

RECOGNITION OF GUESTS

Chancellor Erroll B. Davis, Jr. recognized two Student Advisory Council (“SAC”) leaders who serve as the Student Government Association presidents at their institutions. Mr. Connor Lawson McCarthy is third year student majoring in International Affairs and Economics at the University of Georgia. Mr. Somi Benson-Jaja is a Music Education major at Armstrong Atlantic State University.

Chancellor Davis also noted the new art exhibit displayed in the Boardroom. In honor of Black History Month, the exhibit includes works of art by students and faculty from two of the System’s Historically Black Colleges and Universities (“HBCU”), Savannah State University and Fort Valley State University.

CHANCELLOR’S REPORT

In his monthly report to the board, Chancellor Erroll B. Davis, Jr. noted the intense activity around the budget, and the number of legislative hearings in which he and other System officials had participated. Chancellor Davis thanked Regents William H.

that higher education is important to the future of the state and needs to be preserved and strengthened and that we need to do more to provide greater access to the University System.

The chancellor concluded his report by citing comments from an opinion piece by former state legislator Chuck Clay in the online publication “Insider Advantage.” The column stressed the importance of the University System of Georgia in the state’s economic success, and urged the state’s elected leadership to help the university system “weather the present storm without losing the gains of the past few years.”

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 two presentations on Goal Three of the Strategic Plan, which focuses on research and economic development. The Associate Vice Chancellor for Planning and Implementation, Shelley C. Nickel, introduced the presenters.

Dr. David C. Lee, Vice President for Research at the University of Georgia, discussed the challenges faced in building and maintaining premier research programs at the state universities and provided examples of collaborative research within the University System. Dr. Lee stated that reaching and maintaining the top-tier research universities that Georgia deserves, requires a commitment to:

- Recruit, support and retain the best possible faculty
- Provide faculty salaries comparable to peers institutions
- Develop and maintain high quality graduate programs
- Provide the best possible facilities and infrastructure
- Support this activity as part of the tripartite mission

In closing he emphasized that “research is not a dispensable activity at Georgia’s research universities; it is vital to their future and the future of the State of Georgia.”

The Interim Assistant Vice Chancellor for the Office of Economic Development, Terry Durden, gave an update on the activities of the Intellectual Capital Partnership Program (“ICAPP®”), particularly as they pertain to the strategic objective of increasing the System’s participation in economic development. ICAPP® connects the intellectual resources of Georgia’s 35 public college and universities to the state’s business community in innovative ways to address areas of critical workforce shortage, such as nursing. In recounting the history and current accomplishments of the ICAPP® program, Ms. Durden also acknowledged the individual benefits of the programs and introduced Tony Gerena, one of the first ICAPP® students who was a part of the Columbus State

and Total System Services, Inc. (“TSYS”) ICAPP® project, to tell his story. Mr. Gerena’s experience is just one example of how ICAPP® helps academic programs innovate and accelerate to grow jobs in Georgia.

COMMITTEE REPORT

unchanged if plus/minus grades were used in the calculation of the HOPE GPA. If plus/minus grades were used, some students would keep HOPE who would have lost it in the past, by gaining extra quality points for a B+ that would offset a C+ on another course; other students with B- grades could lose HOPE.

For these reasons, plus/minus grades may not be used in the calculation of the HOPE GPA. This caveat ensures that Board policy meets the requirements of HOPE legislation administered by the Georgia Student Finance Commission. Because this is a national standard of good grading practice, it is recommended th

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

For all institutions, the following symbols are approved for use in the cases indicated, but will not be included in the determination of the grade point average.

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

"IP" and **"CP"** These symbols indicate that credit has not been given in courses that require

a credit basis for a course that has previously been audited (BR Minutes, 1989- 90, p. 146).

"K" This symbol indicates that a student was given credit for the course via a credit by examination program approved by the respective institution's faculty. (CLEP, AP, Proficiency, etc.) **"K"** credit may be provided for a course the student has previously audited if the institutional procedures for credit by examination are followed (BR Minutes, 1989-90, p. 146).

Institutions are permitted to use other than the Uniform Grading System for the purpose of grading student progress in Learning Support or Developmental Studies (BR Minutes, 1974-75, pp. 109-11).

2. Establishment of a Doctor of Nursing Science, Kennesaw State University

Approved: The Board approved the request of President Daniel S. Papp that Kennesaw State University ("KSU") be authorized to establish a Doctor of Nursing Science, effective February 11, 2009.

Abstract: A Doctor of Nursing Science is an advanced-level professional degree. The institution has developed the program to meet the needs of nursing educators who have a strong focus on teaching. The program will be housed and supported by the WellStar College of Health and Human Services. Graduates of the proposed Doctor of Nursing Science program are expected to fill the role of academic nursing faculty to address local and state nursing faculty shortage issues. In addition, graduates will be prepared to take leadership and investigator roles within various healthcare delivery systems. The Doctor of Nursing Science program is the only such academic degree of its type in the state and is not duplicative of existing program offerings. Other doctoral programs in the disciplinary area include the following: Georgia Southern University's Doctor of Nursing Practice, the Medical College of Georgia's Doctor of Nursing Practice and Doctor of Philosophy with a major in Nursing, and Georgia State University's Doctor of Philosophy with a major in Nursing.

Objectives: Upon successful completion of the program, graduates will be able to: 1) synthesize knowledge of the theoretical foundations of nursing; 2) integrate acquired knowledge into a philosophical and intellectual frame of reference that can be applied to nursing education and practice-based solutions to health and health care problems; 3) advance the body of nursing knowledge by identifying gaps in the knowledge base of practice, conducting applied research and evaluation of nursing interventions and health care outcomes, and disseminating evidence-based solutions to problems within healthcare; 4) demonstrate leadership, analytical, and collaborative strategies in the development and implementation of population-based health care models and health care responses to health disparities; and 5) demonstrate leadership, analytical, and collaborative strategies in the development and implementation of innovative and outcome focused nursing curriculum models incorporating nursing, philosophy, and education theories to facilitate student learning and success.

Curriculum: The program will be open to both full-time and part-time students. In order to attract full-time students, the institution has committed to make at least three graduate assistantships

available to students entering the program. Additional funds to support full-time study will be sought

Assessment: The Office of Academic Affairs will work with the institution to measure the success and continued effectiveness of the proposed program. The program will be reviewed in concert with the institution's programmatic schedule of comprehensive program reviews.

4. Establishment of a Bachelor of Science in Chemistry, Dalton State College

Approved: The Board approved the request of President John O. Schwenn that Dalton State College ("DSC") be authorized to establish a Bachelor of Science in Chemistry, effective February 11, 2009.

Abstract: The Bachelor of Science in Chemistry program will meet growing occupational demands and training requirements within two distinct areas in the northwest Georgia region: science and health-related industries and science education. The program will prepare students interested in graduate study in chemistry and for professional school in health-related fields. Graduates will also have the option to take coursework that will lead to teacher certification in order to enable them to teach in secondary schools.

Funding: The program will be supported through the establishment of new courses. President Schwenn has provided reverification that funding for the program is available at the institution.

Assessment: The Office of Academic Affairs will work with the institution to measure the success and continued effectiveness of the proposed program. The program will be reviewed in concert with the institution's programmatic schedule of comprehensive program reviews.

5. Establishment of a Bachelor of Science in Criminal Justice, Dalton State College

Approved: The Board approved the request of President John O. Schwenn that Dalton State College

Approved: The Board approved the request of President Thomas Z. Jones that Armstrong Atlantic State University (“AASU”) be authorized to establish an Associate of Science degree, effective February 11, 2009.

Abstract: The Associate of Science degree is a two-year general purpose degree that includes the first two years of mathematics and science courses that form the foundational basis for science and engineering majors, and the core. The program is not new in the traditional sense, but one that has been further formalized with some enhancements. The program was developed to meet the needs of students who have been completing coursework equivalent to an Associate of Science degree prior to transfer into the Georgia Tech Regional Engineering Program (“GTREP”). With the success and expansion of local companies such as Gulfstream, the Georgia Ports Authority, and others, demand continues for students to attain a degree before transferring to other programs.

Funding: The program will be supported through the reconfiguration of existing courses. President Jones has provided reverification that funding for the program is available at the institution.

Assessment: The Office of Academic Affairs will work with the institution to measure the success and continued effectiveness of the proposed program. The program will be reviewed in concert with the institution’s programmatic schedule of comprehensive program reviews.

7. **Establishment of the External, Online Delivery of the Associate of Science Degree, Atlanta Metropolitan College**

Approved: The Board approved the request of President Gary McGaha that Atlanta Metropolitan College (“AMC”) be authorized to offer its existing Associate of Science degree as an external program, effective February 11, 2009.

Abstract: AMC received Board approval for the external delivery of its existing Associate of Science degree. Housed within the Division of Business, Mathematics, Computer Science, and the Division of Social Science, the existing Associate of Science degree will be offered in an Internet-based format. The institution will offer courses in business and teacher education as part of the optional area under the Associate of Science degree in this format. Over the past three years, AMC has planned and developed faculty training, resources, infrastructure, and support systems to implement the online delivery of programs.

The primary audience for the online program is existing AMC students who have identified distance education for alternative course delivery options at their home institution. Another objective for the proposed online program is to expand AMC’s capacity to accommodate its steady increase in enrollment, FTE, and credit hour production. The increased societal need and en (Thdt,) 0 0 m BT4000c[(e1.0

capacity to address current student needs and demands.

8. Establishment of the External, Online Delivery of the Master of Education with a major in Educational Leadership, Georgia Southern University

Approved: The Board approved the request of President Bruce F. Grube that Georgia Southern University (“GSOU”) be authorized to offer its existing Master of Education with a major in Educational Leadership as an external program, effective February 11, 2009.

Abstract: Offering the Master of Education with a major in Educational Leadership as an external degree predominantly using distance education technologies meets the needs of students who seek the option of earning the degree online. Students may, but are not required, to use courses taught face-to-face. Admission to the program follows the same requirements as the administration of the on-campus degree. GSOU is committed to advancing the region through the benefits of higher education by fostering access to quality educational programs that meet the needs of the region’s population. Delivering the program online enables practicing professionals to further their education without the constraints of geographical location. The Master of Education program is an important avenue for practicing teachers who seek to move into administration.

9. Establishment of the External Delivery of the Master of Education with a major in Higher Education Administration, Georgia Southern University

Approved: The Board approved the request of President Bruce F. Grube that Georgia Southern University (“GSOU”) be authorized to offer its existing Master of Education with a major in Higher Education Administration as an external program, effective February 11, 2009.

Abstract: Offering the Master of Education with a major in Higher Education as an external degree using distance education technologies meets the needs of students who seek the option of earning the degree online. Students may, but are not required, to use courses taught face-to-

recommendations to terminate the programs came from both the South Georgia College Academic Council and the faculty:

Associate of Applied Science Programs

- Associate of Applied Science in Business with options in:
 - Accounting
 - General Business
 - Management
 - Business Office Technology (cooperative with East Central Technical College)
- Associate of Applied Science in Computer Information Systems
- Associate of Applied Science in Services with an option in Criminal Justice (cooperative degree with East Central Technical College)
- Associate of Applied Science in Services with an option in Early Childhood Care and Education (cooperative degree with East Central Technical College)
- Associate of Applied Science in Technology with an option in Computer Information Systems (cooperative degree with East Central Technical College)

Termination of the aforementioned programs will not have an adverse impact on faculty or students.

11. Establishment of the Gary K. Bertsch Director of the Center for International Trade and Security, University of Georgia

Approved: The Board approved the request of President Michael F. Adams that the University of Georgia (“UGA”) be authorized to establish the Gary K. Bertsch Director of the Center for International Trade and Security, effective February 11, 2009.

Abstract: UGA received approval to establish the Gary K. Bertsch Director of the Center for International Trade and Security. Funding for the position has been received and is on deposit with the University of Georgia Foundation, Inc. The Bertsch endowed position has been established through a gift of \$451,070 from Mrs. Jane S. Willson to honor the career accomplishments of Dr. Gary K. Bertsch, Professor Emeritus of International Affairs and founding director of the University’s Center for International Trade and Security. The holder of the position will be the Director of the Center for International Trade and Security and a tenured professor. For comparative purposes, the endowed position, although named to a directorship will function as well with the responsibilities required of a Distinguished Professorship. The funds on deposit not only meet but exceed the minima funding requirement as stipulated for the position of “Distinguished Professorship” at the research and regional university levels.

Biosketch of the Named Honoree: Gary K. Bertsch was appointed Assistant Professor of Political Science at the University of Georgia in 1969, progressed through the ranks to Professor of Political Science in 1978, and for his extraordinary contributions to the University of Georgia, was appointed University Professor in 1996. He was the founding Director of the Center for International Trade and Security in 1987, and served in that capacity until his retirement in December 2007. He served on the Board of Trustees of the UGA Foundation for twenty years and on the Board of Directors of the

UGA Research Foundation for ten years. Under his leadership, the Center for International Trade and Security, which has earned a world-wide reputation for its studies and training on policies for non-proliferation of weapons of mass destruction, received approximately \$20 million from foundations and government agencies in support of its research. He was designated Outstanding Honors Professor multiple times.

Biosketch of the Philanthropist: Jane Seddon Willson is the President and CEO of Sunnyland Farms, Inc. located in Albany, Georgia. She is past president of the Boys and Girls Clubs of Albany and served as leader and campaign chairman of the United Way in her community. She is a member of the University of Georgia Foundation Board of Trustees, a retired member of the Albany State University Foundation Board, the Albany Technical College Board, and the Darton College Foundation Board. She is a former president of both the Albany Museum of Art Board and the Albany Area Art Council, and is currently an active member of the Atlanta Opera Board. Mrs. Willson is a graduate of Wellesley College and has received an Honorary Doctor of Law degree from the University of Georgia. In 2000, Mrs. Willson founded the Center for International Trade and Security Endowment with a gift of \$1 million. In succeeding years, she has provided additional funding in support of a wide range of the Center's public service and research activities. In April 2008, she made another substantial gift of \$500,000 to honor Dr. Bertsch by naming the Center directorship. Beginning with the next incumbent, the director of the Center will be known as the Gary K. Bertsch Director of the Center for International Trade and Security.

12. Establishment of the Southeast Georgia Health System Distinguished Chair of Nursing and Health Sciences, College of Coastal Georgia

Approved: The Board approved the request of President Valerie A. Hepburn that the College of Coastal Georgia ("CCG") be authorized to establish the Southeast Georgia Health System Distinguished Chair of Nursing and Health Sciences, effective February 11, 2009.

Abstract: CCG received approval to establish the Southeast Georgia Health System Distinguished Chair of Nursing and Health Sciences. As of January 14, 2009, CCG had \$250,000 on deposit with the College of Coastal Georgia Foundation to establish the special, endowed faculty position. The institution has established a pledge campaign that is projected to reach \$1 million. The donor organization, Southeast Georgia Health System, has entered into an

Abstract: The Board approved a resolution for recommendation to the Alliance of Education Agency Heads concerning teacher training and certification and the various linkages to mathematics and science disciplines in the state of Georgia, effective February 11, 2009.

Background: Georgia faces critical needs in the area of STEM (i.e., science, technology, engineering, and technology) fields. There are multiple groups in the state exploring ways to address the issue. The resolution before you is an outgrowth of two focused study groups: The Joint Legislative Committee on Teacher Training and Certification (HR 1103 Study Committee, on which Chancellor Davis served) and the Math/Science Task Force empanelled by the Alliance of Education Agency Heads.

The purpose of the resolution is to encourage the legislature to act upon the recommendations of those groups as they relate to STEM education in Georgia.

Specific recommendations include:

- Affirmation of the Board’s commitment to meet 80% of the state’s need for teachers by year 2020 (“20,000 X 2020”); a key component includes meeting high need areas such as mathematics and science;
- Funding for differentiated pay as a tool to recruit and retain science and mathematics teachers;
- An increase in funding for the Georgia Virtual School, especially in high need STEM areas;
- Creation of “service cancelable loans” for candidates prepared through alternate routes (such as USG’s collaborative MATH/STEM program which was presented at a recent Board meeting); and
- A change in current rules and procedures for unused leadership degrees.

Staff support adoption of the resolution as written; however, an option exists to delete one or more specific recommendations.

The approved resolution reads as follows:

RESOLUTION
ALLIANCE OF EDUCATION AGENCY HEADS
Board of Regents, University System of Georgia

WHEREAS, today and in the future, Georgia needs a work force that has the Mathematics and Science skills that business and industry demand in the 21st century; and

WHEREAS, while progress is being made, Georgia students are still not competitive with the nation and the world in Mathematics and Science achievement; and

WHEREAS, Georgia has many excellent Mathematics and Science teachers, but still faces a critical shortage of highly-qualified, highly-effective educators in these crucial fields; and

WHEREAS, the Alliance of Education Agency Heads empanelled a Task Force (Alliance Task Force) to explore methods of recruiting and retaining more Mathematics and Science teachers and HR 1103 created a Joint Study Committee on Teacher Training and Certification (HR 1103 Study Committee) to look at the issues of educator quality and supply; and

WHEREAS, the Alliance Task Force and Study Committee brought forward several recommendations, some of which include support for the Board of Regents commitment to meet 80% of the state's need for teachers by year 2020 ("20,000 X 2020"); legislative action including funding for differentiated pay; an increase in funding for the Georgia Virtual School, especially in high need areas such as Mathematics and Science; the creation of "service cancelable loans" for candidates prepared through alternative teaching certification routes; and a change in current rules and procedures for unused leadership degrees;

NOW, THEREFORE BE IT RESOLVED THAT THE Board of Regents strongly encourage the state legislature to take action on the recommendations of the Alliance Task Force and the HR 1103 Study Committee and pass any and all legislation or budgetary items connected to those recommendations;

IN WITNESS WHEREOF, we have set our hands
and caused the University System of Georgia Seal to be
affixed this ____ day of _____, 2009.

15. Information Item: Students with Disabilities

The Chief of Staff, Dr. Melinda Spencer, led a discussion on Students with Disabilities with details provided by the Director of the Alternative Media Access Center, Mr. Christopher Lee.

16. Information Item: Income Received through Grants and Contracts by Institutions in the University System of Georgia for Research, Instruction, and Public Service for Fiscal Year 2008

Much of the financial support for the University System is derived from extramural sources. Each year the System Office collects data from university system institutions on income received through contracts and grants. Income is reported in three categories: research, instruction, and public service. The amount of income reported is for all grants received in fiscal year (“FY”) 2008, not just the amount expended during that period. The dollar amounts for contracts and grants received by the institutions in fiscal year 2008 are listed in Table 1. This table reports only external funding, which excludes funding from an institution’s own foundation. All tables, charts, and appendices are on file in the Office of Academic Affairs.

Total external support for these activities in all institutions in FY 2008 was \$906,534,509, an increase of \$65,914,281 or 7.8 percent above FY 2007.

17. Information Item: Intellectual Property Income Summary in the University System of Georgia for Fiscal Year 2008

Total income received from intellectual properties during fiscal year (“FY”) 2008 was \$21,831,205. This represents an increase of \$7,354,575, or 51 percent, over FY 2007. All tables, charts, and appendices are on file in the Office of Academic Affairs.

Note: The amount reported for FY 2004 was unusually large because of a one-time royalty buy-down of \$28 million for one technology at University of Georgia.

The committee meeting adjourned at approximately 10:56 a.m.

COMMITTEE ON FINANCE AND BUSINESS OPERATIONS

The Committee on Finance and Business Operations met on Tuesday, February 10, 2009, at approximately 10:07 a.m. in the Board Room. Committee members in attendance were Vice Chair William H. Cleveland, and Regents Felton Jenkins, Donald M. Leebern, Jr., William H. NeSmith, Jr., and Allan Vigil. The Chair of the Board, Richard L. Tucker, the Vice Chancellor for Fiscal Affairs & Board Treasurer, Usha Ramachandran, and the Chief Audit Officer & Associate Vice Chancellor for Internal Audit, Ronald B. Stark, were also in attendance. Vice Chair Cleveland reported to the Board that the Committee reviewed six items, two of which required action. With motion properly made, seconded, and unanimously adopted, the Board approved and authorized the following:

1. Revision of *The Policy Manual*, Section 704.041 Out-of-State Tuition Waivers

Approved: The Board approved a revision to *The Policy Manual*, Section 704.041, effective Summer Semester 2009.

Background: Under current Board policy dependent students of active military personnel who do not claim Georgia as their home of record cannot establish domicile in Georgia, and therefore are not eligible for in-state tuition.

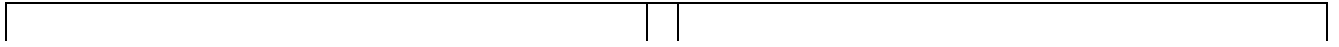
In recent years the military has begun changing the permanent duty stations of its active members more frequently and time assigned to a duty station is shorter. This frequent movement of personnel has taxed military establishments where housing is limited or non-existent. It has also put a strain on the families. As a result, more and more soldiers are electing to leave their families behind as they move from duty station to duty station. And, in cases where housing for families is limited, the military is assigning families to bases nearby, which can mean across state lines.

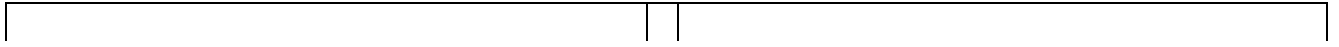
The proposed revision to policy 704.041 Out-of-State Tuition Waivers extends the military waiver to military personnel, their spouses, and their dependent children if:

- a) the military sponsor is reassigned outside Georgia, and the student remains continuously enrolled in an institution of the University System of Georgia, and the military sponsor remains on active military status;
- b) the military sponsor is reassigned out-of-state and the spouse and dependent children remain in Georgia and the military sponsor remains on active military duty; or
- c) active military personnel and their spouse and dependent children who are stationed in a state contiguous to the Georgia border and who live in Georgia.

Below is the revised policy, and the bold, highlighted texts represent additions.

<i>Current Policy</i>	<i>Revised Policy</i>
704.041 OUT-OF-STATE TUITION WAIVERS	704.041 OUT-OF-STATE TUITION WAIVERS
<p>A. Academic Common Market. Students selected to participate in a program offered through the Academic Common Market.</p> <p>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.</p> <p>C. University System Employees and</p>	<p>A. Academic Common Market. Students selected to participate in a program offered through the Academic Common Market.</p> <p>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.</p> <p>C. University System Employees and</p>





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<p>employment. Relocation to the state must be for 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. Students currently receiving a waiver who are dependents of a parent or spouse possessing a valid employment-sponsored visa may continue to receive the waiver as long as they can demonstrate continued efforts to pursue an adjustment of status to U.S. legal permanent resident (BR Minutes, June 2006).</p> <p>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 be granted for not more than one year (BR Minutes, June 2004).</p> <p>R. Nonresident Student. As of the first day of classes for the term, a nonresident student whose 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 can provide clear 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.</p> <p>If the parent, spouse, or U.S. court-</p>	<p>reasons other than enrolling in an institution of higher education. This waiver will expire 12 months from the date the waiver was granted.</p> <p>As of the first day of classes for the term, an economic advantage waiver may be granted to a student 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 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. Students currently receiving a waiver who are dependents of a parent or spouse possessing a valid employment-sponsored visa may continue to receive the waiver as long as they can demonstrate continued efforts to pursue an adjustment of status to U.S. legal permanent resident (BR Minutes, June 2006).</p> <p>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 be granted for not more than one year (BR Minutes, June 2004).</p> <p>R. Nonresident Student. As of the first day of classes for the term, a nonresident</p>
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<p>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 or U.S. court-appointed legal guardian (BR Minutes, June 2006).</p>	<p>student whose 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 can provide clear 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.</p> <p>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 or U.S. court-appointed legal guardian (BR Minutes, June 2006).</p>
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2. Approval of Professional Program Tuition for Doctor of Business Administration, Kennesaw State University

Approved: The Board approved the request of President Daniel S. Papp of Kennesaw State University (“KSU”) for a professional program tuition of \$24,000 per year (\$72,000 total for the three-year program) for the Doctor of Business Administration degree, effective Summer Semester 2009.

Background: The Board of Regents approved the establishment of the Doctorate of Business Administration degree program at Kennesaw State University in March 2008. This program is at the Coles College of Business and is a highly selective program designed to educate students for leadership positions in business, accounting, government, academics, and/or public service. The curriculum and associated scholarly tasks will engage doctoral candidates in collaborative learning experiences that bring scholars and students from diverse backgrounds together to identify and provide solutions to complex and challenging applied problems in business.

The Doctor of Business Administration program will provide concentrations in traditional business

areas such as accounting, marketing, and management and includes a concentration in entrepreneurship and family business.

Kennesaw State University now requests Board approval of the professional program tuition at the rate of \$24,000 per year (\$72,000 total for the three-year program). The tuition rate is comparable to other similar programs. All tuition funds collected will be applied directly towards the funding of the Doctor of Business Administration program.

3. Information Item: Second Quarter Revenues and Expenditures, Fiscal Year 2009

The Vice Chancellor for Fiscal Affairs, Usha Ramachandran, provided a report on the University System of Georgia's second quarter revenues and expenditures for fiscal year 2009.

4. Information Item: Update on Health Insurance Changes to Meet Budget Reduction

The Board has approved two changes to health insurance plan premiums to meet budget reductions: reducing the employer contribution rate for the PPO and HMO health insurance plans from 75% to 70% effective January 2009 and capping the employer contributions for the indemnity plan at the level of the PPO plan. The Vice Chancellor for Fiscal Affairs, Usha Ramachandran, provided an update on the number of employees that have changed plans during the two phases of open enrollment.

5. Information Item: Optional Retirement Plan Vendor Performance Report

The Vice Chancellor for Human Resources, Wayne Guthrie, presented a vendor performance report for the Optional Retirement Plan ("ORP"), which included fund performance, plan structure,

COMMITTEE ON INFORMATION AND INSTRUCTIONAL TECHNOLOGY

The Committee on Information and Instructional Technology met on Tuesday, February 10, 2009, at approximately 11:05 a.m. in room 5158. Committee members in attendance were Chair Wanda Yancey Rodwell, Vice Chair Hugh A. Carter Jr., and Regents Kenneth R. Bernard, Jr., James A. Bishop, W. Mansfield Jennings, Jr., Elridge McMillan, Doreen Stiles Poitevint, and

resources. The USO and the USG Institutions shall also ensure that users, contractors, and third parties having access to institution computerized information resources are informed of and abide by this policy and the institution security plan, and are informed of applicable Federal Laws and State statutes related to computerized information resources.

Each USG Institution that employs information technology must establish risk management and disaster recovery planning processes for identifying, assessing, and responding to the risks associated with its information assets. The USG's information assets (its data processin

Approved: The Board approved the Memorandum of Understanding between the Medical College of Georgia (“MCG”) and the University of Georgia (“UGA”), which outlines the working dynamics of the partnership that has been created to expand medical education capacity into the Athens area.

Background: This agreement is critical to the success of this initiative, both from an accreditation perspective and from a general operating perspective. With approval of this item by the Board of Regents, the presidents of MCG and UGA will sign this document to implement the principles contained within it.

6. Information Item: Update on Developments/Progress at Athens Campus

Walk-on: This item was added to the Committee’s agenda by a unanimous vote.

The Dean of the MCG/UGA Partnership Campus in Athens, Dr. Barbara Schuster, provided the committee with a report on recent progress and developments with the Partnership Campus in Athens.

The committee meeting adjourned at approximately 9:00 a.m.

4. a serious health condition of the employee himself/herself, which renders the employee unable to perform the duties of his/her job.

(Note: The language highlighted above reflects a technical change only. In the former policy, Items 1 through 4 were cited as A through D)

Section 585 of the National Defense Authorization Act (NDAA) amends FMLA to permit certain relatives of military personnel to take up to 26 work weeks of leave to care for a member of the Armed Forces in various situations. NDAA also permits an employee to take FMLA leave for a qualifying exigency arising out of the fact that an immediate family member, as defined by the FMLA, is on active duty in support of a contingency operation.”

2. Executive Session

At approximately 11:34 a.m. on Tuesday, February 10, 2009, Chair Kenneth R. Bernard, Jr. called for an executive session for the purpose of discussing personnel matters and academic records of students and litigation matters. 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, J. Burns Newsome, Assistant Vice Chancellor for Legal Affairs, Kimberly Ballard-Washington, Associate Vice Chancellor for Student Affairs, Tonya Lam, and Assistant Vice Chancellor for Faculty Affairs, Dr. Linda M. Noble.

Chair Bernard reconvened the committee meeting in its regular session at approximately 11:50 a.m. and announced that in addition to the staff update on current litigation matters the following items were discussed in executive session.

- a. In the matter of Mr. Howard Brooks, at Georgia Highlands College, concerning his termination, the application for review was denied.
- b. In the matter of file no. 2003, concerning the suspension of a student, the application for review was denied.
- c.

The Committee on Real Estate and Facilities met on Tuesday, February 10, 2009, at approximately 10:43 a.m. in the Board room. Committee members in attendance were Vice Chair William H. NeSmith, Jr., and Regents William H. Cleveland, Felton Jenkins, Donald M. Leebern, 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, System Office staff, and representatives from System institutions were also in attendance. Vice Chair NeSmith reported to the Board that the Committee reviewed 16 items, 14 of which required action. One item was withdrawn. With motion properly made, seconded, and unanimously adopted, the Board approved and authorized the

identified project and authorized the execution of a contract with the identified firm. Should it not be possible to execute a contract with the top-ranked firm, staff will then attempt to execute a contract with the other listed firms in rank order.

Following public advertisement, a qualifications-based selection process for a construction management firm was held in accordance with Board of Regents procedures. The following recommendation is made:

Project No. GHEFA-85-0901, Student Wellness Center, Bainbridge College

Project Description: This project was authorized by the Board in November 2008. The 80,000-square-foot (“SF”) student center will include lounge, fitness, gymnasium, food court, game room, locker rooms, multi-purpose, offices, and support spaces. Also, a 10,000 SF student center addition to the academic facility in Blakely, Georgia.

and support space.

The project will be funded by the Georgia Higher Education Facilities Authority (“GHEFA”).

Total Project Cost:	\$29,000,000
Construction Cost (Stated Cost Limitation)	\$23,500,000

Number of firms that applied for this commission: 26

Approved firms in rank order:

- 1) Brasfield & Gorrie General Contractors, Kennesaw, Georgia
- 2) Winter Construction, Atlanta, Georgia
- 3) The Whiting-Turner Contracting Company, Atlanta, Georgia
- 4) Turner Construction Company, Atlanta, Georgia

4. Appointment of Construction Management Firm, Project No. J-135, New Academic Building, North Metro Center, Georgia State University and Georgia Perimeter College

Approved: The Board appointed the first-named construction management firm listed below for the identified project and authorized the execution of a contract with the identified firm. Should it not be possible to execute a contract with the top-ranked firm, staff will then attempt to execute a contract with the other listed firms in rank order.

Following public advertisement, a qualifications-based selection process was held in accordance with Board of Regents procedures. The following recommendation is made:

Project No. J-135, New Academic Building, North Metro Center, Alpharetta, Georgia State University and Georgia Perimeter College

Project Description: This project was authorized by the Board in October 2007. In August 2008, the Board appointed a program management firm for this project. This project will provide a new 53,000-square-foot academic building at the North Metro Center.

The project will be funded from General Obligation Bonds.

Total Project Cost:	\$12,800,000
Construction Cost (Stated Cost Limitation)	\$9,600,000

Number of firms that applied for this commission: 22

Approved firms in rank order:

- 1) New South Construction Company, Atlanta, Georgia
- 2) The Potts Company, Conyers, Georgia

3)

recognition of the selection of the first-ranked firm on a simultaneous appointment of construction management firm approval.

6. Appointment of Construction Management Firm, Project No. J-143, Health Sciences Building, College of Coastal Georgia

Approved: The Board appointed the first-named construction management firm listed below for the identified project and authorized the execution of a contract with the identified firm. Should it not be possible to execute a contract with the top-ranked firm, staff will then attempt to execute a contract with the other listed firms in rank order.

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Project Description: This project was authorized and an architectural firm appointed by the Board in October 2008. The approximately 150,000-square-foot teacher education building will include classrooms, instructional laboratories, a media resource center with production capabilities, an auditorium and offices for faculty and staff. Demolition of approximately 20,000 square feet of existing facilities is also anticipated.

The project will be funded by General Obligation Bonds.

Total Project Cost:	\$24,200,000
Construction Cost (Stated Cost Limitation)	\$18,040,000

Number of firms that applied for this commission: 24

Approved firms in rank order:

- 1) Chris R. Sheridan & Co., Macon, Georgia
- 2) Winter Construction, Atlanta, Georgia
- 3) Piedmont Construction Group, Macon, Georgia

8. Amendment to Lease Agreement, Forest Hills Golf Course, Augusta State University

Approved: The Board authorized the execution of an amendment to the lease agreement between the Board of Regents, Lessor, and the Augusta State University Athletic Association, Inc. (the "ASUAA"), Lessee, for approximately 183.82 acres of real property known as the Forest Hills Golf Course (the "Golf Course"), Augusta, for the period December 8, 2008 through June 30, 2012, for the use of ASUAA for athletic purposes in support of Augusta State University ("AUSU").

The terms of this amendment to the lease agreement are subject to review and legal approval of the Office of the Attorney General.

DAWG, Inc.”, Tenant, for a fraternity house consisting of 20 beds of student housing on approximately 0.37 acres of real property for the period commencing on the first day of the first month after the UGAREF Fraternity Row House 1, LLC (the “House I, LLC”) obtains a certificate of occupancy, but not earlier than July 1, 2009, and ending the following June 30 at a rent not to exceed \$87,620 per year annualized with options to renew on a year to year basis for up to 29 consecutive one-year periods, followed by one 30 year option period, with rent increasing in the first option year by no more than 5%, and then in further option periods increasing by the average percentage increase in fees for that year of similar on-campus housing at UGA.

The Board authorized the execution of a sub-rental agreement between the Board of Regents, Landlord, and Tau Epsilon Phi Foundation, Inc., Tenant, for a fraternity house consisting of 20 beds of student housing on approximately 0.32 acres of real property for the period commencing on the first day of the first month after the UGAREF Fraternity Row House 2, LLC (the “House 2, LLC”) obtains a certificate of occupancy, but not earlier than July 1, 2009, and ending the following June 30 at a rent not to exceed \$87,620 per year annualized with options to renew on a year to year basis for up to 29 consecutive one-year periods, followed by one 30 year option period, with rent increasing in the first option year by no more than 5%, and then in further option periods increasing by the average percentage increase in fees for that year of similar on-campus housing at UGA.

The Board authorized the execution of a sub-rental agreement between the Board of Regents, Landlord, and Sigma Nu Fraternity Home Association, Inc., Tenant, for a fraternity house consisting of 20 beds of student housing on approximately 0.36 acres of real property for the period commencing on the first day of the first month after the UGAREF Fraternity Row House 3, LLC (the “House 3, LLC”) obtains a certificate of occupancy, but not earlier than July 1, 2009, and

of the University of Georgia (“UGA”) for the purpose of providing student housing for fraternal organizations recognized by UGA.

In November 2008, the Board approved four sub-leases of portions of the ground leased premises to House 1, LLC (0.37 acres), House 2, L

Understandings: In October 2008, the Vice Chancellor for Facilities, Linda M. Daniels, presented information on this parking deck.

The anticipated schedule is for the LLC to commence construction immediately. Construction is expected to be complete in August 2009 to allow occupancy during the Fall 2009 semester.

At the end of the term of the ground lease, the real property, all improvements, and any accumulated capital reserves will become the property of the Board of Regents.

11. Ground Lease and Rental Agreement, Performing Arts Center Parking Deck, University of Georgia

Approved: The Board declared an approximately 3.31 acre tract of unimproved real property located adjacent to the Performing Arts Center 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 PAC Parking Deck, LLC (the “LLC”) for the purpose of providing a parking deck containing approximately 464 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 3.31 acres of real property on the campus of UGA for a period not to exceed 31 years (not to exceed 30 years from the date the LLC obtains a certificate of occupancy for all approximately 464 parking spaces and providing a construction period of not more than one year), 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 464 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 day the LLC obtains a certificate of occupancy, but not earlier than July 1, 2009, and ending the following June 30 at a rent not to exceed \$900,000 per year annualized with options to renew on a year-to-year basis for up to 29 consecutive one-year periods (the total not to exceed 30 years from the date the LLC obtains a certificate of occupancy for the parking deck) at the same rent rate for each option period exercised.

The terms of these agreements are subject to review and legal approval of the Office of the Attorney General.

Understandings: In October 2008, the Vice Chancellor for Facilities, Linda M. Daniels, presented information on this parking deck.

The anticipated schedule is for the LLC to commence construction immediately. Construction is expected to be complete in November 2009 to allow occupancy during the Fall 2009 semester.

At the end of the term of the ground lease, the real property, all improvements, and any accumulated capital reserves will become the property of the Board of Regents.

12. Naming of the Shirley Clements Mewborn Field, Georgia Institute of Technology

Approved: The Board approved the naming of the women’s softball complex at the Georgia Institute of Technology (“GIT”) the “Shirley Clements Mewborn Field” in recognition of Ms. Shirley Clements Mewborn.

Understandings: Interim President Gary B. Schuster confirms that this naming conforms to the GIT naming guidelines and with the Board of Regents naming policy.

The women’s softball complex, authorized by the Board in October 2007, is currently under construction.

Ms. Shirley Clements Mewborn was one of the two first women graduates from GIT. During her life she was devoted to GIT. She was President of the Georgia Tech Alumni Association (1990-1992), a member of the School of Electrical and Computer Engineering Advisory Board, Chair of the Georgia Tech Research Corporation and the Georgia Tech Advisory Board, and served as the first female trustee of the Georgia Tech Foundation.

Ms. Mewborn believed in supporting women students who followed her at GIT. She established scholarships for female GIT students through the Shirley Mewborn Perseverance Scholarship Fund and through the Francis and Shirley Mewborn Endowment Council Fund. Ms. Mewborn was inducted into the Georgia Tech Engineering Hall of Fame and was the recipient of the 1994 College of Engineering Distinguished Alumnus Award. She was awarded the Joseph Mayo Pettit Alumni Distinguished Service Award, the highest honor awarded by the Alumni Association. Ms. Mewborn was also named to the Georgia Tech Hall of Fame.

13. Naming of the Zelnak Center, Georgia Institute of Technology

Approved: The Board approved the naming of the Basketball Practice Facility at the Georgia Institute of Technology (“GIT”) the “Zelnak Center” in recognition of Mr. Stephen P. Zelnak.

Understandings: Interim President Gary B. Schuster confirms that this naming conforms to the GIT

from the Georgia Institute of Technology in 1969. Mr. Zelnak made the lead commitment of \$3.75 million to the basketball practice facility, which in turn triggered an additional \$1.25 million challenge toward the \$5.5 million construction cost.

A life member of the Alexander-Tharpe Fund, Mr. Zelnak has given generously to the Bobby Dodd Stadium expansion project and the Olympic Facilities Campaign. He is a current member of the Georgia Tech Advisory Board, the Georgia Tech Foundation, and the Campaign Steering Committee. In addition, Mr. Zelnak has served on the College of Management Dean's Advisory Board and the Alumni Association Board of Trustees. Mr. Zelnak has also made a commitment to establish the Stephen P. Zelnak Chair in the College of Management.

14. Executive Session: Acquisition of Real Property

At approximately 10:57 a.m. on Tuesday, February 10, 2009, Vice William H. NeSmith, Jr. 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: Vice Chair William H. NeSmith, Jr., and Regents William H. Cleveland, Felton Jenkins, and Donald M. Leebern, Jr. Chair of the Board, Richard L. Tucker, and 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. Kennesaw State University Provost Lynn Black, Georgia Highlands College President, J. Randolph Pierce, and Chief Business Officer, Rob Whitaker, East Georgia College President John B. Black, and Vice President for Legal and External Affairs, Mary C. Smith, were also in attendance during a segment 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 11:12 a.m., Vice Chair NeSmith reconvened the committee meeting in its regular session and announced that no action had been taken in executive session.

The Board voted and approved the acquisition of real property discussed in executive session.

15. Information Item: Public-Private Ventures Update

State University

Approved: The Board approved the naming of the military drill field at North Georgia College &

Georgia's two-year institutions. In a January 2009 meeting with Governor Sonny Perdue, Chancellor Davis, Chair Tucker, Chief Operating Officer Robert E. Watts, and leadership representatives from the TCSG, Governor Perdue asked for recommendations on the best way to provide access to two-year degree programs in communities that do not currently have an access institution. He also asked if there are efficiencies and synergies to be gained in the communities where there are dual institutions, such as in the Atlanta and Swainsboro areas. Chancellor Davis emphasized that the Governor stated he is not advocating for a community college system. He does, however, want to collect data on these two questions to inform possible future policy decisions. Since then, Mr. Watts has met with leadership at the TGSG to develop a work plan. They have identified four geographic areas without access institutions: Augusta, Savannah, Columbus, and LaGrange. They will now define the best ways to deliver two-year access in those areas.

Chancellor Davis stated that one barrier to developing synergies between institutions is the issue of articulation (credit transfer) agreements. Although it is being addressed by a committee working on Goal One of the Board's Strategic Plan, the USG currently does not have Systemwide articulation agreements. The System, therefore, is not yet in the position to address the issue externally.

Regent Bernard, while open to the researching synergies between the USG and TCSG stated that the Board should not, especially in these tough economic times, pose a legacy on the state of Georgia that has not been thought out for a reasonable period of time. He stated that the state and USG should do a better job supporting K-12 and work with K-12 to create opportunities for those students who excel. Chancellor Davis stated that Chair Tucker made the point in the meeting with the Governor that efficiency questions can be answered expediently but public policy issues need to be vetted. Chair Tucker added that he advised the Governor that the Board would fully cooperate and collaborate, but asked that all the facts be laid out before any decisions are made. The Governor was very clear that he is looking for efficiency and providing the best education possible for Georgia's students, which the USG is also committed to doing.

PETITIONS AND COMMUNICATIONS

Mr. Newsome also announced that the next regular meeting of the Board is scheduled for March 17-18, 2009, in Atlanta.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 2:48 p.m. on Tuesday, February 10, 2009.

s/

J. Burns Newsome
Secretary, Board of Regents

s/

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