the offering institution has been granted permission to award Border County waivers.**
- J. **Georgia National Guard members and U.S. Military Reservists. Full-time Active members of the Georgia National Guard, stationed or assigned to Georgia or active members of a unit of the U.S. Military Reserves based in Georgia, and their spouses and their dependent children.**
- K. Students enrolled in University System institutions as part of Competitive Economic Development Projects. Students who are certified by the Commissioner of the Georgia Department of Economic Development as being part of a competitive economic development project.
- L. Students in Georgia-Based Corporations. Students who are employees of Georgia-based corporations or organizations that have contracted with the Board of Regents through University System institutions to provide out-of-state tuition differential waivers.
- M. ~~Students in Pilot Programs. Students enrolled in special pilot programs approved by the Chancellor. The Chancellor shall evaluate institutional requests for such programs in light of good public policy and the best interests of students. If a pilot program is successful, the~~

tuition program shall be presented to the Board for consideration. **Terminated October 2008.**

- N. Students in ICAPP® Advantage programs. Any student participating in an ICAPP® Advantage program.
- O. ~~Direct Exchange Program Students~~ **International and Domestic Exchange Programs** Any ~~international~~ student who enrolls in a University System institution as a participant in an **international or domestic** direct exchange program that provides reciprocal benefits to University System students.
- P. Economic Advantage. As of the first day of classes for the term, an economic advantage waiver may be granted to a **U.S. citizen or U.S. legal permanent resident who is** a dependent or independent student and can provide clear evidence that the student or the student's parent, spouse, or U.S. court-appointed **legal** guardian has relocated to the State of Georgia to accept full-time, self-sustaining employment and has established domicile in the State of Georgia. Relocation to the state must be for reasons other than enrolling in an institution of higher education. **For U.S. citizens or U.S. legal permanent residents,** this waiver will expire 12 months from the date the waiver was granted.

As of the first day of classes for the term, an economic advantage waiver may be granted to ~~an student independent~~ **non-citizen** possessing a valid employment-related visa status who can provide clear evidence of having relocated to the State of Georgia to accept full-time, self-sustaining employment. Relocation to the state must be for **employment reasons and not for the purpose of** ~~other than reasons other than~~ enrolling in an institution of higher education. These individuals would be required to show clear evidence of having taken all legally permissible steps toward establishing legal permanent residence in the United States and the establishment of legal domicile in the State of Georgia. **Independent non-citizen students may continue to receive this waiver as long as they maintain a valid employment-related visa status and can demonstrate continued efforts to establish U.S. legal permanent residence and legal domicile in the State of Georgia.**

A dependent non-citizen student who can provide clear evidence that the student's parent, spouse, or U.S. court-appointed legal guardian possesses a valid employment-related visa status and can provide clear evidence of having relocated to the State of Georgia to accept full-time, self-sustaining employment is also eligible to receive this waiver. Relocation to the state must be for employment reasons and not for the purpose of enrolling in an institution of higher education. These individuals must be able to show clear evidence of having taken legally permissible steps toward establishing legal permanent residence in the United States and the establishment of legal domicile in the State of Georgia. Non-citizen students currently receiving a waiver who are dependents of a parent, ~~or spouse,~~ or U.S. court-appointed legal guardian possessing a valid employment-related visa status may continue to receive this waiver as long as they can demonstrate that their parent, spouse, or U.S. court-appointed legal guardian is maintaining full-time, self-sustaining employment in Georgia and is continuing efforts to pursue an adjustment of status to U.S. legal permanent resident and the establishment of legal domicile in the State of Georgia. (BR Minutes, June 2006). (BR Minutes, October 2008.)

Q. Recently Separated Military Service Personnel. Members of a uniformed military service of the United States who, within 12 months of separation from such service, enroll in an academic program and demonstrate an intent to become a permanent resident of Georgia. **This waiver may also be granted to their spouses and dependent children.** This waiver may be granted for not more than one year (BR Minutes, June 2004). **(BR Minutes, October 2008)**

R. Nonresident Student. As of the first day of classes for the term, a nonresident student **whose can be considered for this waiver under the following conditions:**

Dependent Student. If the parent, spouse, or U.S. court-appointed legal guardian has maintained domicile in Georgia for at least 12 consecutive months ~~so long as the student~~ and the student can provide clear and legal evidence showing the relationship to the parent, spouse, or U.S. court-appointed legal guardian has existed for at least 12 consecutive months immediately preceding the first day of classes for the term. Under Georgia code legal guardianship must be established prior to the student's 18th birthday.

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

If the parent, spouse, or U.S. court-appointed legal guardian of a continuously enrolled nonresident student establishes domicile in another state after having maintained domicile in the State of Georgia for the required period, the nonresident student may continue to receive this waiver as long as the student remains continuously enrolled in a public postsecondary educational institution in the state, regardless of the domicile of the parent, **spouse** or U.S. court-appointed legal guardian (BR Minutes, June 2006).

S. Vocational Rehabilitation Waiver. Students enrolled in a University System of Georgia institution based on a referral by the Vocational Rehabilitation Program of the Georgia Department of Labor.

3. Information Item: Fiscal Year 2008 Budget to Actuals

The Vice Chancellor for Fiscal Affairs, Usha Ramachandran, presented the University System of Georgia's budget-based financial report for fiscal Year 2008.

4. Information Item: Changes in the Financial Markets

The Vice Chancellor for Fiscal Affairs, Usha Ramachandran, provided an update on how the recent changes in the financial markets affect the University System of Georgia.

The Committee meeting adjourned at approximately 2:18 p.m.

COMMITTEE ON INTERNAL AUDIT

The Committee on Internal Audit met on Tuesday, October 14, 2008, at approximately 2:15 p.m. in Boardroom. Committee members in attendance were Chair Felton Jenkins, Vice Chair James R. Jolly, and Regents William H. Cleveland, Donald M. Leebern, Jr., William H. NeSmith, Jr., Willis J. Potts, Jr., Benjamin J. Tarbutton, III, and Allan Vigil. The Vice Chair of the Board, Robert F. Hatcher, and the Chief Audit Officer & Associate Vice Chancellor for Internal Audit, Ronald B. Stark, were also in attendance. Chair Jenkins reported to the Board that the Committee reviewed two (2) items.

1. Revision of The Policy Manual, Section 802.20: University System of Georgia Ethics Policy

The Board discussed proposed amendments to The Policy Manual which would add Policy 802.20: University System of Georgia Ethics Policy. Following changes, the policy will be presented for approval at the November 2008 Board meeting. The proposed policy, before amendment, was presented as follows:

The University System of Georgia (USG) is committed to the highest ethical and professional standards of conduct in pursuit of its mission to create a more educated Georgia. Accomplishing this mission demands integrity, good judgment, and dedication to public service from all USG employees to include Faculty, Staff, Administrators and others employed by or acting on behalf of the USG or one of the USG institutions. While the USG affirms each person's accountability for individual actions, it also recognizes that the shared mission and the shared enterprise of its institutions require a shared set of core values to which each employee must be held accountable. Furthermore, the USG acknowledges that an organizational culture grounded in trust is essential to supporting these core values. The following core values and Code of Conduct are intended to build, maintain and protect that trust, recognizing that each employee is responsible for doing his/her part by upholding the highest standards of competence and character. In regard to these shared core values, the USG pledges its commitment to:

- I. Integrity – We will be honest, fair, impartial, and unbiased in our dealings both with and on behalf of the USG.
- II. Excellence – We will perform our duties to foster a culture of excellence and high quality in everything we do.
- III. Accountability – We firmly believe that education, in the form of scholarship, research, teaching, service, and developing others, is a public trust. We will live up to this trust through safeguarding our resources and being good stewards of the human, intellectual, physical, and fiscal resources given to our care.
- IV. Respect – We recognize the inherent dignity and rights of every person and we will do our utmost to fulfill our resulting responsibility to treat each person with fairness, compassion, and decency.

Every USG employee is required to adhere to the underlying core values contained in the USG Statement of Ethical Values – Integrity · Excellence · Accountability · Respect – that form and guide the daily work of the organization. The USG recognizes that each employee attempts to live by his or her own values, beliefs, and ethical decision-making processes. The purpose of this document is to guide USG employees in applying the underlying USG core values to the decisions and choices that we make in the course of our everyday endeavors. Each USG institution must ensure that institutional ethics policies are consistent with the USG Code of Conduct.

The Code of Conduct applies to all USG employees to include Faculty, Staff, Administrators and others employed by or acting on behalf of the USG or one of the USG institutions to include volunteers, vendors, contractors, etc. Violations of the Code of Conduct may result in disciplinary action.

Code of Conduct

- I. Uphold the highest standards of intellectual honesty and integrity in the conduct of education, research, service, and grants.
- II. Act as good stewards of the resources and information entrusted to your care.
- III. Perform assigned duties and professional responsibilities in such a manner so as to further the USG mission.
- IV. Treat fellow employees, students, and the public with dignity and respect.
- V. Refrain from discriminating against, harassing, or threatening others.
- VI. Comply with applicable laws, rules, regulations, and professional standards.
- VII. Respect the intellectual property rights of others.
- VIII. Avoid improper political activities as defined in law and BOR Policy.
- IX. Protect human health and safety and the environment in all USG operations and activities.
- X. Report wrongdoing to the proper authorities, refrain from retaliating against those who do report violations, and cooperate fully with authorized investigations.
- XI. Disclose and avoid improper conflicts of interest.
- XII. Refrain from accepting any gift or thing of value in those instances prohibited by law or BOR policy.
- XIII. Do not use your position or authority to improperly advance the interests of a friend or relative.

After discussion, a motion was made and unanimously adopted to provide that this proposed policy would apply to and include members of the Board of Regents and well as University System employees.

2. Ethics Hotline Reporting – First Eight Months

In February 2007, the Chief Audit Officer and Associate Vice Chancellor, Ronald B. Stark, discussed the implementation of a Systemwide ethics hotline. On January 1, 2008 the hotline became effective. As of September 15, 2008, there have been 211 reports filed with the hotline. Mr. Stark

discussed the types of hotline calls and the status of these calls.

The Committee meeting adjourned at approximately 3:00 p.m.

MEDICAL EDUCATION EXPANSION COMMITTEE

The Medical Education Expansion Committee met on Wednesday, October 18, 2008, at approximately 7:30 a.m., in room 5158. Committee members in attendance were Chair James A. Bishop, and Regents Kenneth R. Bernard, Jr., Felton Jenkins, Donald M. Leebern, Jr., William H. NeSmith, Jr., Willis J. Potts, Jr., and Kessel D. Stelling, Jr. Regent Richard L. Tucker, Chair of the Board and an *ex officio* member of the committee, also was present. Chancellor Erroll B. Davis, Jr., Presidents Michael F. Adams and Daniel W. Rahn, and members of the Chancellor's and presidents' senior staffs and others also were in attendance. Chair Bishop reported to the Board that the committee reviewed several information items, none of which required action. The committee's discussions included the following:

1. Athens Update

Presidents Michael F. Adams and Daniel W. Rahn gave the committee a progress report on medical expansion in Athens, including recruitment of necessary personnel, curriculum development, the memorialization of understandings between the University of Georgia and the Medical College of Georgia, facilities and budget updates, the upcoming conference on graduate medical education, and risks associated with the Board's program of medical education expansion.

2. Dentistry Expansion

The committee discussed facilities and program issues associated with the expansion of the Medical College of Georgia's School of Dentistry.

The committee meeting adjourned at approximately 8:40 a.m.

COMMITTEE ON ORGANIZATION AND LAW

The Committee on Organization and Law met on Tuesday, October 14, 2008, at approximately 3:28 p.m. in room 1-101. Committee members in attendance were Chair Kenneth R. Bernard, Jr., Vice Chair Doreen Stiles Poitevint, and Regents James A. Bishop, Elridge W. McMillan, Hugh A. Carter, Jr., Kessel Stelling, Jr., and W. Mansfield Jennings, Jr. Chair Bernard reported to the Board on Wednesday that the Committee considered ten (10) applications for review. In accordance with H.B. 278, Section 3 (amending O.C.G.A. § 50_14_4), an affidavit regarding this executive session is on file with the Chancellor's Office. With motion properly made, seconded, and unanimously adopted, the Board approved and authorized the following:

1. Applications for Review

At approximately 3:29 p.m. on Tuesday, October 14, 2008, Chair Kenneth R. Bernard, Jr. called for

an executive session for the purpose of discussing personnel matters and academic records of students. With motion properly made and variously seconded, the Committee members who were present voted unanimously to go into executive session. Those Regents were James A. Bishop, Elridge W. McMillan, Doreen Stiles Poitevint, Hugh A. Carter, Jr., Kessel Stelling, Jr., W. Mansfield Jennings, Jr., and Wanda Yancey Rodwell. Also in attendance were the Vice Chancellor for Legal Affairs & Secretary to the Board, Mr. J. Burns Newsome, Assistant Vice Chancellor for Legal Affairs, Ms. Kimberly Ballard-Washington, Associate Vice Chancellor for Student Affairs, Ms. Tonya Lam, and Assistant Vice Chancellor for Faculty Affairs, Dr. Linda M. Noble. Special Assistant Attorneys General Bruce Edenfield and Susan Rutherford were also present during parts of the executive session.

At approximately 4:19 p.m., Chair Bernard reconvened the Committee meeting in its regular session and announced that the following applications for review were discussed in executive session.

- a. In the matter of Ms. Charlene Morgan, at Clayton State University, concerning her termination, the application for review was denied.
- b. In the matter of file no. 1983, at the University of Georgia, concerning the academic dishonesty and expulsion of two (2) students, the application for review was denied.
- c. In the matter of file no. 1984, at the University of Georgia (UGA), concerning denial of a student's request for readmission to the College of Veterinary Medicine at UGA, the application for review was denied.
- d. In the matter of file no. 1986, at the Medical College of Georgia, concerning a student's dismissal from the School of Medicine, the application for review was denied.
- e. In the matter of Mr. Carlton Grimmatt, at the Georgia Institute of Technology, concerning employment matters, the application for review was denied.
- f. In the matter of file no. 1988, at the University of Georgia, concerning denial of a student's requests for readmission to the graduate school and a course substitution, the Application for Review was denied.
- g. In the matter of Mr. Ronny Terry, at the Georgia Institute of Technology, concerning his termination, the application for review was denied.

- h. In the matter of Mr. Clayborn Hall, at Columbus State University, concerning his termination, the application for review was denied.
- i. In the matter of file no. 1992, at Gordon College, concerning a student's request for additional disability accommodations, the application for review was denied.

The Committee meeting adjourned at approximately 4:22 p.m.

COMMITTEE ON REAL ESTATE AND FACILITIES

The Committee on Real Estate and Facilities met on Tuesday, October 14, 2008, at approximately 3:05 p.m. in the Board room. Committee members in attendance were Chair Benjamin J. Tarbutton, III, Vice Chair William H. NeSmith, Jr., and Regents William H. Cleveland, Felton Jenkins, James R. Jolly, Donald M. Leebern, Jr., Willis J. Potts, Jr., and Allan Vigil. Chair of the Board, Richard L. Tucker, Vice Chair of the Board, Robert F. Hatcher, and the Vice Chancellor for Facilities, Linda M. Daniels, and representatives from System institutions were also in attendance. Chair Tarbutton reported to the Board that the Committee reviewed 26 items, 24 of which required action. Item 26 was a walk-on item. With motion properly made, seconded, and unanimously adopted, the Board approved and authorized the following:

1. **Authorization of Project No. BR-40-0901, Renovation of Third Floor, Hamilton Wing of R & E Building, Medical College of Georgia**

The Board authorized Project No. BR-40-0901, Renovation of Third Floor, Hamilton Wing of R & E Building, Medical College of Georgia, ("MCG") with a total project budget of \$5,925,000 to be funded from MCG Institutional funds.

2. **Authorization of Project and Appointment of Architectural Firm, Project No. J-141, Renovation of Tift/Lewis/ Herring Halls, Abraham Baldwin Agricultural College**

The Board authorized Project No. J-141, Renovation of Tift/Lewis/ Herring Halls, Abraham Baldwin Agricultural College ("ABAC"), with a total project budget of \$15.3 million to be funded by State General Obligation Bonds and private sources.

The Board appointed Greenline Architecture PC of Savannah as the architectural firm and authorized the execution of a contract with them. Should it not be possible to execute a contract with the this firm, staff will then attempt to execute a contract with the other recommended firms in rank order. Funding for project design will be from Fiscal Year 2009 State General Obligation Bonds.

3. **Authorization of Project and Appointment of Architectural Firm, Project No. J-143, Health Sciences Building, College of Coastal Georgia**

The Board authorized Project No. J-143, Health Sciences Building, College of Coastal Georgia

(“CCG”), with a total project budget of \$15.8 million to be funded by State General Obligation Bonds.

The Board appointed Perkins + Will of Atlanta as the architectural firm for the project and authorized the execution of a contract with them. Should it not be possible to execute a contract with this firm, staff will then attempt to execute a contract with the other recommended firms in rank order.

4. **Authorization of Project and Appointment of Architectural Firm, Project No. J-147, Teacher Education Building, Macon State College**

The Board authorized Project No. J-147, Teacher Education Building, Macon State College (“MSC”), with a total project budget of \$25.4 million to be funded by State General Obligation Bonds.

The Board appointed Thompson, Ventulett, Stainback & Associates, Inc. of Atlanta as the architectural firm for the project and authorized the execution of a contract with them. Should it not be possible to execute a contract with this firm, staff will then attempt to execute a contract with the other recommended firms in rank order.

5. **Authorization of Project Budget Modification, Project No. BR-10-0612, Student Learning Center, Griffin Campus, University of Georgia**

The Board modified the budget of Project No. BR-10-0612, Student Learning Center, Griffin Campus, University of Georgia (“UGA”), to increase the total project budget from \$10,000,000 to \$10,333,000.

6. **Authorization of Project Budget Modification, Project No. BR-30-0801, Women’s Softball Complex, Georgia Institute of Technology**

The Board modified the budget of Project No. BR-30-0801, Women’s Softball Complex, Georgia Institute of Technology (“GIT”), to increase the total project budget from \$5 million to \$6 million.

7. **Authorization of Project Budget Modification and Appointment of Architectural Firm, Project No. J-139, Nursing and Allied Health Science Building, Gordon College**

The Board modified the August 2007 authorization of Project No. J-139, Nursing and Allied Health Science Building, Gordon College (“GC”), to increase the total project budget from \$14,400,000 to \$14,800,000 to be funded from Fiscal Year 2009 State General Obligation Bonds. This budget modification will increase loose equipment funding from \$1,200,000 to \$1,400,000.

The Board appointed Collins Cooper Carusi Architects, Inc. of Atlanta as the architectural firm for the project and authorized the execution of a contract with them. Should it not be possible to execute a contract with this firm, staff will then attempt to execute a contract with the other recommended

firms in rank order.

8. Appointment of Architectural Firm, Project No. J-145, Academic Facility, Gainesville State College

The Board appointed Lyman Davidson Dooley, Inc. of Marietta as the architectural firm for the project and authorized the execution of a contract with them. Should it not be possible to execute a contract with this firm, staff will then attempt to execute a contract with the other recommended firms in rank order.

9. Appointment of Architectural Firm, Project No. J-140, Renovation of the Hinman Building, Georgia Institute of Technology

The Board appointed Lord Aeck & Sargent of Atlanta as the architectural firm for the project and authorized the execution of a contract with them. Should it not be possible to execute a contract with this firm, staff will then attempt to execute a contract with the other recommended firms in rank order.

10. Appointment of Construction Management Firm, Project No. BR-30-0901, Alexander Memorial Coliseum Basketball Practice Facility Renovation, Georgia Institute of Technology

The Board appointed Gay Construction Company, Atlanta as the construction management firm for the project and authorized the execution of a contract with them. Should it not be possible to execute a contract with this firm, staff will then attempt to execute a contract with the other recommended firms in rank order.

11. Rental Agreement, 600 College Drive, Dalton, Dalton State College

The Board authorized the execution of a rental agreement between Dalton State College Foundation, Inc. (the “Foundation”), Landlord, and the Board of Regents, Tenant, for approximately 272 beds of apartment style housing on 10.9 acres located at 600 College Drive, Dalton, for the period July 1, 2009, through June 30, 2010, at a monthly rent of \$26,758 (\$321,096 per year) with options to renew on a year-to-year basis for four consecutive one year periods at the same rent rate, for the use of Dalton State College (“DSC”).

12. Amendment to Rental Agreement, 34 Peachtree Street, Atlanta, Georgia State University

The Board authorized the execution of an amendment to the rental agreement between Peachtree Financial Associates, LLC, Landlord, and the Board of Regents, Tenant, for an additional 13,995 square feet (a total of 80,247 square feet) at 34 Peachtree Street, Atlanta, through June 30, 2009, at a monthly rent of \$21,867.19 (\$262,406.25 per year annualized/ \$18.75 per square foot per year) with options to renew Suite 1700 on a year-to-year basis for four consecutive one-year periods and with options to renew Suite 500 on a year-to-year basis for five consecutive one-year periods, with rent increasing 4% per year for the use of Georgia State University (“GSU”). All operating expenses are included in the rent rate.

13. Non-exclusive Easement, City of Douglas, South Georgia College

The Board declared an approximately 0.93 acre tract of unimproved real property located on the campus of South Georgia College (“SGC”), to be no longer advantageously useful to SGC or other units of the University System of Georgia but only to the extent and for the purpose of granting a non-exclusive easement to the City of Douglas (the “City”) for the operation and maintenance of an eight inch sewer main.

The Board authorized the execution of a non-exclusive easement with the City for the above-referenced tract of real property.

The Board declared an approximately 1.39 acre tract of unimproved real property located on the campus of SGC to be no longer advantageously useful to SGC or other units of the University System of Georgia but only to the extent and for the purpose of granting a temporary construction easement to the City for the construction and installation of an eight inch sewer main.

The Board authorized the execution of a temporary construction easement with the City for the above-referenced tract of real property.

Georgia Higher Education Facilities Authority Project Approvals

Items 14 through 20 are ground leases and rental agreements for Georgia Higher Education Facilities Authority (“GHEFA”) projects. The full list of projects was authorized in October 2007. The terms of these agreements are subject to review and legal approval of the Office of the Attorney General.

14. Ground Lease and Rental Agreement, Student Center, Darton College

The Board declared an approximately 1.04 acre tract of unimproved real property on the campus of Darton College (“DC”), no longer advantageously useful to DC 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 the USG Real Estate Foundation I, LLC, (the “LLC”) for the purpose of providing a student center containing approximately 55,399 square feet and site amenities.

The Board authorized the execution of a ground lease, including necessary access, use, and construction easements and encroachments, between the Board of Regents, Lessor, and the LLC, Lessee, for the above-referenced approximately 1.04 acres of real property on the campus of DC for a period ending June 30, 2041 (including a construction period of not more than two years), with an option to renew for up to an additional five years should there be debt outstanding at the end of the original ground lease term, for the purpose of providing a student center.

The Board authorized the execution of a rental agreement between the LLC, Landlord, and the Board of Regents, Tenant, for the above-referenced student center for the period commencing on the first day of the first month after the LLC obtains a certificate of occupancy for the student center but not earlier than January 1, 2010, and ending June 30, 2010, at no rent with the option to renew for the period July 1, 2010 through June 30, 2011 at a rent not to exceed \$1,400,000 per year annualized with further options to renew on a year-to-year basis for up to 30 consecutive one-year periods (the last such period ending no later than June 30, 2041), with rent increasing no more than 3% for each option period exercised.

15. Ground Lease and Rental Agreement, Parking Deck, Dalton State College

The Board declared an approximately 1.07 acre tract of unimproved real property on the campus of Dalton State College (“DSC”), no longer advantageously useful to DSC 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 the USG Real Estate Foundation I, LLC, (the “LLC”) for the purpose of providing a parking deck containing approximately 400 parking spaces and site amenities.

The Board authorized the execution of a ground lease, including necessary access, use, and construction easements and encroachments, between the Board of Regents, Lessor, and the LLC, Lessee, for the above-referenced approximately 1.07 acres of real property on the campus of DSC for a period ending June 30, 2041 (including a construction period of not more than two years), with an option to renew for up to an additional five years should there be debt outstanding at the end of the original ground lease term, for the purpose of providing a parking deck containing approximately 400 parking spaces and site amenities.

The Board authorized the execution of a rental agreement between the LLC, Landlord, and the Board of Regents, Tenant, for the above referenced parking deck and site amenities for the period commencing on the first day of the first month after the LLC obtains a certificate of occupancy for the parking deck but not earlier than August 1, 2009, and ending June 30, 2010, at no rent with the

option to renew for the period July 1, 2010 through June 30, 2011, at a rent not to exceed \$600,000 per year annualized with further options to renew on a year-to-year basis for up to 30 consecutive one-year periods (the last such period ending no later than June 30, 2041), with rent increasing no more than 3% for each option period exercised.

16. Demolition, Ground Lease and Rental Agreement, Student Center/Stadium, Fort Valley State University

The Board declared an approximately 2.798 acre tract of real property on the campus of Fort Valley State University (“FVSU”), no longer advantageously useful to FVSU 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 the USG Real Estate Foundation I, LLC, (the “LLC”) for the purpose of providing a student center containing approximately 26,257 square feet, 10,000 seat stadium with press box, rest rooms, concession stands, associated spaces and site amenities.

The Board authorized the execution of a ground lease, including necessary access, use, and construction easements and encroachments, between the Board of Regents, Lessor, and the LLC, Lessee, for the above-referenced approximately 2.798 acres of real property on the campus of FVSU for a period ending June 30, 2041 (including a construction period of not more than two years), with an option to renew for up to an additional five years should there be debt outstanding at the end of the original ground lease term, for the purpose of providing a student center containing approximately 26,257 square feet, 10,000 seat stadium with press box, rest rooms, concession stands, associated spaces and site amenities.

The Board authorized the execution of a rental agreement between the LLC, Landlord, and the Board of Regents, Tenant, for the above referenced student center/stadium and site amenities for the period commencing on the first day of the first month after the LLC obtains a certificate of occupancy for the student center/stadium but not earlier than August 1, 2009, and ending June 30, 2010, at no rent with the option to renew for the period July 1, 2010 through June 30, 2011, at a rent not to exceed \$1,200,000 per year annualized with further options to renew on a year-to-year basis for up to 30 consecutive one-year periods (the last such period ending no later than June 30, 2041), with rent increasing no more than 3% for each option period exercised.

The Board declared the football stadium on the campus of FVSU to be no longer advantageously useful to FVSU or other units of the University System of Georgia and authorized the demolition and removal.

The Board requested the Governor to issue an Executive Order authorizing the demolition and removal of the football stadium from the campus of FVSU.

The demolition and removal of this building is subject to conducting a hazardous materials survey and assessment to identify the presence of asbestos containing materials or other hazardous materials in the building and completion of any associated abatement, management, and/or disposal measures prior to or during demolition to ensure compliance with environmental regulation.

17. Ground Lease and Rental Agreement, Student Housing, Georgia State University

The Board declared an approximately 0.474 acre tract of unimproved real property on the campus of Georgia State University (“GSU”), no longer advantageously useful to GSU 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 the USG Real Estate Foundation I, LLC, (the “LLC”) for the purpose of providing student housing facilities containing approximately 334 student housing beds and site amenities.

The Board authorized the execution of a ground lease, including necessary access, use, and construction easements and encroachments, between the Board of Regents, Lessor, and the LLC, Lessee, for the above-referenced approximately 0.474 acre of real property on the campus of GSU for a period ending June 30, 2041 (including a construction period of not more than two years), with an option to renew for up to an additional five years should there be debt outstanding at the end of the original ground lease term, for the purpose of providing student housing facilities containing approximately 334 student housing beds and site amenities.

The Board authorized the execution of a rental agreement between the LLC, Landlord, and the Board of Regents, Tenant, for the above referenced student housing facilities and site amenities for the period commencing on the first day of the first month after the LLC obtains a certificate of occupancy for the student housing facilities but not earlier than August 1, 2009, and ending June 30, 2010, at no rent with the option to renew for the period July 1, 2010 through June 30, 2011, at a rent not to exceed \$1,450,000 per year annualized with further options to renew on a year-to-year basis for up to 30 consecutive one-year periods (the last such period ending no later than June 30, 2041), with rent increasing no more than 3% for each option period exercised.

The Board authorized the execution of a site license between the LLC, Licensee, and the Board of Regents, to allow early site access to mobilize and install erosion control, commence site work including clearing and grading, install access roads, install building foundation system, and relocate utilities.

18. Ground Lease and Rental Agreement, Parking Deck, Southern Polytechnic State University

The Board declared an approximately 1.667 acre tract of unimproved real property on the campus of Southern Polytechnic State University (“SPSU”), no longer advantageously useful to SPSU 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 the USG Real Estate Foundation I, LLC, (the “LLC”) for the purpose of providing a parking deck containing approximately 863 parking spaces and site amenities.

The Board authorized the execution of a ground lease, including necessary access, use, and construction easements and encroachments, between the Board of Regents, Lessor, and the LLC, Lessee, for the above-referenced approximately 1.667 acres of real property on the campus of SPSU for a period ending June 30, 2041 (including a construction period of not more than two years), with

an option to renew for up to an additional five years should there be debt outstanding at the end of the original ground lease term, for the purpose of providing a parking deck containing approximately 863 parking spaces and site amenities.

The Board authorized the execution of a rental agreement between the LLC, Landlord, and the Board of Regents, Tenant, for the above referenced student housing facilities and site amenities for the period commencing on the first day of the first month after the LLC obtains a certificate of occupancy for the parking deck but not earlier than August 1, 2009, and ending June 30, 2010, at no rent with the option to renew for the period July 1, 2010 through June 30, 2011, at a rent not to exceed \$1,100,000 per year annualized with further options to renew on a year-to-year basis for up to 30 consecutive one-year periods (the last such period ending no later than June 30, 2041), with rent increasing no more than 3% for each option period exercised.

19. Ground Lease and Rental Agreement, Theater/Bookstore, Georgia College & State University

The Board declared an approximately 0.326 acre tract of improved real property on the campus of Georgia College & State University (“GCSU”), no longer advantageously useful to GCSU 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 the USG Real Estate Foundation I, LLC, (the “LLC”) for the purpose of providing a bookstore and black box theater containing approximately 21,985 square feet and site amenities.

The Board authorized the execution of a ground lease, including necessary access, use, and construction easements and encroachments, between the Board of Regents, Lessor, and the LLC, Lessee, for the above-referenced approximately 0.326 acre of real property on the campus of GCSU for a period ending June 30, 2041 (including a construction period of not more than two years), with an option to renew for up to an additional five years should there be debt outstanding at the end of the original ground lease term, for the purpose of providing a bookstore and black box theater containing approximately 21,985 square feet and site amenities.

The Board authorized the execution of a rental agreement between the LLC, Landlord, and the Board of Regents, Tenant, for the above referenced bookstore facility and site amenities for the period commencing on the first day of the first month after the LLC obtains a certificate of occupancy for the theater/bookstore but not earlier than February 1, 2010, and ending June 30, 2010, at no rent with the option to renew for the period July 1, 2010 through June 30, 2011, at a rent not to exceed \$600,000 per year annualized with further options to renew on a year-to-year basis for up to 30 consecutive one-year periods (the last such period ending no later than June 30, 2041), with rent increasing no more than 3% for each option period exercised.

20. Ground Lease and Rental Agreement, Parking Deck, Gainesville State College

The Board declared an approximately 2.18 acre tract of unimproved real property on the campus of Gainesville State College (“GSC”), no longer advantageously useful to GSC 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 the USG Real Estate Foundation I, LLC, (the “LLC”) for the purpose of providing a parking deck containing approximately 382 parking spaces and site amenities.

The Board authorized the execution of a ground lease, including necessary access, use, and construction easements and encroachments, between the Board of Regents, Lessor, and the LLC, Lessee, for the above-referenced approximately 2.18 acres of real property on the campus of GSC for a period ending June 30, 2041 (including a construction period of not more than two years), with an option to renew for up to an additional five years should there be debt outstanding at the end of the original ground lease term, for the purpose of providing a parking deck containing approximately 382 parking spaces and site amenities.

The Board authorized the execution of a rental agreement between the LLC, Landlord, and the Board of Regents, Tenant, for the above referenced parking deck and site amenities for the period commencing on the first day of the first month after the LLC obtains a certificate of occupancy for the parking deck but not earlier than August 1, 2009, and ending June 30, 2010, at no rent with the option to renew for the period July 1, 2010 through June 30, 2011, at a rent not to exceed \$450,000 per year annualized with further options to renew on a year-to-year basis for up to 30 consecutive one-year periods (the last such period ending no later than June 30, 2041), with rent increasing no more than 3% for each option period exercised.

21. Ground Lease Agreement, Fraternity Housing, University of Georgia

The Board declared an approximately 5.28 acre tract of improved real property located on River Road, Athens, on the campus of the University of Georgia (“UGA”), to be no longer advantageously useful to UGA 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 UGAREF Fraternity Row, LLC (the “LLC”) for the purpose of providing student housing for fraternal organizations recognized by UGA.

The Board authorized the execution of ground leases, including necessary access, use, and construction easements and encroachments, between the Board of Regents, Lessor, and the LLC, Lessee, for the above-referenced approximately 5.28 acres of real property on the campus of UGA for a period not to exceed 32 years (not to exceed 30 years from the date the LLC obtains a certificate of occupancy for the student housing and providing a construction period of not more than two years) for the purpose of providing student housing for fraternal organizations recognized by UGA.

22. Demolition of Building, Odum Farmhouse, Danielsville, University of Georgia

The Board declared the Odum Farmhouse, Building #6450, 1222 Wesley Chapel Road, Danielsville, to be no longer advantageously useful to the University of Georgia (“UGA”) or other units of the

University System of Georgia and authorized demolition and removal of this building.

The Board will request the Governor to issue an Executive Order authorizing the demolition and removal of this building.

Demolition and removal of this building is subject to adequate mitigation of all adverse environmental impacts.

23. Executive Session

At approximately 3:15 p.m. on Tuesday, October 14, 2008, Chair Benjamin J. Tarbutton, III called for an executive session for the purpose of discussing possible real property acquisitions. With motion properly made and variously seconded, the Regents who were present voted unanimously to go into executive session. Those Regents are as follows: Chair Benjamin J. Tarbutton, III, Vice Chair William H. NeSmith, Jr., and Regents William H. Cleveland, Felton Jenkins, James R. Jolly, Donald M. Leebern, Jr., and Willis J. Potts, Jr., The Vice Chair of the Board, Robert F. Hatcher, the Senior Vice Chancellor for External Affairs, Thomas E. Daniel, the Vice Chancellor for Facilities, Linda M. Daniels, the Director of Real Estate Services, Joseph J. Fucile, the Assistant Vice Chancellor for Legal Affairs, Daryl Griswold, the Associate Vice Chancellor, Development & Administration, Peter J. Hickey, the Executive Director of Real Estate Ventures, Marty Nance, and the Chief Operating Officer, Robert E. Watts. Regent Kessel D. Stelling, Jr., Chair of the Board Richard L. Tucker, the President of Southern Polytechnic State University (“SPSU”), Lisa A. Rossbacher, the Vice President of Business and Finance SPSU, Patrick B. McCord, the President of Kennesaw State University (“KSU”), Daniel S. Papp, the President of the Student Government Association at KSU, Punit Patel, the PRsident of the Radco Companies and Chair of the KSU Foundation, Norman Radow, a Childress Kline Partner and Chair of the KSU Real Estate LLC, Connie Engel, the Vice President of University Relations and Executive Director of the KSU Foundation, Wes Wicker, Special Assistant to the President of External Affairs at KSU, Arlethia Perry-Johnson, the Director for Real Estate Management at KSU, Robert Heflin and the Assistant Vice President for Facilities and Planning at KSU, John Anderson, were also in attendance during a portion of the meeting. In accordance with H.B. 278, Section 3 (amending O.C.G.A. § 50-14-4), an affidavit regarding this executive session is on file with the Office of Legal Affairs.

At approximately 4:15 p.m., Chair Tarbutton reconvened the committee meeting in its regular session and announced that no action had been taken in executive session.

24. Information Item: Public-Private Ventures and GHEFA Update

The Vice Chancellor for Facilities, Linda M. Daniels, the Associate Vice Chancellor for Facilities, Peter Hickey, and the Executive Director of Real Estate Ventures, Marty Nance, provided an update on the Board’s Public-Private Venture (“PPV”) program and Georgia Higher Education Facilities Authority (“GHEFA”) program and will present an update on a number of proposed PPV and GHEFA projects currently in the planning stages. The projects include the following:

PPV

- a. Armstrong Atlantic State University – Student Housing
- b. Georgia Gwinnett College – Student Center
- c. Georgia Southwestern State University – Student Housing
- d. South Georgia College – Student Housing
- e. University of Georgia – East Campus Housing
- f. University of Georgia – Parking Decks
- g. North Georgia College & State University – Student Housing

GHEFA

- a. Bainbridge College – Recreation Center & Student Center
- b. Columbus State University – Recreation Center
- c. Southern Polytechnic State University – Student Housing

25. Information Item: Cordele Center, Darton College

The Vice Chancellor for Facilities, Linda M. Daniels, provided information about a proposed new facility for the Darton College Cordele Center (the “Center”). Since 2002, Darton College (“DC”) has taught courses in a 12,000-square-foot former industrial facility that was adapted for instructional use. In August 2008, the Board authorized DC to establish the Center and offer external degrees.

The Cordele community (led by the Cordele-Crisp Chamber of Commerce and the Crisp County Cordele Industrial Development Authority) (the “Community”) is proposing to acquire property and develop a new instructional facility for the Center that will be gifted to the Board. An approximately five acre site has been preliminarily identified in downtown Cordele. This site is well located and configured for an initial development of a 20,000 to 30,000-square-foot building and associated parking. The initial phase cost effectively serves a minimum headcount enrollment of 750-800 students. If needed, this site can cost effectively meet the needs of future expansion for a baseline capacity of 1,200 students.

The Community has been a robust partner through strong advocacy of a University System of Georgia instructional presence and ongoing subsidy of DC’s operations. The support proposed for the new Center includes an anticipated target capital investment of over \$5 million, including a United States Department of Agriculture (“USDA”) grant and other federal and local government sources. Although the project will be initiated and managed by the Community, the University System Office staff and DC will provide support for programming, design, and delivery, in a collaborative process resembling our Public-Private Venture program.

Action by the Board will be required to facilitate development of the facility and accept this gift of property.

26. Authorization of the Chair of the Real Estate and Facilities Committee to approve amended rent amounts

This item was added by unanimous consent as a walk-on item to the Committee's agenda.

The Board authorized the Chair of the Real Estate and Facilities Committee to approve amended rent amounts for approved rental agreements for public private venture transactions and Georgia Higher Education Facilities Authority ("GHEFA") transactions (collectively the "Transactions").

The Chair of the Real Estate and Facilities Committee will report to the Board at the next regularly schedule meeting of the Board of Regents the rent amounts approved for the Transactions.

The Vice Chancellor for Facilities, Linda M. Daniels, and the Vice Chancellor for Fiscal Affairs, Usha Ramachandran, will provide recommendations to the Chair of the Real Estate and Facilities Committee of amended rent amounts for consideration.

The Committee adjourned at approximately 4:25 p.m.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

Regent Bishop announced the 2009 Regents' Awards for Excellence and Education Gala would be held on March 28, 2009.

The Board approved the request of President Kendall Blanchard that Georgia Southwestern University be authorized to award an Honorary Doctorate degree to Griffin B. Bell, at the University's December 2008 commencement. The Board also approved the request of Interim President Gary B. Schuster that the Georgia Institute of Technology be authorized to award an Honorary Doctorate degree to William W. Georgia, at the University's Fall 2008 commencement.

PETITIONS AND COMMUNICATIONS

The Secretary to the Board announced that the next regular meeting of the Board is scheduled for Monday, November 10, 2008, in Atlanta.

EXECUTIVE SESSION

At approximately 11:40 a.m. on Wednesday, October 15, 2008, Chair Richard L. Tucker called for an executive session for the purpose of discussing personnel and compensation issues. With motion properly made and variously seconded, the Regents who were present voted unanimously to go into executive session. Those Regents are as listed above. University System of Georgia staff members who were also present for a portion of the meeting included Chancellor Erroll B. Davis Jr., the Vice

Chancellor for Legal Affairs, J. Burns Newsome, the Chief Operating Officer, Robert E. Watts, and the Chief Academic Officer & Executive Vice Chancellor for Academic Affairs, Susan Herbst. In accordance with H.B. 278, Section 3 (amending O.C.G.A. § 50-14-4), an affidavit regarding this executive session is on file with the Chancellor's Office.

At approximately 12:35 p.m., Chair Tucker reconvened the Committee meeting in its regular session and announced that no actions were taken during the executive session.

The Committee meeting adjourned at approximately 12:36 p.m.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 5:00 p.m. on Wednesday, October 15, 2008

s/ _____
J. Burns Newsome
Secretary, Board of Regents
University System of Georgia

s/ _____
Richard L. Tucker
Chair, Board of Regents
University System of Georgia