

**DRAFT MINUTES OF THE MEETING OF THE
BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA
Atlanta, Georgia
March 9, 2016**

CALL TO ORDER

The Board of Regents of the University System of Georgia met on Wednesday, March 9, 2016, in the Board Room, Room 8003, 270 Washington Street SW, Atlanta, Georgia. The Chair of the Board, Regent Kessel D. Stelling, Jr., called the meeting to order at approximately 9:30 a.m. Present, in addition to Chair Stelling, were Vice C. Thomas Hopkins, Jr.; and Regents C. Dean Alford; W. Paul Bowers; Lori Durden; Rutledge A. Griffin, Jr.; James M. Hull; Doreen Stiles Poitevint; Sachin Shailendra; E. Scott Smith; Benjamin J. Tarbutton, III; Richard L. Tucker; T. Rogers Wade; Larry Walker; Don L. Waters; and Philip A. Wilheit, Sr. Regents Larry R. Ellis, Donald M. Leebern, Jr., and Neil L. Pruitt, Jr., were excused.

INVOCATION AND PLEDGE

Albany State University Student Government Association President Laurentiis M. Gaines, Jr. gave the invocation and led the Pledge of Allegiance.

SAFETY BRIEFING

Chief of Police Bruce Holmes gave the safety briefing.

APPROVAL OF MINUTES

With motion made and variously seconded, the Regents who were present voted unanimously to approve the minutes of the Board's Jan. 6, 2016, meeting.

CONSOLIDATION: ALBANY STATE UNIVERSITY MISSION STATEMENT

At approximately 9:35 a.m., Chair Stelling introduced Executive Vice Chancellor for Academic Affairs Houston Davis to provide background on a proposed mission statement for the consolidation of Albany State University and Darton State College. The proposed mission statement was developed through an extensive process involving a broad spectrum of key stakeholders from Darton State College and Albany State University, according to Dr. Davis, and will best reflect the consolidated institution, effective January 2017. With motion made and variously seconded, the Regents present voted unanimously to approve the mission statement. An audio recording of Dr. Davis' remarks is on file with, and available for inspection in, the office of the Secretary to the Board.

HEALTHCARE WORKFORCE UPDATE

At approximately 9:45 a.m., Chancellor Henry M. Huckaby introduced Mr. Ben Robinson to update the Board on the University System of Georgia's efforts to bolster Georgia's healthcare workforce. Mr. Robinson focused his remarks particularly on nursing and graduate medical education efforts. The system's response to a growing need has been to expand medical residency positions, increase the number of nursing graduates, and stabilize and grow the nursing faculty ranks. Mr. Robinson said pre-licensure nursing graduates are up more than 100 percent since 2002, advanced degree graduates are up 140 percent since 2006, and the number of USG nursing faculty has increased by 14 percent since 2008. An audio recording of Mr. Robinson's remarks and a copy of his presentation are on file with, and available for inspection in, the office of the Secretary to the Board.

SPECIAL GUESTS

Chair Stelling welcomed several guests to the meeting and recognized them in turn. Among them were several Student Government Association presidents: Laurentiis Gaines, Jr., Albany State University; Amma Sarfo, Augusta University; Juawn Jackson, Georgia College and State University; Shavada Williams, Gordon State University; Tera Mayfield, Georgia State University; and Sri Rajasekaran, Georgia State University-Perimeter Campus. Chair Stelling also recognized Speaker Pro Tem Jan Jones; State Senator Larry Walker, III; and State Representative Earl Ehrhardt.

FY 2015 USG AUDIT RESULTS

At approximately 1:05 p.m., Regent Don L. Waters Georgia Department of Audits and Accounts Education Audit Division Deputy Director Jennifer Thomas presented information on the Fiscal Year 2015 Financial Statement Audit results for the University System of Georgia. Based on review of all audit findings, management letter comments and misstatements, Associate Vice Chancellor for Fiscal Affairs Claire Arnold presented a summary of audit results and corrective action plans for the Fiscal Year 2015 State Audit findings. Vice Chancellor for Fiscal Affairs & Planning Shelley Nickel also presented information on the Fiscal Year 2015 Annual Financial Report for the University System of Georgia. Audio recordings of these remarks and copies of the presentations are on file with, and available for inspection in, the Office of the Secretary to the Board.

CUSTOMER SERVICE RECOGNITION

Chancellor Huckaby and Director of Service Excellence Deborah Webb presented the USG Service Excellence Awards at approximately 1:25 p.m. These awards went to employees or teams that modeled exceptional service through their actions, leadership and innovative processes, benefiting the institutions' stakeholders. The 2016 winners were:

- *Service Excellence Team of the Year*: The Georgia Gwinnett College Advising Center Team, led by Dr. Karen Jackson
- *Outstanding Front Desk or Help Center of the Year*: The Help Desk at Columbus State University, led by Ms. Barbara Psalmond
- *Gold Service Excellence Initiative Award for Increased Effectiveness and Efficiency*: Card Service Initiative Team at Armstrong State University led by Greg Surette
- *Chancellor's Service Excellence Initiative Award for Increased Service to Students*: The Birdfeeder Student Improvement Initiative at Dalton State College, led by Janet Hayes, Administrative Assistant for VP of Enrollment and Student Services, Natalie Bates, Director of Residential Life, and the late Jason Ramos, Assistant Director of Residential Life
- *Chancellor's Gold Winner Leadership Award*: Dr. Kim Harrington, Associate Vice President for Human, Resources and Georgia Tech
- *Service Excellence Ambassador of the Year*: Mr. Tim Yorkey, Training Assistant at Valdosta State University
- *Chancellor's Service Excellence President and Institution of the Year is the*: University of West Georgia Employees and President Kyle Marrero

An audio recording of Ms. Webb's remarks and a copy of her presentation are on file with, and available for inspection in, the Office of the Secretary to the Board.

CHANCELLOR'S REPORT

Chancellor Henry M. Huckaby gave his report at approximately 1:38 p.m. The Chancellor recognized the Board's legislative guests. He provided an update on the System's fiscal year 2017 budget, still in consideration in the state Legislature, and remarked that the figures looked positive. Chancellor Huckaby spoke on House Bill 859, the Campus Carry bill, and voiced again the system's opposition to it. Chancellor Huckaby continued by touting recent accomplishments and milestones of several System institutions and students. An audio recording of Chancellor Huckaby's remarks is on file with, and available for inspection in, the Office of the Secretary to the Board.

COMMITTEE REPORTS

Reports of the standing committees are attached hereto.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS

The Board appointed Vice Chancellor for Legal Affairs Samuel C. Burch as Secretary to the Board.

PETITIONS AND COMMUNICATIONS

The next Board of Regents meeting will be May 10-11, 2016, in Atlanta.

EXECUTIVE SESSION

At approximately 2:16 p.m., Chair Stelling called for an executive session for the purpose of discussing personnel and compensation matters. With motion properly made and unanimously seconded, the Regents voted unanimously to go into executive session. University System of Georgia staff members who were also present for portions of the executive session included Chancellor Huckaby and members of his staff. An affidavit regarding this executive session is on file with the Office of the Secretary to the Board. Chair Pruitt reconvened the Board meeting in its regular session at approximately 2:52 p.m., and announced that no actions were taken during the executive session.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at approximately 2:54 p.m. Wednesday, March 9, 2016.



Kessel D. Stelling, Jr.
Chair, Board of Regents
University System of Georgia



Samuel C. Burch
Secretary, Board of Regents
University System of Georgia

MINUTES OF THE MEETING OF THE EXECUTIVE AND COMPENSATION COMMITTEE

The Executive and Compensation Committee of the Board of Regents of the University System of Georgia met on Wednesday, March 9, 2016, in Room 8026 of the Board's offices, 270 Washington St. SW, in Atlanta, Georgia. The Chair of the Board, Regent Kessel D. Stelling, Jr., Neil L. Pruitt, Jr., called the meeting to order at approximately 9:00 a.m. Present, in addition to Chair Stelling, were Vice Chair C. Thomas Hopkins, Jr.; and Regents Richard L. Tucker; and Philip A. Wilheit, Sr. Regents Larry R. Ellis; Donald M. Leebern, Jr.; and Neil L. Pruitt, Jr., were excused.

EXECUTIVE SESSION

At approximately 9:03 a.m., Chair Stelling called for an executive session for the purpose of discussing personnel matters. With motion made and variously seconded, the Regents who were present voted unanimously to go into executive session. An affidavit regarding this executive session is on file in the Office of the Secretary to the Board.

Chair Stelling reconvened the committee in its regular session at approximately 9:25 a.m. and announced that no actions were taken during executive session.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at approximately 9:25 a.m. on Wednesday, March 9, 2016.

MINUTES OF THE MEETING OF THE COMMITTEE ON ACADEMIC AFFAIRS

The Committee on Academic Affairs met at approximately 10:15 a.m. Wednesday, March 9, 2016, in Room 7007 of the Board's offices, 270 Washington Street, S. W., Atlanta, Georgia. Committee Chair Lori Durden called the meeting to order. Committee members in attendance, in addition to Chair Durden, were Regents C. Dean Alford; W. Paul Bowers; Rutledge A. Griffin, Jr.; Doreen Stiles Poitevint; E. Scott Smith; and T. Rogers Wade. Board Chair Kessel D. Stelling, Jr., also was present. Regent Larry R. Ellis was excused. Unless noted otherwise, all items below were unanimously approved.

1. The Board approved establishment of a Bachelor of Science in Nursing (online delivery) at Abraham Baldwin Agricultural College.
2. The Board approved establishment of a Bachelor of Business Administration with a major in Healthcare Management, (hybrid delivery) at Georgia Highlands College.
3. The Board approved establishment of a Bachelor of Business Administration with a major in Logistics and Supply Chain Management (hybrid delivery) at Georgia Highlands College.
4. The Board approved establishment of a Master of Science with a major in Applied Geography at Georgia Southern University.
5. The Board approved establishment of a Bachelor of Arts with a major in Asian Studies at Kennesaw State University.
6. The Board approved establishment of a Bachelor of Science with a major in Management at South Georgia State College.
7. The Board approved establishment of a Bachelor of Fine Arts with a major in Emergent Media and Communication (online delivery) at Valdosta State University.
8. The Board approved modification of the first distance education delivery of the Bachelor of Science in Nursing, R.N. to B.S.N. at the College of Coastal Georgia
9. The Board approved a substantive change to Georgia State University's existing Bachelor of Science in Education with a major in Special Education: Deaf Education, to a Bachelor of Science in Education with a major in Special Education.
10. The Board approved a substantive change of Traditional Delivery to 100% Online for the existing Master of Education with a major in Health and Physical Education at Georgia State University
11. The Board approved a substantive change of traditional delivery to 100% online for the existing Master of Education with a major in Science Education at Georgia State University
12. The Board approved a substantive change to the existing Master of Education with a major in Educational Leadership at Georgia Southern University
13. The Board approved a substantive change to the Bachelor of Arts with a major in New Media to a Bachelor of Science with a major in Interactive Design at Kennesaw State University

14. The Board approved renaming Armstrong State University's existing College of Health Professions to the Waters College of Health Professions.
15. The Board approved termination of the Master of Arts with a major in German Language and Literature at Georgia State University.
16. The Board approved endorsement of an Associate of Science in Biology offered by Chattahoochee Technical College to articulate with Kennesaw State University.
17. The Board approved revision of Board Policies 3.3.1 Core Curriculum, and 7.3.4 Out-of-State Tuition Waivers and Waiver of Mandatory Fees Revision of Board Policy, attached hereto as Appendix I.
18. The Board approved establishment of several endowed and named faculty positions and appointments, copies of which are on file with, and available for inspection in, the Office of the Secretary to the Board.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at approximately 10:50 a.m. on Wednesday, March 9, 2016.

MINUTES OF THE MEETING OF THE COMMITTEE ON ECONOMIC DEVELOPMENT

The Committee on Economic Development met at approximately 10:51 a.m. Wednesday, March 9, 2016, in Room 7007 of the Board's offices, 270 Washington Street, S. W., Atlanta, Georgia. Committee Chair W. Paul Bowers called the meeting to order. Committee members in attendance, in addition to Chair Bowers, were Regents C. Dean Alford; Lori Durden; Rutledge A. Griffin, Jr.; Doreen Stiles Poitevint; E. Scott Smith; and T. Rogers Wade. Board Chair Kessel D. Stelling, Jr., also was present. Regent Larry R. Ellis was excused.

1. The committee heard updates on the Georgia Research Alliance's sponsored key research initiatives and the growing Georgia technology clusters bolstered by them; and an update on the Governor Nathan Deal's High Demand Career Initiative-Program development.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at approximately 11:05 a.m. on Wednesday, March 9, 2016.

MINUTES OF THE MEETING OF THE COMMITTEE ON ORGANIZATION & LAW

The Committee on Organization & Law met at approximately 11:06 a.m. Wednesday, March 9, 2016, in Room 7007 of the Board's offices, 270 Washington Street, S. W., Atlanta, Georgia. Committee Vice Chair C. Dean Alford called the meeting to order. Committee members in attendance, in addition to Chair Alford, were Regents W. Paul Bowers; Lori Durden; Rutledge A. Griffin, Jr.; Doreen Stiles Poitevint; E. Scott Smith; and T. Rogers Wade. Board Chair Kessel D. Stelling, Jr., also was present. Regent Larry R. Ellis was excused. Unless noted otherwise, all items below were unanimously approved.

1. The Board approved Georgia Institute of Technology President G.P. "Bud" Peterson and University of West Georgia President Kyle Marrero requests to award honorary degrees to Mr. Michael Tennenbaum and Ms. Missy Dugan, respectively.
2. The Board approved the following University System of Georgia institutions to enter mutually beneficial arrangements to engage in emergency management services with the respective agencies listed:

Bainbridge State College

- City of Bainbridge
- Decatur County Sheriff's Office

Georgia Southwestern State University

- City of Americus
- Sumter County

Gordon State College: Lamar County Sheriff's Office

University of West Georgia

- Carroll County
- City of Carrollton

- Coweta County Sheriff's Office

Middle Georgia State University

- Bibb County Sheriff's Office
- Bleckley County Sheriff's Office
- City of Cochran Police Department
- City Of Dublin Police Department
- City of Eastman Police Department
- City of Warner Robins Police Department
- Dodge County Sheriff's Office
- Houston County Sheriff's Office
- Laurens County Sheriff's Office

3. The Board approved addition of Policies 4.1.7 Sexual Misconduct Policy, and 4.6.5 Standards for Institutional Student Conduct Investigation and Disciplinary Proceedings, attached hereto as Appendix II and effective at all institutions July 1, 2016.

EXECUTIVE SESSION

At approximately 11:50 a.m., Vice Chair Alford called for an executive session for the purpose of discussing personnel matters and student records. With motion properly made and seconded, the Regents who were present voted unanimously to go into executive session. An affidavit regarding this executive session is on file in the Office of the Secretary to the Board.

Vice Chair Alford reconvened the committee in its regular session at approximately 12:10 p.m. and announced that no actions were taken during executive session.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at approximately 12:11 p.m. on Wednesday, March 9, 2016.

MINUTES OF THE MEETING OF THE COMMITTEE ON FINANCE & BUSINESS OPERATIONS

The Committee on Finance & Business Operations of the Board of Regents of the University System of Georgia met at approximately 10:15 a.m. on Wednesday, March 9, in Room 8003 of the Board's offices, 270 Washington St. SW, in Atlanta, Georgia. Committee Chair Richard L. Tucker called the meeting to order. Present, in addition to Chair Tucker, were Regents James M. Hull; Benjamin J. Tarbutton, III; Sachin Shailendra; Larry Walker, and Don L. Waters. Board Vice Chair C. Thomas Hopkins, Jr. also was present. Regents Donald M. Leebern, Jr., Neil L. Pruitt, Jr. and Philip A. Wilheit, Sr. were excused. Unless noted otherwise, all items below were unanimously approved.

1. The committee heard an update on out-of-state tuition waivers, to which the Board approved revisions in September 2014, to be effective Fall 2015 to Board Policy 7.3.4.1 Out-of-State Tuition Waivers. The revisions were implemented after a December 2013 Department of Audits and Accounts, Performance Division special examination of out-of-state tuition waivers.
2. The committee was presented information on second quarter revenues and expenditures for the University System of Georgia.
3. The Board approved establishment of a per-credit hour tuition rate of \$125 for the Georgia Film Academy Certification Program, effective Spring 2016.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at approximately 10:25 a.m. on Wednesday, March 9, 2016.

**MINUTES OF THE MEETING OF THE
COMMITTEE ON PERSONNEL & BENEFITS**

The Committee on Personnel & Benefits of the Board of Regents of the University System of Georgia met at approximately 10:26 a.m. on Wednesday, March 9, in Room 8003 of the Board's offices, 270 Washington St. SW, in Atlanta, Georgia. Committee Chair James M. Hull called the meeting to order. Present, in addition to Chair Hull, were Regents Benjamin J. Tarbutton, III; Sachin Shailendra; Richard L. Tucker; Larry Walker; and Don L. Waters. Board Vice Chair C. Thomas Hopkins, Jr. also was present. Regents Donald M. Leebern, Jr., Neil L. Pruitt, Jr. and Philip A. Wilheit, Sr. were excused.

1. The committee heard an update on 2016 Open Enrollment & Retiree Health Exchange enrollment.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at approximately 10:45 a.m. on Wednesday, March 9, 2016.

**MINUTES OF THE MEETING OF THE
COMMITTEE ON INTERNAL AUDIT, RISK & COMPLIANCE**

The Committee on Internal Audit, Risk & Compliance of the Board of Regents of the University System of Georgia met at approximately 10:46 a.m. on Wednesday, March 9, in Room 8003 of the Board's offices, 270 Washington St. SW, in Atlanta, Georgia. Committee Chair Don L. Waters called the meeting to order. Present, in addition to Chair Waters, were Regents James M. Hull; Benjamin J. Tarbutton, III; Sachin Shailendra; Richard L. Tucker; and Larry Walker. Board Vice Chair C. Thomas Hopkins, Jr. also was present. Regents Donald M. Leebern, Jr., Neil L. Pruitt, Jr. and Philip A. Wilheit, Sr. were excused. Unless noted otherwise, all items below were unanimously approved.

1. The committee heard an update of cases received via the Ethics and Compliance Hotline, and also the processes which are followed when cases received via the hotline or other methods that involve potential malfeasance.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at approximately 11:08 a.m. on Wednesday, March 9, 2016.

MINUTES OF THE MEETING OF THE COMMITTEE ON REAL ESTATE & FACILITIES

The Committee on Real Estate & Facilities of the Board of Regents of the University System of Georgia met at approximately 11:09 a.m. on Wednesday, March 9, in Room 8003 of the Board's offices, 270 Washington St. SW, in Atlanta, Georgia. Committee Chair Sachin Shailendra called the meeting to order. Present, in addition to Chair Shailendra, were Regents James M. Hull; Benjamin J. Tarbutton, III; Richard L. Tucker; Larry Walker, and Don L. Waters. Board Vice Chair C. Thomas Hopkins, Jr. also was present. Regents Donald M. Leebern, Jr., Neil L. Pruitt, Jr. and Philip A. Wilheit, Sr. were excused. Unless noted otherwise, all items below were unanimously approved.

1. Assistant Vice Chancellor for Design and Construction Sharon Ferguson Pope presented an informational item on contracting and qualifications-based selection for calendar year 2015.
2. The Board authorized project number BR-90-1601, Laboratory Addition – Science Building – Fifth Floor Build-out at Kennesaw State University
3. The Board approved the naming of Key Golf Studio at Columbus State University.
4. The Board approved the naming of Burger King Stadium at Ragsdale Field at Columbus State University.
5. The Board approved the naming of Daniel J. Kaufman Library and Learning Center at Georgia Gwinnett College.
6. The Board approved the naming of Chantal and Tommy Bagwell Education Building at Kennesaw State University.
7. The Board authorized project number BR-30-1608, Renovation of Andrew Carnegie Building at Georgia Institute of Technology.
8. The Board authorized project number BR-50-1601, Delta Student Success Center at Georgia State University.
9. The Board approved a ground lease and rental agreement for real property located at 5823 Trammell Road in Morrow for Clayton State University.

EXECUTIVE SESSION

At approximately 11:20 a.m. on Wednesday, March 9, 2016, Chair Shailendra called for an executive session for the purpose of discussing a real property matter. With motion properly made and seconded, the Regents who were present voted unanimously to go into executive session.

Chair Shailendra reconvened the committee in its regular session at approximately 11:49 a.m. and announced that no actions were taken during executive session.

ADJOURNMENT

There being no further business to come before the committee, the meeting was adjourned at approximately 11:52 a.m. on Wednesday, March 9, 2016.

17. Revision of Board Policies Related to Core Curriculum 3.3.1

Recommendation: That the Board approve the following changes to BOR Policy 3.3.1 – Core Curriculum effective March 9, 2016.

Abstract: Degree Completion Problems Caused by Overlays to the Core Curriculum

The policy changes proposed below are intended to remove barriers to college completion that were added when the new Core Curriculum was adopted in 2010. In addition to coursework for Areas A – E, three “overlay” requirements were created in US Perspectives, Global Perspectives, and Critical Thinking. Although the overlay requirements were intended to be fulfilled as students take courses in Areas A – E, they create problems for students who transfer before completing these requirements, for students transferring from outside the USG, and for “adult learners” who accumulated credits prior to 2010. Students in these latter three categories may be forced to take additional credits beyond those ordinarily required for the degree just to meet the overlay requirements. Since the overlay requirements are, as the name suggests, overlaid on Core Curriculum Areas A – E, they can be removed without damage to the Core Curriculum, to students, and to institutions. The recommended changes are designed to eliminate the overlay requirements to facilitate degree completion in the USG.

CURRENT POLICY:**3.3 Curriculum****3.3.1 Core Curriculum**

The USG core curriculum was developed with the goals of assuring institutional accountability for learning, incorporating learning requirements in global perspectives and critical thinking, allowing institutions some flexibility in tailoring courses to their institutional mission, while ensuring that core curriculum courses completed at one USG institution or through eCore, the USG’s designated online core curriculum, are fully transferable to another USG institution. All core curriculum requirements must be completed as part of the associate of arts, associate of science, bachelor of arts and bachelor of science degree programs.

Each institution’s core curriculum shall consist of 42 semester credit hours, with minimum credit hours in each area of the core as follows:

Area	Name	Hours
Area A1	Communication Skills	At least 6 semester hours
Area A2	Quantitative Skills	At least 3 semester hours
Area B	Institutional Options	At least 3 semester hours
Area C	Humanities/Fine Arts, and Ethics	At least 6 semester hours
Area D	Natural Sciences, Mathematics, and Technology At least 4 of these hours must be in a lab science course. *Given the importance of the STEM disciplines, any institution that wishes to drop Area D below 10 hours must make a compelling intellectual case that its core	At least 7 semester hours*

	proposal will not lead to students knowing less about the natural sciences, math, and technology. [An example of such a compelling case might be if the institution proposed to put 3 or more hours of math in Area B and 7 hours of natural science in Area D.]	
Area E	Social Sciences	At least 6 semester hours

The specific learning outcomes for areas A through E of an institution's core curriculum are approved by the Council on General Education.

In addition to Areas A-E, three additional learning goals, US perspectives, Global Perspectives, and Critical Thinking are added to the core. US perspectives and global perspectives are overlay requirements and each institution must designate some courses in Areas A-E that satisfy these learning requirements. Each institution must also develop a plan to insure that students who complete Areas A-E acquire foundational critical thinking skills. Courses designated as meeting the US perspectives and global perspectives overlay requirements, and institutional critical thinking plans, must be approved by the Council of General Education.

Students completing any core curriculum course at one USG institution or through eCore will receive full credit for that course upon transfer to another USG institution within the same major, even if a core area is not completed and even if it means giving transfer credit across areas (e.g., credit of a math course in Area C).

Assessment of the core curriculum by each institution is required as part of their accreditation by the Southern Association of Colleges and Schools Commission on Colleges and by the USG Comprehensive Program Review process.

(BoR Minutes, October 2009, October 2014, October 2015)

PROPOSED POLICY:

3.3 Curriculum

3.3.1 Core Curriculum

The USG core curriculum was developed with the goals of assuring institutional accountability for learning, incorporating learning requirements in global perspectives and critical thinking, allowing institutions some flexibility in tailoring courses to their institutional mission, while ensuring that core curriculum courses completed at one USG institution or through eCore, the USG's designated online core curriculum, are fully transferable to another USG institution. All core curriculum requirements must be completed as part of the associate of arts, associate of science, bachelor of arts and bachelor of science degree programs.

Each institution's core curriculum shall consist of 42 semester credit hours, with minimum credit hours in each area of the core as follows:

Area	Name	Hours
Area A1	Communication Skills	At least 6 semester hours
Area A2	Quantitative Skills	At least 3 semester hours
Area B	Institutional Options	At least 3 semester hours
Area C	Humanities/Fine Arts, and Ethics	At least 6 semester hours
Area D	Natural Sciences, Mathematics, and Technology At least 4 of these hours must be in a lab science course. *Given the importance of the STEM disciplines, any institution that wishes to drop Area D below 10 hours must make a compelling intellectual case that its core proposal will not lead to students knowing less about the natural sciences, math, and technology. [An example of such a compelling case might be if the institution proposed to put 3 or more hours of math in Area B and 7 hours of natural science in Area D.]	At least 7 semester hours*
Area E	Social Sciences	At least 6 semester hours

The specific learning outcomes for areas A through E of an institution's core curriculum are approved by the Council on General Education.

~~In addition to Areas A-E, three additional learning goals, US perspectives, Global Perspectives, and Critical Thinking are added to the core. US perspectives and global perspectives are overlay requirements and each institution must designate some courses in Areas A-E that satisfy these learning requirements. Each institution must also develop a plan to insure that students who complete Areas A-E acquire foundational critical thinking skills. Courses designated as meeting the US perspectives and global perspectives overlay requirements, and institutional critical thinking plans, must be approved by the Council of General Education.~~

Students completing any core curriculum course at one USG institution or through eCore will receive full credit for that course upon transfer to another USG institution within the same major, even if a core area is not completed and even if it means giving transfer credit across areas (e.g., credit of a math course in Area C).

Assessment of the core curriculum by each institution is required as part of their accreditation by the Southern Association of Colleges and Schools Commission on Colleges and by the USG Comprehensive Program Review process.

(BoR Minutes, October 2009, October 2014, October 2015)

18. Revision of Board Policies Related to Out-of-State Tuition Waivers and Waiver of Mandatory Fees 7.3.4

Recommendation: That the Board approve the following changes to BOR Policy 7.3.4 – Out-of-State Tuition Waivers and Waiver of Mandatory Fees effective March 9, 2016.

Abstract: Improving Access and Affordability for Military Affiliated Students:

The policy revisions proposed below are formulated to improve both access and affordability for military children, separated military members (including spouse and children) utilizing VA educational benefits, and military members currently ineligible for Department of Defense Tuition Assistance programs. In the case of military children, a student might attend a significant portion of their high school years in Georgia and then relocate prior to graduation. As the military parent is stationed outside Georgia, the military waiver no longer applies and, due to continued military service, the recently separated military waiver also does not apply. The revision to 7.3.4.1 addresses these instances. In regard to Department of Defense Tuition Assistance programs, recent DOD policy changes have reduced eligibility of many military members. In some cases, the military member is pursuing higher education fully at their own expense. The previous revision to 7.3.4.2 mitigated out of pocket costs to service members and this new revision builds upon that intent to help reduce costs for military members fully self-funding their education. These recommended changes are designed to address issues of these specific segments of the student population.

CURRENT POLICY:

7.3.4 Tuition and Fees

7.3.4.1 Out-of-State Tuition Waivers

(This revised policy was adopted 9/9/14, to be effective Fall 2015; expanded eligibility for military waivers effective no later than July 1, 2015: BoR Minutes, Sept. 9, 2014)

An institution may award out-of-state tuition differential waivers and assess in-state tuition for certain non-Georgia residents under the conditions listed below. Notwithstanding any provision in this policy, no person who is unable to show by the required evidence that they are lawfully in the United States shall be eligible for any waiver of tuition differential (BoR Minutes, June 2010; October 2013). Institutions shall comply with the procedures governing the award of out-of-state tuition waivers as established by the Executive Vice Chancellor for Academic Affairs/Chief Academic Officer. Note: For the definition of residency status, see [Section 4.3 of this Policy Manual](#).

Military

1. Military personnel, their spouses, and their dependent children stationed in or assigned to Georgia and on active duty. Military personnel, their spouses, and their dependent children may continue waiver eligibility if:
 - o The military sponsor is reassigned outside of Georgia, and the student(s) remain(s) continuously enrolled and the military sponsor remains on active military status;
 - o The military sponsor is reassigned out-of-state and the spouse and dependent children remain in Georgia and the sponsor remains on active military duty; or,
 - o The active military personnel and their spouse and dependent children are stationed in a state contiguous to the Georgia border and reside in Georgia. (BoR Minutes, February 2009; October 2013).

2. 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 (BoR Minutes, October 2008).
3. Members of a uniformed military service of the United States who, within thirty-six (36) months of separation from such service, enroll in an academic program and demonstrate intent to become domiciled in Georgia. This waiver may also be granted to their spouses and dependent children. (BoR Minutes, June 2004; October 2008; October 2013).

PROPOSED POLICY:

7.3.4 Tuition and Fees

7.3.4.1 Out-of-State Tuition Waivers

Military

1. **Active duty** military personnel, their spouses, and their dependent children ~~stationed in or assigned to Georgia and on active duty. Military personnel, their spouses, and their children may continue waiver eligibility if:~~ **who meet one of the following:**
 - a. **The military sponsor is currently stationed in or assigned to Georgia; or,**
 - b. The military sponsor **previously stationed in or assigned to Georgia** is reassigned ~~out of state~~ **outside of Georgia**, and the student(s) remain (s) continuously enrolled ~~and the military sponsor remains on active military status~~ **in a Georgia high school, Technical College System of Georgia institution, and/or a University System of Georgia institution; or,**
 - c. The military sponsor is reassigned ~~out of state~~ **outside of Georgia** and the spouse and/or dependent children remain in Georgia ~~and the sponsor remains on active military duty;~~ or,
 - d. ~~The active military personnel~~ **military sponsor** ~~and their spouse and dependent children are~~ **is** stationed in a state contiguous to the Georgia border and resides in Georgia; or,
 - e. **Dependent children of a military sponsor, previously stationed in or assigned to Georgia within the previous five years, and/or the child completed at least one year of high school in Georgia; or,**
 - f. **Any student utilizing VA educational benefits transferred from a currently serving military member is also eligible.**
2. 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 (BoR Minutes, October 2008).
3. ~~Members of a uniformed military service of the United States who, within thirty-six (36) months of separation from such service, enroll in an academic program and demonstrate intent to become domiciled in Georgia.~~ **Separated military members from a uniformed military service of the United States who meet one of the following:**

- a. Individuals who within thirty-six (36) months of separation from such service, enroll in an academic program and demonstrate intent to become domiciled in Georgia. This waiver may also be granted to their spouses and dependent children. (BoR Minutes, June 2004; October 2008; October 2013).
- b. **Any separated service member or any student utilizing transferred VA educational benefits, and physically residing in the state, who enrolls within one hundred-twenty (120) months of separation is also eligible.**

CURRENT POLICY:**7.3.4 Tuition and Fees****7.3.4.2 Waiver of Mandatory Fees**

An institution may waive mandatory fees for:

1. Students who are enrolled for fewer than six (6) credit hours.
2. Students enrolled in summer courses.
3. Students who reside or study at another institution.
4. Students enrolled in practicum experiences (e.g., student teachers) or internships located at least 50 miles from the institution.
5. Students enrolled in distance learning courses or programs who are not also enrolled in on-campus courses nor residing on campus. If a student is enrolled in courses from more than one institution during the same term, only the home institution will charge the approved technology fee to the student. Students who participate in distance education offerings as transient students will not be charged a technology fee by the transient institution. No separate technology fee shall be established for collaborative distance learning courses or programs.
6. Students enrolled at off-campus centers, except that the institution shall be authorized to charge select fees to these students for special services subject to approval by the Board of Regents.
7. Members of the armed services utilizing the military's tuition assistance programs to attend the institution. (BoR Minutes, Nov. 2014, February 2015)

PROPOSED POLICY:**7.3.4 Tuition and Fees****7.3.4.2 Waiver of Mandatory Fees**

An institution may waive mandatory fees for:

1. Students who are enrolled for fewer than six (6) credit hours.
2. Students enrolled in summer courses.
3. Students who reside or study at another institution.
4. Students enrolled in practicum experiences (e.g., student teachers) or internships located at least 50 miles from the institution.
5. Students enrolled in distance learning courses or programs who are not also enrolled in on-campus courses nor residing on campus. If a student is enrolled in courses from more than one institution during the same term, only the home institution will charge the approved technology fee to the student. Students who participate in distance education offerings as transient students will not be charged a technology fee by the transient institution. No separate technology fee shall be established for collaborative distance learning courses or programs.
6. Students enrolled at off-campus centers, except that the institution shall be authorized to charge select fees to these students for special services subject to approval by the Board of Regents.
7. Members of the armed services utilizing the military's tuition assistance programs **or paying their own way** to attend the institution. (BoR Minutes, Nov. 2014, February 2015)

4.1.7 Sexual Misconduct Policy

The University System of Georgia is committed to ensuring a safe learning environment that supports the dignity of all members of the University System of Georgia community. The University System of Georgia does not discriminate on the basis of sex or gender in any of its education or employment programs and activities. To that end, this policy prohibits specific forms of behavior that violate Title IX of the Education Amendments of 1972. The University System of Georgia will not tolerate sexual misconduct, which is prohibited, and which includes, but is not limited to, domestic violence, dating violence, sexual assault, sexual exploitation, sexual harassment, and stalking. The University System further strongly encourages members of the University System community to report instances of sexual misconduct promptly. These policies and procedures are intended to ensure that all parties involved receive appropriate support and fair treatment, and that allegations of sexual misconduct are handled in a prompt, thorough and equitable manner.

Prevention is one of the primary mechanisms used to reduce incidents of sexual violence on campuses. USG institutions are required to provide prevention tools and to conduct ongoing awareness and prevention programming and training for the campus community including students, faculty, and staff. Such programs are designed to stop sexual violence through the promotion of positive and healthy behaviors. Programming will educate the campus community on consent, sexual assault, alcohol use, dating violence, domestic violence, stalking, bystander intervention, and reporting.

These policies and procedures shall become effective at all institutions on July 1, 2016.

4.1.7.1 Definitions and Prohibited Conduct

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

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

Consent: Words or actions that show a knowing and voluntary willingness to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force, intimidation or coercion, by ignoring or acting in spite of objections of another, or by taking advantage of the incapacitation of another, where the respondent knows or reasonably should have known of such incapacitation. Consent is also absent when the activity in question exceeds the scope of consent previously given. Past consent does not imply present or future consent. Silence or an absence of resistance does not imply consent. Minors under the age of 16 cannot legally consent under Georgia law.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim.

Domestic Violence: Violence committed by a current or former spouse or intimate partner of the alleged victim, by a person with whom the alleged victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the alleged victim

under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Incapacitation: The physical and/or mental inability to make informed, rational judgments, and can result from mental disability, sleep, involuntary physical restraint, or from intentional or unintentional taking of alcohol and/or other drugs. Whether someone is incapacitated is to be judged from the perspective of an objectively reasonable person.

Nonconsensual Sexual Contact: An intentional sexual touching upon a person, without consent or where the person is incapacitated, and/or by force, by another person or with any object. Sexual contact includes but is not limited to, intentional contact with the breasts, buttocks, groin, or genitals, or touching another with these body parts, or making another touch the alleged victim or themselves with or on any of these body parts.

Privileged Employees: Individuals employed by the institution to whom a complainant or alleged victim may talk in confidence, as provided by law. Disclosure to these employees will not automatically trigger an investigation against the complainant's or alleged victim's wishes. Privileged Employees include those providing counseling, advocacy, health, mental health, or sexual-assault related services (*e.g.*, sexual assault resource centers, campus health centers, pastoral counselors, and campus mental health centers) or as otherwise provided by applicable law. Exceptions to confidentiality exist where the conduct involves suspected abuse of a minor (in Georgia, under the age of 18) or otherwise provided by law, such as imminent threat of serious harm. Further, Privileged Employees must still submit anonymous statistical information for Clery Act purposes.

Respondent: Individual who is accused to have engaged in conduct that violates this Policy.

Responsible Employees: Those employees who must promptly and fully report complaints of or information regarding sexual misconduct to the Title IX Coordinator. Responsible Employees include any administrator, supervisor, faculty member, or other person in a position of authority who is not a Privileged Employee. Student employees who serve in a supervisory, advisory, or managerial role are in a position of authority for purposes of this Policy (*e.g.*, teaching assistants, residential assistants, student managers, orientation leaders, etc.). Responsible Employees are not required to report information disclosed at public awareness events (*e.g.*, "Take Back the Night," candlelight vigils, protests, "survivor speak-outs" or other public forums in which students may disclose incidents of prohibited conduct).

Sexual Assault: An umbrella term referring to a range of nonconsensual sexual contact, which can occur in many forms including but not limited to rape and sexual battery.

Sexual Exploitation: "Sexual Exploitation" occurs when an individual takes non-consensual or abusive sexual advantage of another for his or her own advantage or benefit, or to the benefit or advantage of anyone other than the one being exploited.

Examples of sexual exploitation may include, but are not limited to, the following:

1. Invasion of sexual privacy;
2. Prostituting another individual;
3. Non-consensual video or audio of sexual activity;
4. Non-consensual distribution of video or audio of sexual activity, even if the sexual activity or video or audio taken of sexual activity was consensual;
5. Intentional observation of unconsenting individuals who are partially undressed, naked, or engaged in sexual acts;
6. Knowingly transmitting an STD or HIV to another individual;
7. Intentionally and inappropriately exposing one's breasts, buttocks, groin, or genitals in non-consensual circumstances; and/or
8. Sexually-based bullying.

Sexual Harassment: Unwelcome verbal, nonverbal, or physical conduct, based on sex or gender stereotypes, that: is implicitly or explicitly a term or condition of employment or status in a course, program, or activity; is a basis for employment/educational decisions; or has the purpose or effect of interfering with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or benefit from an institutional program or activity.

Stalking: Engaging in a course of conduct directed toward another person based upon sex that would cause a reasonable person (i) to fear for his or her safety or the safety of immediate family members or close acquaintances, or (ii) to suffer substantial emotional distress.

4.1.7.2 Reporting Sexual Misconduct

A complainant of sexual misconduct can choose among several reporting options at their respective institutions: filing a criminal complaint with law enforcement officials; filing an administrative report with the institution; or filing an anonymous report at their institution. These processes are detailed below. An individual who believes he/she is a victim of sexual misconduct is encouraged to report allegations of sexual misconduct promptly.

Institutional Reports

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

The Title IX Coordinator's identity and contact information shall be published by each institution prominently on the institution's website, as well as in any relevant publication. Each institution may choose to have Deputy Title IX Coordinators to whom reports may be made, as well. Institutions should encourage complainants to report their complaints in writing, though oral complaints should also be accepted, taken seriously, and investigated, to the extent possible. Further, while complaints should be made as quickly as possible following an alleged incident of sexual misconduct, all reports should be accepted regardless of when reported.

Complaints should include as much information as possible – that is: (1) the type of sexual misconduct experienced; (2) the name of the respondent; (3) the date(s), time(s), and place(s) of the sexual misconduct; (4) the name(s) of any individual(s) with knowledge of the incident; (5) whether any tangible evidence has been preserved; and (6) whether a criminal complaint has been made.

Information from complaints will be shared only as necessary to investigate and to resolve the alleged sexual misconduct. Complaints will be investigated and resolved as outlined below. Institutions, through their Title IX Coordinators, will also assess the need for and institute interim measures as described below as appropriate and where reasonable, as well as work with the appropriate institutional department to determine the need to issue a broader warning to the community in compliance with the Clery Act or to report activity to the authorities.

Institutional reports will be investigated and adjudicated separately from any criminal complaints.

1. *Confidentiality*: Where a complainant or alleged victim requests that his or her identity be withheld or the allegation(s) not be investigated, the institutions should consider, through the Title IX Coordinator, whether this request can be honored while still providing a safe and nondiscriminatory environment for the institution. Honoring the request may limit the institution's ability to respond fully to the incident and may limit the institution's ability to discipline the respondent.
2. *Retaliation*: Anyone who, in good faith, reports what she or he believes to be misconduct under this Policy, or who participates or cooperates in, or is otherwise associated with any investigation, shall not be subjected to retaliation. Anyone who believes he or she has been the target of retaliation for reporting, participating or cooperating in, or otherwise being associated with an investigation should immediately contact the Title IX Coordinator for the institution. Any person found to have engaged in retaliation in violation of this Policy shall be subject to disciplinary action.
3. *False Complaints*: Individuals are prohibited from intentionally giving false statements to an institution official. Any person found to have intentionally submitted false complaints, accusations, or statements, including during a hearing, in violation of this policy shall be subject to disciplinary action.
4. *Amnesty*: Individuals should be encouraged to come forward and to report sexual misconduct notwithstanding their choice to consume alcohol or to use drugs. Information reported by an individual during an investigation concerning use of

drugs or alcohol will not be used against the particular individual in a disciplinary proceeding or voluntarily reported to law enforcement; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

Law Enforcement Reports

Because sexual misconduct may constitute criminal activity, a complainant also has the option, should he or she so choose, of filing a report with campus or local police, for his or her own protection and that of the surrounding community.

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

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

Anonymous Reports

Each institution should provide a mechanism by which individuals can report incidents of alleged sexual misconduct anonymously.

4.1.7.3 Interim Protective Measures

The Title IX Coordinator or his/her designee may impose interim protective measures before the final outcome of an investigation and until final resolution of the allegations if failure to take the interim measures would constitute an immediate threat to the safety and well-being of the alleged victim or other members of the institution, or to ensure equal access to the institution's education programs and activities. Before any such measures are instituted, however, the Title IX Coordinator should, where practicable, provide the respondent with an initial opportunity to respond to the allegations and to the imposition of any interim protective measures specifically.

Imposing interim protective measures does not indicate that a violation of this Policy has occurred, and is designed to protect the alleged victim and community, and not to harm the respondent. To the extent interim measures are imposed, they should minimize the burden on both the alleged victim and the respondent, where feasible. Interim measures may include, but are not limited to:

1. Change of housing assignment;
2. Issuance of a "no contact" directive;
3. Restrictions or bars to entering certain institution property;
4. Changes to academic or employment arrangements, schedules, or supervision;
5. Interim suspension; and
6. Other measures designed to promote the safety and well-being of the parties and the institution's community.

An interim suspension should only occur where necessary to maintain safety, and should be limited to those situations where the respondent poses a serious and immediate danger

or threat to persons or property. In making such an assessment, the institution should consider the existence of a significant risk to the health or safety of the alleged victim or the campus community, the nature, duration, and severity of the risk, the probability of potential injury, and whether less restrictive means can be used to significantly mitigate the risk.

Before an interim suspension is issued, the institution must make all reasonable efforts to give the respondent the opportunity to be heard on whether his or her presence on campus poses a danger. If an interim suspension is issued, the terms of the suspension take effect immediately. When requested by the respondent, a hearing to determine whether the intermediate suspension should continue will be held within three (3) business days of the request.

4.1.7.4 Support Services

Once an individual makes a complaint, or receives notice that a complaint has been made against him or her, that individual should receive information about support services, such as counseling, advocacy, housing assistance, academic support, disability services, health and mental services, and legal assistance, as is available at their respective institutions.

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

4.1.7.5 Process for Investigating and Resolving Institutional Reports

Jurisdiction: The institution shall take necessary and appropriate action to protect the safety and well-being of its community. Accordingly, sexual misconduct perpetrated against students by University System of Georgia students, faculty, or staff should be addressed whenever such acts occur on a campus, in connection with an institution's program or activity, or in a manner that creates a hostile environment for members of the institution community. Further, the policy is applicable to all University System of Georgia students, faculty, and staff, as well as contractors, vendors, visitors, guests or other third parties.

Advisors: Both the alleged victim and respondent, as parties to the matter, shall have the opportunity to use an advisor (including an attorney) of his/her choosing for the express purpose of providing advice and counsel at his/her own expense. The selected advisor shall not otherwise be a party or witness involved in the investigation. The advisor may be present during any meetings and proceedings involved in the investigatory or resolution process in which the advisee is also eligible to be present. The advisor may advise the advisee, including providing questions, suggestions, advice on the proceedings, and guidance on responses to any questions of the participant, but shall not participate directly. The institution shall not prohibit family members of any party from attending if the party requests such attendance, but may limit the number to two family members.

Timeframe: Reasonable efforts will be made to complete the investigation and resolution within 60 calendar days of the initial complaint, though a longer period of time may be needed in some cases. The Title IX Coordinator will notify the respondent and the alleged victim, in writing, of any extension of this timeframe.

Investigations

1. The Office of the Title IX Coordinator is primarily responsible for directly overseeing the investigation and resolution of complaints, and coordinating possible remedial actions or other responses reasonably designed to minimize the recurrence of the alleged conduct as well as mitigate the effects of any misconduct. The Title IX Coordinator will ensure prompt, fair, and impartial investigations and resolutions of complaints alleging violations of the sexual misconduct policy. The Title IX Coordinator shall be responsible for ensuring any individual participating in the investigation, resolution, or appeal of any sexual misconduct case has received regular training on issues pertaining to sexual misconduct.
2. The Title IX Coordinator shall designate an investigator to conduct a prompt, thorough, and impartial investigation into each complaint received. The investigation shall consist of interviews of the complainant, alleged victim, respondent, and witnesses, and the collection and review of documents or other physical or electronic information, as well as other steps, as appropriate.
3. Unrelated charges and cases shall be investigated separately, unless the respondent consents to having them aggregated.
4. The respondent shall be provided with written notice of the complaint, pending investigation, possible charges, possible sanctions, and available support services. The notice should also include the identity of the Title IX Coordinator and any investigator(s) involved. Notice shall be provided via institution email. If confirmation of receipt is not received by the Title IX Coordinator or the investigator, the Title IX Coordinator or the investigator shall engage in other measures to ensure notice is received by the respondent. A copy shall also be provided to the alleged victim via the same means.
5. The investigator will timely begin the investigation and will schedule an initial interview with the complainant, alleged victim, respondent and any known relevant witnesses. The investigator should retain written notes and/or obtain written or recorded statements from each interview. The investigator shall also keep a record of any proffered witnesses not interviewed, along with a brief, written explanation.
6. Each party shall have three (3) business days to submit a written statement to supplement the notice of complaint and the verbal interview. In that response, the respondent shall have the right to admit or to deny the allegations, and to set forth a defense with facts, witnesses, and documents – whether written or electronic – in support. If respondent has not otherwise responded, a non-written response will be considered a general denial of the alleged misconduct.
7. Based on this response and other relevant information, the investigator shall continue to interview witnesses for both sides, to re-interview parties where necessary, and to collect and review documents or other physical or electronic information, as well as other steps, as appropriate.
8. Where the respondent is a student, the respondent has the right to remain silent during the investigation and resolution process, without an automatic adverse inference resulting. If the respondent chooses to remain silent, the investigation may ultimately still proceed and policy violation charges may still result, which may be resolved against the respondent.

9. The respondent and/or alleged victim may challenge the participation of the investigator on the grounds of personal bias by submitting a written statement to the Title IX Coordinator setting forth the basis for the challenge no later than three (3) business days after the party reasonably should have known of the bias. The Title IX Coordinator will determine whether to sustain or deny the challenge, and if sustained, to appoint a replacement.
10. At the conclusion of the investigation, the investigator will issue to the parties a written report setting forth charges and possible sanctions, as well as an explanation of the evidence against the respondent.
11. The parties shall have at least three (3) business days to respond to the report in writing. The respondent's written response should outline his or her plea in response to the charge(s), and where applicable, his or her defense(s), and the facts, witnesses, and documents – whether written or electronic – in support.
12. The investigator shall, as necessary, conduct further investigation and update the report as warranted by the response(s), and will update the report as necessary.
13. Upon completion of the investigation, the investigator will review the evidence with the Title IX Coordinator. The Title IX Coordinator will ensure policies have been followed.
14. The Title IX Coordinator will contact the alleged victim(s) and the respondent(s) and schedule an opportunity to meet with each party individually. During these meetings, the Title IX Coordinator shall review the report with the parties (individually). Should the report be acceptable to all parties, an informal resolution may be made, which would not require the parties to move to the hearing phase of these procedures. If, however, the parties agree on the conduct, but not on the sanctions, then the sanctions shall be addressed by the hearing panel.
15. Allegations of sexual misconduct involving a student that are brought against an institution's faculty or staff will be investigated as outlined above, but will be further addressed and/or resolved through the institution's applicable employment policies, and in accordance with the procedures for dismissal outlined in the Board of Regents Policy including procedures for appealing such decisions.
16. Where the respondent(s) is a student, a hearing, as well as corresponding procedures/rights to appeal, shall be set and administered as set forth below, and a final report shall be provided to all parties, which will also provide a date, time, and location for a hearing on the matter.
17. The final report should also be provided to the panel for their consideration in adjudicating the charges brought against the respondent. The investigator may testify as a witness before the panel regarding the investigation and findings, but shall otherwise have no part in the hearing process and shall not attempt to otherwise influence the panel outside of providing testimony during the hearing.

Hearings

1. The hearing will be conducted by the Title IX Coordinator and/or his/her designee(s). The Panel must be composed of at least three (3) members.
2. The investigator shall not serve on the Panel.
3. No student shall serve on the Panel.
4. Both the alleged victim and respondent shall have the opportunity to present witnesses and evidence to the Panel. Both parties shall have the right to confront

any witnesses, including the other party, by submitting written questions to the Title IX Coordinator and/or his or her designee for consideration. Witness testimony, if provided, shall pertain to knowledge and facts directly associated with the case being heard. Advisors may actively assist in drafting questions. The Panel shall ask the questions as written, and will limit questions only if they are unrelated to determining the veracity of the charge leveled against the respondent(s). In any event, the Panel shall err on the side of asking all submitted questions, and must document the reason for not asking any particular questions.

5. The Title IX Coordinator reserves the right to allow a party to testify in a separate room, when determined to be necessary. Where such a determination is made, special measures must be put in place to ensure no party is unfairly disadvantaged by this procedure. A party must still give testimony in the presence of the Panel, and the opposing party must have the opportunity to view the testimony remotely and to submit follow-up questions.
6. Similarly, where the Title IX Coordinator determines that a witness or party necessary to the proceedings is unavailable and unable to be present due to exigent circumstances (e.g., on a study abroad program, medical restrictions on travel, etc.), he or she may establish special procedures for providing testimony from a separate location. In doing so, the Title IX Coordinator must determine there is a valid basis for the unavailability, ensure proper sequestration in a manner that ensures the testimony has not been tainted, and make a determination that such an arrangement will not unfairly disadvantage any parties. Should it be reasonably believed that a party or witness who is not physically present has presented tainted testimony to the Panel, the Panel will disregard the testimony of that witness.
7. The standard of review shall be a preponderance of the evidence; however, any decision to suspend or to expel a student must also be supported by substantial evidence at the hearing.
8. The civil rules of evidence do not apply to the investigatory or resolution process.
9. Both the respondent and alleged victim shall be provided a written report via institution email of the outcome and any resulting sanctions. The written report must summarize the evidence in support of the sanction. The report should include details on how to appeal, as outlined below.

Possible Sanctions

The severity of sanctions or corrective actions may depend on the severity, frequency and/or nature of the offense, history of past discriminatory, harassing, or retaliatory conduct, the respondent's willingness to accept responsibility, previous institutional response to similar conduct, and the institution's interests. The Panel will determine the sanction after review of the investigatory findings.

The broad range of sanctions includes but is not limited to: expulsion; suspension for an identified time frame or until satisfaction of certain conditions, or both; temporary or permanent separation of the parties (e.g., change in classes, reassignment of residence, no contact orders, limiting geography of where parties can go on campus) with additional sanctions for violating orders; required participation in sexual or relationship sensitivity training/awareness education programs; required participation in alcohol and other drug awareness and abuse prevention programs; counseling or mentoring; volunteering/community service; loss of institutional

privileges; delays in obtaining administrative services and benefits from the institution (*e.g.*, holding transcripts, delaying registration, graduation, diplomas); additional academic requirements relating to scholarly work or research on sexual misconduct; financial restitution; or any other discretionary sanctions directly related to the violation or conduct.

4.7.1.6 Appeals

Parties shall have the right to appeal the outcome on any of the following grounds: (1) to consider new information, sufficient to alter the decision, or other relevant facts not brought out in the original hearing, because such information was not known or knowable to the person appealing during the time of the hearing; (2) to allege a procedural error within the hearing process that may have substantially impacted the fairness of the hearing, including but not limited to whether any hearing questions were improperly excluded or whether the decision was tainted by bias; or (3) to allege that the finding was inconsistent with the weight of the information. Appeals may be made by the alleged offender for the above reasons in any case where sanctions are issued – even those in which such sanctions are held “in abeyance,” such as probationary suspension or expulsion.

The appeal must be made in writing, and must set forth one or more of the bases outlined above, and must be submitted within five (5) business days of the date of the final report.

Where the respondent or alleged victim appealing the outcome is a student, the appeal should be made to the Vice President for Student Affairs or his/her designee. The appeal shall be a review of the record only, and no new meeting with the respondent or alleged victim will be held. The non-appealing party shall be given the opportunity to respond to the appellant’s submission. The applicable Vice President, or his/her designee, may affirm the original finding and sanction; affirm the original finding but issue a new sanction of greater or lesser severity; remand the case back to the Title IX Coordinator to correct a procedural or factual defect; or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The Vice President or his/her designee shall then issue a decision in writing to both the respondent and alleged victim simultaneously within a reasonable time period.

The decision of the Vice President or his/her designee may be appealed in writing within five (5) business days (as determined by the date of the decision letter) to the President of the institution solely on the three grounds set forth above.

The President may affirm the original finding and sanction; affirm the original finding but issue a new sanction of greater or lesser severity; remand the case back to the Title IX Coordinator to correct a procedural or factual defect; or reverse or dismiss the case if there was a procedural or factual defect that cannot be remedied by remand. The President’s decision shall be issued in writing to both the respondent and alleged victim and shall be issued within a reasonable amount of time. The President’s decision shall be the final decision of the institution.

Should the respondent or alleged victim wish to appeal the President’s decision, he or she may appeal to the Board of Regents in accordance with the Board of Regents Policy 8.6.

4.1.7.7 Recusal / Challenge for Bias

Any party may challenge the participation of any institution official or employee in the process on the grounds of personal bias by submitting a written statement to the institution’s designee

setting forth the basis for the challenge. The written challenge should be submitted within a reasonable time after the individual reasonably should have known of the existence of the bias. The institution's designee will determine whether to sustain or deny the challenge, and if sustained, the replacement to be appointed.