



ATLANTA, GEORGIA 30334

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

EMAIL: CHANCELLOR@USG.EDU

May 11, 2022

Presidents
University System of Georgia
sent via email

Dear Presidents

The Board of Regents (BOR) of the University System of Georgia (USG) met on May 10, 2022, in Atlanta, Georgia. During this meeting, the following BOR policies were revised:

Institutional Governance

- **Board Policy 2.2 Selection of Presidents for USG Institutions**

Campus Affairs

- **Board Policy 6.5 Freedom of Expression**
- **Board Policy 6.11 Weapons**

Sincerely,

Sonny Perdue
Chancellor

Enclosure

cc Tracey Cook, Executive Vice Chancellor for Strategy and Fiscal Affairs
Teresa MacCartney, Executive Vice Chancellor for Administration

[REDACTED]

Ashley Jones May, Chief of Staff and Vice Chancellor for External Affairs
Claire Arnold, Vice Chancellor for Internal Audit, Chief Audit Officer
Jeff Davis, Vice Chancellor for Fiscal Affairs
Dr. John Fuchko, III, Vice Chancellor for Organizational Effectiveness
Dr. Juanita Hicks, Vice Chancellor for Human Resources

[REDACTED]

Exhibit
BOARD OF REGENTS POLICY MANUAL

Revised with Markup
Meeting of May 10, 2022

I. *nual*: Section 2.2 – Selection of Presidents for USG Institutions

Background:

Board Policy 2.2, Selection of Presidents for USG Institutions, sets out the process for selecting institutional presidents when vacancies occur. In its current form, it creates a process and

consideration. The Chair of the Board of Regents shall appoint members to the Regents' Special Committee, one of whom shall be the President residing closest to the institution. In the event

[REDACTED]

presidential searches at research universities, the institutional search committee shall submit three to five unranked names to the Board of Regents for consideration. Authority to name one or more finalists for President rests exclusively with the Board of Regents.

Approved Revision:

2.2 Selection of Presidents for USG Institutions

When a vacancy occurs in a presidency at a University System of Georgia institution, the Chancellor shall consult with the Chair of the Board of Regents to determine whether to conduct a national search. If a search is conducted, the Chancellor, in consultation with the Chair of the Board of Regents, may appoint an institutional search committee

New Policy (to be effective immediately and to apply to any new searches that begin after the effective date):

2.2 Selection of Presidents for USG Institutions

[REDACTED]

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

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

II. Revision to the *Policy Manual*: Section 6.5 – Freedom of Expression, to align with state law

Background:

[REDACTED]

Regents to adopt a set of regulations and policies relevant to free speech and expression on USG campuses, which the Board has done through Policy 6.5 and corresponding policies at each institution. During this year's session, the General Assembly passed House Bill 1, which added additional requirements in O.C.G.A. § 20-3-48, including expanding the areas of campus that are deemed public forums for institutions' students, faculty, staff, and their invited guests.

The proposed amendment aligns Board Policy 6.5 with House Bill 1, O.C.G.A. § 20-3-48.

[REDACTED]

importance, and the University System of Georgia (USG) is committed to protecting those rights.

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

Institutions may maintain and enforce reasonable time, place, and manner restrictions narrowly tailored to serve a significant institutional interest. Such restrictions must employ clear, published, content-neutral criteria, and provide for a fair and equitable process for

[REDACTED]

importance, and the University System of Georgia (USG) is committed to protecting those rights.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

III. Revisions to the *Policy Manual*: Section 6.11 – Weapons, to align with state law

Background:

Prior to this year's legislative session, state law (at O.C.G.A. § 16-11-127.1) allowed (1)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

weapons carry license holders to carry a concealed handgun on Board of Regents property, except for in five defined areas of campus; and (2) allowed weapons carry license holders to possess weapons on Board of Regents property while under the license holder's physical control in a motor vehicle, in a locked compartment in a motor vehicle, in a locked container in a motor vehicle, or in a locked firearms rack in a motor vehicle. During this year's session, the General Assembly passed Senate Bill 319, which amended O.C.G.A. § 16-11-127.1 to change "weapons carry license holder" to "lawful weapons carrier" throughout the statute. The amendment

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

(i) Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;

(ii) Not apply to any preschool or childcare space located within such buildings or real property;

(iii) Not apply to any room or space being used for classes related to a college and career academy or other specialized school as provided for under Georgia Code Section 20-4-37;

(iv) Not apply to any room or space being used for classes in which high school students

enrolled through a dual enrollment program, including, but not limited to, classes related to the "Move on When Ready Act" as provided for under Georgia Code Section 20-2-161.3;

(v) Not apply to any room or space being used for classes in which high school students

Weapons-carry license holders Lawful weapons carriers may possess weapons while under the lawful weapons carrier's physical control in a motor vehicle, in a locked compartment in a motor

weapons-carry license holders Lawful weapons carriers may possess weapons while under the lawful weapons carrier's physical control in a motor vehicle, in a locked compartment in a motor

[REDACTED]

vehicle, in a locked container in a motor vehicle, or in a locked firearms rack in a motor vehicle.

A lawful weapons carrier may carry a handgun in any building or on any real property owned or leased by the USC and its institutions, provided, however, that

[REDACTED]

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

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

[REDACTED]

IV. Policy Manual Revision: Section 7.3.2.1 Mandatory Student Fees

Background:

During the 2021 legislative session, Senate Resolution 300 was passed, which created the Senate

[REDACTED]

[REDACTED]

[REDACTED]

7.3.2.1 Mandatory Student Fees

"Mandatory student fees" are defined as fees that are assessed to all students. All mandatory

fees are listed in the following table.

(b)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Approved Revision:

7.3.2.1 Mandatory Student Fees

“Mandatory student fees” are defined as fees that are assessed to all students, all undergraduate students, or all full-time undergraduate students on one or more campuses of a USG institution, including those fees due prior to registration that may be refunded later in the semester and fees

[REDACTED]

for which the student receives a cash equivalent in the amount of the fee. Mandatory student fees may be required by the Board of Regents or by the institution subject to approval by the Board of Regents.

[REDACTED]

1. Intercollegiate athletic fees:

New Policy:

7.3.2.1 Mandatory Student Fees

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

[REDACTED]

Regents.

Mandatory student fees shall include, but not be limited to

1. Intercollegiate athletic fees;
2. Student health service fees;
3. Transportation or parking fees (if the latter are charged to all students);

REVENUES AND EXPENDITURES

[REDACTED]

[REDACTED]

Background:

Affordability is one of the top priorities of the Board of Regents. The impact of the pandemic and enrollment challenges have added financial pressures to some auxiliary operations. The purpose of the policy revision is to provide institutions the ability to use general funds in a strategic manner to help lessen fee burdens on students.

This policy revision will be augmented by changes to the Business Procedures Manual (BPM), which provides operational guidance to institutions. The BPM will be revised to require the following:

- Requests to apply general funds to auxiliary enterprises require review by the USG Budget Office, and advance written approval by the Chancellor (or designee).
- Application of general funds to auxiliary enterprises should be supported by a specific business need as articulated in the written request to the Chancellor.

[REDACTED]

Each institution shall develop and update annually a five-year plan for each auxiliary enterprise operation that defines the level and manner of service to be provided, related expenditures and

Auxiliary enterprises shall be accounted for on the accrual basis of accounting. [Section 15 of the USG Business Procedures Manual](#), Auxiliary Enterprise Funds

1. Institutions may choose to operate some auxiliary enterprise activities on a loss basis, but must indicate in their five-year plans how the costs of such activities will be covered by revenues generated through other auxiliary operations and must also provide an

sources of revenue, including [redacted] shall be determined by the USG chief fiscal officer.

[redacted] provides additional accounting criteria for determining if auxiliary enterprises are functioning on a self-supporting basis.

Exceptions to the requirement that institutions [operate their auxiliary enterprises](#) on a self-supporting basis shall be recognized as follows:
[redacted] is authorized as outlined in [Board Policy 4.5](#) and as further defined in the [USG Business Procedures Manual](#). In no instance may Education & General Fund

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

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

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

Auxiliary enterprises shall be accounted for on the accrual basis of accounting. [Section 15 of the s Procedures Man Auxil F](#) provides additional accounting criteria necessary for determining if auxiliary enterprises are functioning on as self-supporting basis.

Exemptions to the requirement that institutions operate their auxiliary enterprises on a self-

[REDACTED]

1. Institutions may choose to operate some auxiliary enterprise activities on a loss basis, but must indicate in their five-year plans how the costs of such activities will be covered by revenues generated through other auxiliary operations and must also provide an

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

General Fund revenues applied to the support of auxiliary enterprises shall be

Auxiliary enterprises shall be accounted for on the accrual basis of accounting. [Section 15 of the USG Business Procedures Manual](#). Auxiliary Enterprise Funds

included in the five-year plan.

New Policy:

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

1. Housing;
2. Food Services;
3. Student Health Services;
4. Student Activities;
5. Intercollegiate Athletics (excluding intercollegiate athletics activity which is operated under the authority of a separately incorporated athletic association);
6. Parking;
7. Transportation;
8. Stores and Shops;

Board Policies 4.5 7.2.2

USG Business Procedures

Manual

VI.

Background:

As part of a recent audit, TRS provided guidance on the salary allowed to be paid to USG rehired retirees

[REDACTED]

determined by either using the last compensation earned at retirement OR the average compensation.

[REDACTED]

8.2.8.3 Employment Beyond Retirement

An individual who has retired from the USG and is receiving benefits from TRS, ERS, or ORP may be

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- No more than 49 percent of the **last compensation earned at retirement, or, used to determine a retiree's benefit at**

her retirement with consideration for the average **merit increases percentages** that have been applied since the employee retired;

5. The salary that is paid to a rehired retiree must be consistent with his/ or her work commitment.

New Policy:

8.2.8.3 Employment Beyond Retirement

An individual who has retired from the USG and is receiving benefits from TRS, ERS, or ORP may be eligible for reemployment on a part-time basis by the USG. Reemployment of USG retirees by the USG must fall under the following conditions:

1. The reemployment of a USG retiree must be approved by the hiring institution's president. Institutions must submit a copy of their hiring and approval procedures to rehire USG retirees to the University System Office of Human Resources upon request.
2. A rehired retiree must have a minimum break of at least one month between the effective date of his/ or her retirement and the effective date of his/ or her reemployment.
3. The work commitment of a rehired retiree must be less than half-time, i.e., less than 49 percent.
4. The salary that is paid to a rehired retiree must be:
 - No more than 49 percent of the last compensation earned at retirement, or, the average compensation used to determine a retiree's benefit at

retirement (for TRS retirees) whichever is deemed higher; with

consideration for the average cost of living adjustment increases that have been applied since the employee retired;

5. The salary that is paid to a rehired retiree must be consistent with his/ or her work commitment.