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BOARD OF REGENTS OF
THE UNIVERSITY SYSTEM OF GEORGIA

May 17, 2023

Presidents
University System of Georgia

[Redacted]

Dear Presidents

The Board of Regents (BOR) of the University System of Georgia (USG) met on May 16, 2023, in Atlanta, Georgia. The board approved important revisions to BOR policy 6.5 regarding freedom of

[Redacted]

Attached as an Exhibit is a document that provides background information on these policy revisions, the effective date of the policy revisions, and also shows the language added / removed from the policy sections. Please share widely with the appropriate offices at your institution to include Human Resources, Academic Affairs, Student Affairs, Business and Finance, Legal Affairs, Audit, and Compliance.

Sincerely,

Sonny ue
Chancellor

Enclosure

- cc: Tracey Cook, Chief Fiscal Officer
- Teresa MacCartney, Chief Operating Officer
- Dr. Ashwani Monga, Executive Vice Chancellor for Academic Affairs
- Ashley Jones May, Chief of Staff and Vice Chancellor for External Affairs
- Dr. Timothy M. Chester, Interim Vice Chancellor and Chief Information Officer
- Jeff Davis, Vice Chancellor for Fiscal Affairs

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- Dr. Scot Lingrell, Vice Chancellor for Student Affairs
- Chris McGraw, Vice Chancellor of Legal Affairs and Secretary to the Board
- Sandra Neuse, Vice Chancellor for Real Estate and Facilities

[Redacted]

incorporated into student orientation programs. Finally, institutions must develop materials, programs, and procedures to ensure that faculty and staff understand the institutional policies and duties regarding free expression on campus.

Revised Policy Language in Change Tracker

6.5 Freedom of Expression and Academic Freedom

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

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

While narrow restrictions to freedom of speech will apply for expression that violates the law or USG or institutional policies, freedom of expression protections are broad. Any necessary limitations will be enforced by USG or institutional administration. Individual members of the USG community shall not attempt to prevent or otherwise interfere with the free expression of others, no matter how objectionable they may find the expressed ideas or opinions.

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

6.5.1 Academic Freedom

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

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

Academic freedom is a bedrock of higher education, but it is not unlimited. Faculty academic freedom extends only to classroom material and discussions, research, publications, and other academic activities that are germane to the subject matter being taught, researched, written about, or presented. Faculty members must be careful not to introduce into their teaching controversial

New Policy Language:

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their academic performance, not factors that are irrelevant to that performance such as their personal beliefs. Similarly, faculty and staff have the right to be unburdened by irrelevant factors such as ideological tests, affirmations, and oaths, and should instead be hired and evaluated based on relevant factors such as their achievement and the success of students.

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

Background:

The title for the University System of Georgia Chief Administrative Officer was recently changed to that of Chief Operating Officer as part of modifications to University System Office organizational structure. Three board policies referenced “chief administrative officer,” and the Board revised each of these policies to reflect the change in title.

Effective Date:

The effective date of these policy revisions is May 16, 2023.

Former Policy Language:**6.26 Application for Discretionary Review**

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

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

Each application for review shall be submitted in writing to USO Legal Affairs within 20 calendar

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New Policy Language:

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

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

Namings authorized by the Board of Regents shall not be modified without approval of the Board. If a situation occurs that may warrant the removal of a name that was previously approved by the Board of Regents, the decision whether to remove the name lies in the sole discretion of the Board in consultation with the Chancellor.

The President of an institution is authorized to name and to remove the name of interior spaces and academic units subordinate to colleges and schools, such as departments, without prior approval of the Board. Institutions shall maintain a report on interior namings and naming removals.

The namings of facilities and features of an institution will endure only for the useful life of the facility or feature and not in perpetuity. If a facility or feature is substantially changed, a named facility or feature may no longer exist and the President, in his or her discretion, may seek Board of Regents' approval to transfer the name to a new facility or feature.

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The Board of Regents will authorize external namings (places, colleges, and schools) to honor a living person only when that person has been disassociated from employment by the USG or from local, state, or federal government employment for at least two years prior to seeking Board of Regents' approval.

Institution Naming Policy:

Institutions shall also maintain their own naming policy, which should establish minimums for financial commitments corresponding to such naming opportunity that are benchmarked against institutions similar in size, scope, and mission. Each institution shall provide a copy of its naming policy to the USG Chief Operating Officer for approval.

Former Policy Language:

7.7.5.2 Background Check Requirements for Construction Contractors and Subcontractors

If required pursuant to law or regulation, as determined by the construction contractor, construction contractors whose employees or whose subcontractors' employees provide on-site construction services to a USG institution shall conduct background checks of their employees and subcontractors' employees.

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	Amount Over Duration	
Research	\$150,000	3 Years
Comprehensive State University	\$125,000	3 Years

2. Termed positions may be renewed when a new multi-year agreement is executed at the discretion of the institution's President.
3. The holder of a termed faculty position shall be a qualified person of professorial rank (professor, associate professor, or assistant professor), without regard to tenure status. Funds will be used to provide temporary support for the institution.
4. Termed positions shall be named "The XXXXXX Termed Faculty in XXXXXX" (e.g. The Company ABC Termed Faculty in Data Science; The Jane Doe Faculty in Music.)

IV. Revisions to Board of Regents Policy 7.3.1.5 Tuition Agreements with Corporations, Organizations, and Other Legal Entities

Background:

The purpose of this revision is to increase oversight for establishing tuition agreements with corporations, organizations and other legal entities and to clarify the intent of the policy, which is to enhance relationships between USG institutions and local businesses. Previously, these agreements were established at the institution level without review from the System Office. The revised policy requires review and approval of such agreements by the Chancellor and/or the Chancellor's designee before they can be executed. This item was presented as an information item to the Board at the April 2023 meeting.

Effective Date:

The effective date of these policy revisions is May 16, 2023.

Former Policy Language:

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

USG institutions may enter into agreements with "customers," defined as corporations, organizations, agencies, or other legal entities, for the delivery of cred5g2 (t)/(P tTw -iE(o)-4 (r)-1 (s)r)5 s(i)-5 canedors/Ps(i)12.1

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

In all cases, the collection of agreed-upon tuition and other charges must be in accordance with Board Policy 7.3.3, Tuition and Fee Payment and Deferral.

The agreement, description of program content and delivery and the pricing model must be approved by the Chancellor or designee(s) before any such agreement may be executed.