



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

May 11, 2022

Presidents
University System of Georgia
sent via email

Dear Presidents:

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

Institutional Governance

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

Campus Affairs

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

Finance and Business

- **Board Policy 7.3.2.1 Mandatory Student Fees**
- **Board Policy 7.2.2 Auxiliary Enterprises and Student Activities Revenues and Expenditures**

Personnel

- **Board Policy 8.2.8.3 Employment Beyond Retirement**

Attached as an Exhibit is a document that provides background information on the policy revisions, the effective date of each policy revision, and also shows the language added / removed from each policy section. Questions regarding revisions to Section 2, Institutional Governance and Section 6, Campus Affairs, should be directed to Vice Chancellor of Legal Affairs Chris McGraw at chris.mcgraw@usg.edu or (404) 962-3255. Questions regarding revisions to Section 7, Finance and Business, should be directed to Vice Chancellor for Fiscal Affairs Jeff Davis at jeff.davis@usg.edu or (404) 962-3205. Questions regarding revisions to Section 8, Personnel, should be directed to Vice Chancellor for Human Resources Dr. Juanita Hicks at juanita.hicks@usg.edu or (404) 962-3246.

Please share widely with the appropriate offices at your institution to include Academic Affairs, Human Resources, Business and Finance, Legal Affairs, Audit, and Compliance.

Sincerely,



Sonny Perdue
Chancellor

Enclosure

cc: Tracey Cook, Executive Vice Chancellor for Strategy and Fiscal Affairs
Teresa MacCartney, Executive Vice Chancellor for Administration
Dr. Stuart Rayfield, Interim Executive Vice Chancellor for Academic Affairs
Ashley Jones May, Chief of Staff and Vice Chancellor for External Affairs
Claire Arnold, Vice Chancellor for Internal Audit, Chief Audit Officer
Jeff Davis, Vice Chancellor for Fiscal Affairs
Dr. John Fuchko, III, Vice Chancellor for Organizational Effectiveness
Dr. Juanita Hicks, Vice Chancellor for Human Resources
Chris McGraw, Vice Chancellor of Legal Affairs and Secretary to the Board
Sandra Neuse, Vice Chancellor for Real Estate and Facilities
Dr. Joyce Jones, Vice Chancellor for Student Affairs
Dr. Martha Venn, Vice Chancellor for Academic Affairs
Karin Elliott, Associate Vice Chancellor of Total Rewards
Josiah Heidt, Senior Legal Counsel
Wesley Horne, Director of Ethics and Compliance
Institutional Chief Business Officers
Institutional Provosts
Institutional Human Resource Directors
Institutional Legal Officers
Institutional Effectiveness Leads
Institutional Audit Directors

Exhibit
BOARD OF REGENTS POLICY MANUAL
Revised with Markup
Meeting of May 10, 2022

I. Revision to the *Policy Manual*: Section 2.2 – Selection of Presidents for USG Institutions

Background:

Board Policy 2.2, Selection of Presidents for USG Institutions, sets out the process for selecting new institutional presidents when vacancies occur. In its current form, it creates a process and search committee composition that is different for presidential searches at research institutions than for presidential searches at comprehensive universities, state universities, and state colleges. The approved revisions make the policy consistent for presidential searches at all USG institutions by adopting one process and one form of search committee for institutions from all sectors. The effective date is May 10, 2022.

Current Policy:

2.2 Selection of Presidents for USG Institutions

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

The institutional search committee shall be composed of representatives of the faculty, alumni, Foundation, students, and the community with faculty composing the largest number of institutional members. For institutional search committees at comprehensive universities, state universities, and state colleges, the Chancellor shall name a faculty member to serve as the chair of the institutional search committee.

Additionally, for searches at research universities, the Chair of the Board of Regents shall serve on the institutional search committee and name six other Regents to the institutional search committee, one of whom shall be the Regent residing closest to the institution. The Chair of the Board of Regents shall name a Regent, from those appointed, to serve as chair of the institutional search committee for research universities.

For comprehensive universities, state universities, and state colleges, the institutional search committee shall submit three to five unranked names to a Regents' Special Committee for

consideration. The Chair of the Board of Regents shall appoint members to the Regents' Special Committee, one of whom shall be the Regent residing closest to the institution. In the case of presidential searches at research universities, the institutional search committee shall submit three to five unranked names to the Board of Regents for consideration. Authority to name one or more finalists for President rests exclusively with the Board of Regents.

Approved Revision:

2.2 Selection of Presidents for USG Institutions

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

The institutional search committee shall be composed of representatives of the Board of Regents, the Chancellor and/or Chancellor's designee, faculty, alumni, Foundation foundation, students, and the community with faculty composing the largest number of institutional members. For institutional search committees at comprehensive universities, state universities, and state colleges, the Chancellor shall name a faculty member to serve as the chair of the institutional search committee.

Additionally, for searches at research universities, the Chair of the Board of Regents shall serve on the institutional search committee and name six other Regents to the institutional search committee, one of whom shall be the Regent residing closest to the institution. The Chair of the Board of Regents shall name a Regent, from those appointed, to serve as chair of the institutional search committee for research universities.

For comprehensive universities, state universities, and state colleges, the institutional search committee shall submit three to five unranked names to a Regents' Special Committee for consideration. The Chair of the Board of Regents shall appoint members to the Regents' Special Committee, one of whom shall be the Regent residing closest to the institution. In the case of presidential searches at research universities, the The institutional search committee shall submit three to five unranked names to the Board of Regents for consideration. Authority to name one or more finalists for President rests exclusively with the Board of Regents.

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

2.2 Selection of Presidents for USG Institutions

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

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

Additionally, the Chair of the Board of Regents shall serve on the institutional search committee and name other Regents to the institutional search committee. The Chair of the Board of Regents shall name a Regent, from those appointed, to serve as chair of the institutional search committee.

The institutional search committee shall submit three to five unranked names to the Board of Regents for consideration. Authority to name one or more finalists for President rests exclusively with the Board of Regents.

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

Background:

Prior to this year's legislative session, state law (at O.C.G.A. § 20-3-48) required the Board of Regents to adopt a set of regulations and policies relevant to free speech and expression on USG campuses, which the Board has done through Policy 6.5 and corresponding policies at each institution. During this year's session, the General Assembly passed House Bill 1, which added additional requirements in O.C.G.A. § 20-3-48, including expanding the areas of campus that are deemed public forums for institutions' students, faculty, staff, and their invited guests. The approved amendment aligns Board Policy with House Bill 1's amendments to O.C.G.A. § 20-3-48. The effective date of this policy is July 1, 2022.

Current Policy:

The rights guaranteed by the First Amendment, including the right to free speech, free expression, free exercise of religion, and the right to assemble peaceably are of the utmost importance, and the University System of Georgia (USG) is committed to protecting those rights.

As public institutions of higher education, USG institutions must promote open ideas and academic freedom on their campuses. While institutions may need to enact policies to promote campus safety, to ensure the proper functioning of the academic environment and institution activities, or to further other important institution objectives, those policies should not unduly burden the free expression rights of students, faculty, and staff. Any parameters placed on the time, place, and manner of expression must not be based on the content of the expression.

To facilitate the free exchange of ideas, institutions may designate accessible, high-traffic locations on campus as public forum areas. The designation of public forum areas may not be used to prohibit individual students, faculty, or staff from engaging in communication elsewhere on campus. Reservation and use of designated public forum areas may only be required in the following limited circumstances: (1) speakers who are not enrolled at or employed by the institution; and (2) students, faculty, or staff who engage in large group demonstrations. Institutions may not consider the content or viewpoint of expression when requiring or assigning use of public forum areas.

Approved Revision:

The rights guaranteed by the First Amendment, including the right to free speech, free expression, free exercise of religion, and the right to assemble peaceably are of the utmost

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

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

Institutions may maintain and enforce reasonable time, place, and manner restrictions narrowly tailored to serve a significant institutional interest. Such restrictions must employ clear, published, content- and viewpoint-neutral criteria, and provide for ample alternative means of expression. Finally, any such restrictions may include reservation requirements, if needed, but must also allow for members of the campus community to spontaneously and contemporaneously assemble or distribute literature.

~~To facilitate the free exchange of ideas, institutions~~ Institutions can designate accessible, high-traffic locations on campus as public forum areas for individuals or groups who are not members of the campus community and can require these individuals or groups to comply with reasonable time, place, and manner restrictions, including reservation requirements. ~~The designation of public forum areas may not be used to prohibit individual students, faculty, or staff from engaging in communication elsewhere on campus. Reservation and use of designated public forum areas may only be required in the following limited circumstances: (1) speakers who are not enrolled at or employed by the institution; and (2) students, faculty, or staff who engage in large group demonstrations.~~ Institutions may not consider the content or viewpoint of expression when requiring or assigning use of public forum areas.

USG institutions must place their student free expression policies and procedures in the student handbook and make the same publicly available online. These policies and procedures must also be incorporated into student orientation programs. Finally, institutions must develop materials, programs, and procedures to ensure that faculty and staff understand the institutional policies and duties regarding free expression on campus.

New Policy (to be effective July 1, 2022):

The rights guaranteed by the First Amendment, including the right to free speech, free expression, free exercise of religion, and the right to assemble peaceably are of the utmost

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

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

Institutions may maintain and enforce reasonable time, place, and manner restrictions narrowly tailored to serve a significant institutional interest. Such restrictions must employ clear, published, content- and viewpoint-neutral criteria, and provide for ample alternative means of expression. Finally, any such restrictions may include reservation requirements, if needed, but must also allow for members of the campus community to spontaneously and contemporaneously assemble or distribute literature.

Institutions can designate accessible, high-traffic locations on campus as public forum areas for individuals or groups who are not members of the campus community and can require these individuals or groups to comply with reasonable time, place, and manner restrictions, including reservation requirements. Institutions may not consider the content or viewpoint of expression when requiring or assigning use of public forum areas.

USG institutions must place their student free expression policies and procedures in the student handbook and make the same publicly available online. These policies and procedures must also be incorporated into student orientation programs. Finally, institutions must develop materials, programs, and procedures to ensure that faculty and staff understand the institutional policies and duties regarding free expression on campus.

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

Background:

Prior to this year's legislative session, state law (at O.C.G.A. § 16-11-127.1) allowed (1) weapons carry license holders to carry a concealed handgun on Board of Regents property, except for in five defined areas of campus; and (2) allowed weapons carry license holders to possess weapons on Board of Regents property while under the license holder's physical control in a motor vehicle, in a locked compartment in a motor vehicle, in a locked container in a motor vehicle, or in a locked firearms rack in a motor vehicle. During this year's session, the General Assembly passed Senate Bill 319, which amended O.C.G.A. § 16-11-127.1 to change "weapons carry license holder" to "lawful weapons carrier" throughout the statute. The approved amendment aligns Board Policy with O.C.G.A. § 16-11-127.1. The effective date of this policy is May 10, 2022.

Current Policy:

6.11 Weapons

The University System of Georgia (USG) prohibits all weapons on property owned or leased by the USG and its institutions, except as specifically provided herein or as provided in federal or state law.

6.11.1 Exceptions

Prohibited weapons do not include sporting equipment possessed for legitimate use in formal or informal athletic or exercise activities.

Law enforcement officers, active military personnel, and other similar personnel may possess weapons as authorized by federal or state law to do so.

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

Weapons carry license holders may possess weapons while under the license holder's physical control in a motor vehicle, in a locked compartment in a motor vehicle, in a locked container in a motor vehicle, or in a locked firearms rack in a motor vehicle.

A weapons carry license holder may carry a handgun in any building or on any real property owned or leased by the USG and its institutions; provided, however, that such exception shall:

- (i) Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;
- (ii) Not apply to any preschool or childcare space located within such buildings or real property;
- (iii) Not apply to any room or space being used for classes related to a college and career academy or other specialized school as provided for under Georgia Code Section 20-4-37;
- (iv) Not apply to any room or space being used for classes in which high school students are enrolled through a dual enrollment program, including, but not limited to, classes related to the “Move on When Ready Act” as provided for under Georgia Code Section 20-2-161.3;
- (v) Not apply to faculty, staff, or administrative offices or rooms where disciplinary proceedings are conducted;
- (vi) Only apply to the carrying of handguns which a licensee is licensed to carry pursuant to subsection (e) of Georgia Code Section 16-11-126 and pursuant to Georgia Code Section 16-11-129; and
- (vii) Only apply to the carrying of handguns which are concealed.

Approved Revision:

6.11 Weapons

The University System of Georgia (USG) prohibits all weapons on property owned or leased by the USG and its institutions, except as specifically provided herein or as provided in federal or state law.

6.11.1 Exceptions

Prohibited weapons do not include sporting equipment possessed for legitimate use in formal or informal athletic or exercise activities.

Law enforcement officers, active military personnel, and other similar personnel may possess weapons as authorized by federal or state law to do so.

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

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

A ~~weapons carry license holder~~ lawful weapons carrier may carry a handgun in any building or on any real property owned or leased by the USG and its institutions; provided, however, that such exception shall:

- (i) Not apply to buildings or property used for athletic sporting events or student housing, including, but not limited to, fraternity and sorority houses;
- (ii) Not apply to any preschool or childcare space located within such buildings or real property;
- (iii) Not apply to any room or space being used for classes related to a college and career academy or other specialized school as provided for under Georgia Code Section 20-4-37;
- (iv) Not apply to any room or space being used for classes in which high school students are enrolled through a dual enrollment program, including, but not limited to, classes related to the "Move on When Ready Act" as provided for under Georgia Code Section 20-2-161.3;
- (v) Not apply to faculty, staff, or administrative offices or rooms where disciplinary proceedings are conducted; and
- ~~(vi) Only apply to the carrying of handguns which a licensee is licensed to carry pursuant to subsection (e) of Georgia Code Section 16-11-126 and pursuant to Georgia Code Section 16-11-129; and~~
- (vi) Only apply to the carrying of handguns which are concealed.

New Policy (effective May 10, 2022):

6.11 Weapons

The University System of Georgia (USG) prohibits all weapons on property owned or leased by the USG and its institutions, except as specifically provided herein or as provided in federal or state law.

6.11.1 Exceptions

Prohibited weapons do not include sporting equipment possessed for legitimate use in formal or informal athletic or exercise activities.

Law enforcement officers, active military personnel, and other similar personnel may possess weapons as authorized by federal or state law to do so.

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

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

A lawful weapons carrier may carry a handgun in any building or on any real property owned or leased by the USG and its institutions; provided, however, that such exception shall:

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

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

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

(iv) Not apply to any room or space being used for classes in which high school students are enrolled through a dual enrollment program, including, but not limited to, classes related to the "Move on When Ready Act" as provided for under Georgia Code Section 20-2-161.3;

(v) Not apply to faculty, staff, or administrative offices or rooms where disciplinary proceedings are conducted; and

(vi) Only apply to the carrying of handguns which are concealed.

IV. Policy Manual Revision: Section 7.3.2.1 Mandatory Student Fees

Background:

During the 2021 legislative session, Senate Resolution 300 was passed, which created the Senate University Fees Study Committee. The stated purpose of the committee was to review fees associated with the cost of postsecondary education and to make recommendations regarding potential changes. The final report of the Committee was adopted on November 18, 2021. There were five major recommendations in the Committee's final report:

1. Discontinuation of the Special Institutional Fee.
2. Broaden Student Fee Committee representation to include part-time, graduate, and other students.
3. Develop standardized approaches to fee terminology/transparency.
4. Develop more consistent approach to how fees are charged to online and part-time students.
5. Increase reporting to the General Assembly on current and future fee uses.

The recommendations of the Committee were not official legislation.

The Acting Chancellor charged a fee working group made up of representatives from the System Office and institutions to respond to these concerns and to recommend modifications to our fee strategy with a focus on student affordability and transparency.

In an effort to expand student representation on the Student Fee Committee, a revision to Board Policy was recommended. This policy revision will be augmented by changes to the Business Procedures Manual (BPM), which provides operational guidance to institutions. The BPM will be revised to require the following:

- Each institution should form a single "Student Fee Committee" to evaluate all mandatory fees assessed to students.
- Student Fee Committee must include broader representation to include graduate, part-time, and online students. Appointments of students to the Student Fee Committee are made as follows:
 - o Undergraduate Student Government Association – shall nominate at least 50% of student representatives
 - o Graduate Student Government Association (if applicable) – shall nominate at least 25% of student representatives
 - o Administration – may nominate up to 25% of student representatives
- Where possible, Student Fee Committee members should serve two-year terms.
- Institutions will document that a campus wide fee education outreach effort has taken place
- Proposals for new fees or for increasing any existing individual fee by 20% or more will require the institution to conduct a campus-wide student referendum in which a majority votes cast must be in favor of the fee increase. This requirement is waived for proposed increases required for debt service coverage

The System Office will continue to review the overall fee strategy and bring further recommendations to the Board at a later time.

Current Policy Language:

7.3.2.1 Mandatory Student Fees

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

Mandatory student fees shall include, but not be limited to:

1. Intercollegiate athletic fees;
2. Student health service fees;
3. Transportation or parking fees (if the latter are charged to all students);
4. Student activity fees;
5. Technology fees;
6. Facility fees; and
7. Mandatory food service fees.

Purposes and rates for all mandatory fees shall be approved by the Board of Regents to become effective the following fall semester. All mandatory fees assessed to students enrolled in 12 credit hours or more shall be assessed at the Board-approved rate. Institutions may reduce mandatory fees on a per-credit-hour basis or on a tiered structure for students taking fewer than 12 credit hours or for students enrolled in summer courses.

All mandatory student fees collected by an institution, as well as any proposals to increase or create a mandatory student fee or to change the purpose of an existing mandatory student fee, shall be proposed and administered by the President of the institution and presented to an advisory committee composed at least 50 percent students appointed by the institution’s Student Government Association for advice, counsel, and a vote prior to the institution submitting the request to the Board of Regents. The advisory committee must include at least four students and institutions and Student Government Associations should make a concerted effort to include broad representation among the students appointed to the advisory committee. These procedures do not apply to special circumstances in which a general purpose fee is instituted system-wide by the Board of Regents.

Mandatory student fees shall be used exclusively to support the institution’s mission to enrich the educational, institutional, and cultural experience of students. All payments from funds supported by student mandatory fees shall be made according to approved business procedures and the appropriate business practices of the institution.

Approved Revision:

7.3.2.1 Mandatory Student Fees

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

Mandatory student fees shall include, but not be limited to:

1. Intercollegiate athletic fees;
2. Student health service fees;
3. Transportation or parking fees (if the latter are charged to all students);
4. Student activity fees;
5. Technology fees;
6. Facility fees; and
7. Mandatory food service fees.

Purposes and rates for all mandatory fees shall be approved by the Board of Regents to become effective the following fall semester. All mandatory fees assessed to students enrolled in 12 credit hours or more shall be assessed at the Board-approved rate. Institutions may reduce mandatory fees on a per-credit-hour basis or on a tiered structure for students taking fewer than 12 credit hours or for students enrolled in summer courses.

All mandatory student fees collected by an institution, as well as any proposals to increase or create a mandatory student fee or to change the purpose of an existing mandatory student fee, shall be proposed and administered by the President of the institution and presented to an advisory committee composed of at least 50 percent students appointed by the institution's ~~Student Government Association~~ for advice, counsel, and a vote prior to the institution submitting the request to the Board of Regents. The advisory committee must include at least four students and institutions and Student Government Associations should make a concerted effort to include broad representation among the students appointed to the advisory committee. These procedures do not apply to special circumstances in which a general purpose fee is instituted system-wide by the Board of Regents.

Mandatory student fees shall be used exclusively to support the institution's mission to enrich the educational, institutional, and cultural experience of students. All payments from funds supported by student mandatory fees shall be made according to approved business procedures and the appropriate business practices of the institution.

New Policy:

7.3.2.1 Mandatory Student Fees

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

Mandatory student fees shall include, but not be limited to:

1. Intercollegiate athletic fees;
2. Student health service fees;
3. Transportation or parking fees (if the latter are charged to all students);
4. Student activity fees;
5. Technology fees;
6. Facility fees; and
7. Mandatory food service fees.

Purposes and rates for all mandatory fees shall be approved by the Board of Regents to become effective the following fall semester. All mandatory fees assessed to students enrolled in 12 credit hours or more shall be assessed at the Board-approved rate. Institutions may reduce mandatory fees on a per-credit-hour basis or on a tiered structure for students taking fewer than 12 credit hours or for students enrolled in summer courses.

All mandatory student fees collected by an institution, as well as any proposals to increase or create a mandatory student fee or to change the purpose of an existing mandatory student fee, shall be proposed and administered by the President of the institution and presented to an advisory committee composed at least 50 percent students for advice, counsel, and a vote prior to the institution submitting the request to the Board of Regents. The advisory committee must include at least four students and institutions and Student Government Associations should make a concerted effort to include broad representation among the students appointed to the advisory committee. These procedures do not apply to special circumstances in which a general purpose fee is instituted system-wide by the Board of Regents.

Mandatory student fees shall be used exclusively to support the institution’s mission to enrich the educational, institutional, and cultural experience of students. All payments from funds supported by student mandatory fees shall be made according to approved business procedures and the appropriate business practices of the institution.

V. Policy Manual Revision: Section 7.2.2 Auxiliary Enterprises and Student Activities Revenues and Expenditures

Background:

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

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

- Requests to apply general funds to auxiliary enterprises require review by the USG Budget Office, and advance written approval by the Chancellor (or designee).
- Application of general funds to auxiliary enterprises should be supported by a specific business need as articulated in the written request to the Chancellor.
- General fund application may not contribute to increasing auxiliary carry forward reserves. Applying general funds to auxiliary enterprises should not result in an increased auxiliary carryforward at fiscal year-end.

Current Policy Language:

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

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

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

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

Auxiliary enterprises shall be accounted for on the accrual basis of accounting. [Section 15 of the USG Business Procedures Manual, Auxiliary Enterprise Funds](#), provides additional accounting criteria necessary for determining if auxiliary enterprises are functioning on as self-supporting basis.

Exceptions to the requirement that institutions operate their auxiliary enterprises on a self-supporting basis shall be recognized as follows:

1. Institutions may choose to operate some auxiliary enterprise activities on a loss basis, but must indicate in their five-year plans how the costs of such activities will be covered by revenues generated through other auxiliary operations and must also provide an alternative plan reflecting, rightsizing of operations, or the elimination or privatization of the auxiliary. Institutions that choose to operate auxiliary enterprise activities on a loss basis and use revenues generated through other auxiliary operations to subsidize these operations must annually reflect non-mandatory transfers to avoid auxiliary enterprise deficits. The Board of Regents may, upon recommendation of the Chancellor, direct the institution to eliminate or privatize the auxiliary.
2. Institutions may apply Education & General Fund resources (unrestricted institutional funds), excluding Fund 10000 state appropriations for athletics, to auxiliary enterprise operations where such expenditures can be justified as supporting the primary mission of the institution; however, use of general fund resources for auxiliary enterprise operations is strongly discouraged and must be approved in advance by the Chancellor under procedures established by the USG chief fiscal officer. The Board of Regents has determined that intercollegiate athletics supports the overall mission of the institution and has authorized the use of Education & General Fund resources in support of intercollegiate athletics as outlined in [Board Policies 4.5](#) and [7.2.2](#). Use of Education & General Fund resources for intercollegiate athletics, excluding Fund 10000 state appropriations, is authorized as outlined in [Board Policy 4.5](#) and as further defined in the [USG Business Procedures Manual](#). In no instance may Education & General Fund resources be used to support athletic scholarships. The use and amount of Education & General Fund resources applied to the support of auxiliary enterprise operations shall be included in the five-year plan.

Approved Revision:

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

1. Housing;
2. Food Services;
3. Student Health Services;
4. Student Activities;

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

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

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

Auxiliary enterprises shall be accounted for on the accrual basis of accounting. [Section 15 of the USG Business Procedures Manual, Auxiliary Enterprise Funds](#), provides additional accounting criteria necessary for determining if auxiliary enterprises are functioning on as self-supporting basis.

Exceptions to the requirement that institutions operate their auxiliary enterprises on a self-supporting basis shall be recognized as follows:

1. Institutions may choose to operate some auxiliary enterprise activities on a loss basis, but must indicate in their five-year plans how the costs of such activities will be covered by revenues generated through other auxiliary operations and must also provide an alternative plan reflecting, rightsizing of operations, or the elimination or privatization of the auxiliary. Institutions that choose to operate auxiliary enterprise activities on a loss basis and use revenues generated through other auxiliary operations to subsidize these operations must annually reflect non-mandatory transfers to avoid auxiliary enterprise deficits. The Board of Regents may, upon recommendation of the Chancellor, direct the institution to eliminate or privatize the auxiliary.
2. Institutions may apply Education & General Fund resources (unrestricted institutional funds), excluding Fund 10000 state appropriations for athletics, to auxiliary enterprise operations where such expenditures can be justified as supporting the primary mission of the institution; however, use of general fund resources for auxiliary enterprise operations ~~is strongly discouraged and~~ **should be limited and** must be approved in advance by the Chancellor under procedures established by the USG chief fiscal officer. The Board of Regents has determined that intercollegiate athletics supports the overall mission of the institution and has authorized the use of Education & General Fund resources in support of intercollegiate athletics as outlined in [Board Policies 4.5](#) and [7.2.2](#). Use of Education & General Fund resources for intercollegiate athletics, excluding Fund 10000 state appropriations, is authorized as outlined in [Board Policy 4.5](#) and as further defined in the [USG Business Procedures Manual](#). In no instance may Education & General Fund resources be used to support athletic scholarships. The use and amount of Education &

General Fund resources applied to the support of auxiliary enterprise operations shall be included in the five-year plan.

New Policy:

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

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

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

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

Auxiliary enterprises shall be accounted for on the accrual basis of accounting. [Section 15 of the USG Business Procedures Manual, Auxiliary Enterprise Funds](#), provides additional accounting criteria necessary for determining if auxiliary enterprises are functioning on as self-supporting basis.

Exceptions to the requirement that institutions operate their auxiliary enterprises on a self-supporting basis shall be recognized as follows:

1. Institutions may choose to operate some auxiliary enterprise activities on a loss basis, but must indicate in their five-year plans how the costs of such activities will be covered by revenues generated through other auxiliary operations and must also provide an alternative plan reflecting, rightsizing of operations, or the elimination or privatization of the auxiliary. Institutions that choose to operate auxiliary enterprise activities on a loss basis and use revenues generated through other auxiliary operations to subsidize these operations must annually reflect non-mandatory transfers to avoid auxiliary enterprise deficits. The Board of Regents may, upon recommendation of the Chancellor, direct the institution to eliminate or privatize the auxiliary.
2. Institutions may apply Education & General Fund resources (unrestricted institutional funds), excluding Fund 10000 state appropriations for athletics, to auxiliary enterprise

operations where such expenditures can be justified as supporting the primary mission of the institution; however, use of general fund resources for auxiliary enterprise operations should be limited and must be approved in advance by the Chancellor under procedures established by the USG chief fiscal officer. The Board of Regents has determined that intercollegiate athletics supports the overall mission of the institution and has authorized the use of Education & General Fund resources in support of intercollegiate athletics as outlined in [Board Policies 4.5](#) and [7.2.2](#). Use of Education & General Fund resources for intercollegiate athletics, excluding Fund 10000 state appropriations, is authorized as outlined in [Board Policy 4.5](#) and as further defined in the [USG Business Procedures Manual](#). In no instance may Education & General Fund resources be used to support athletic scholarships. The use and amount of Education & General Fund resources applied to the support of auxiliary enterprise operations shall be included in the five-year plan.

VI. Policy Manual Section 8.2.8.3 Employment Beyond Retirement

Background:

As part of a recent audit, TRS provided guidance on the salary allowed to be paid to USG rehired retirees who are receiving benefits from TRS based on O.C.G.A. § 47-3-127 which allows for the salary to be determined by either using the last compensation earned at retirement, OR, the average compensation used to determine a retiree's benefit at retirement, whichever is deemed higher. There can also be an allowance for any cost of living adjustments that may have occurred during this time.

Based upon this guidance and to ensure USG institutions are in compliance with this policy when rehiring USG TRS retirees, the following revisions were made to USG board policy 8.2.8.3 Employment Beyond Retirement

Current Policy:

8.2.8.3 Employment Beyond Retirement

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

1. The reemployment of a USG retiree must be approved by the hiring institution's president. Institutions must submit a copy of their hiring and approval procedures to rehire USG retirees to the Office of Human Resources upon request.
2. A rehired retiree must have a minimum break of at least one month between the effective date of his/ or her retirement and the effective date of his/ or her reemployment.
3. The work commitment of a rehired retiree must be less than half-time, i.e., less than 49 percent.
4. The salary that is paid to a rehired retiree must be either:
 - No more than 49 percent of the annual benefit-base compensation amount that he or she was earning at the time of his or her retirement with consideration for the average merit increase percentages that have been applied since the employee retired;
 - No more than 49 percent of the average compensation for the position into which the retiree is being hired based on the institution's existing compensation plan or, if not applicable, the average compensation of existing or previous incumbents; or,
 - No more than 49 percent of a reasonable market competitive rate for the position into which the retiree is being rehired as determined by the institutional chief human resources officer.
5. The salary that is paid to a rehired retiree must be consistent with his/ or her work commitment.

Approved Revisions:

8.2.8.3 Employment Beyond Retirement

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

1. The reemployment of a USG retiree must be approved by the hiring institution's president. Institutions must submit a copy of their hiring and approval procedures to rehire USG retirees to the **University System** Office of Human Resources upon request.
2. A rehired retiree must have a minimum break of at least one month between the effective date of his/ or her retirement and the effective date of his/ or her reemployment.
3. The work commitment of a rehired retiree must be less than half-time, i.e., less than 49 percent.
4. The salary that is paid to a rehired retiree must be ~~either:~~
 - No more than 49 percent of the **last compensation earned at retirement, or, the average compensation used to determine a retiree's benefit at retirement (for TRS retirees), whichever is deemed higher;** ~~annual benefit-base compensation amount that he or she was earning at the time of his or her retirement~~ with consideration for the average **cost of living adjustment merit increases** percentages that have been applied since the employee retired;
 - ~~No more than 49 percent of the average compensation for the position into which the retiree is being hired based on the institution's existing compensation plan or, if not applicable, the average compensation of existing or previous incumbents; or,~~
 - ~~No more than 49 percent of a reasonable market competitive rate for the position into which the retiree is being rehired as determined by the institutional chief human resources officer.~~
5. The salary that is paid to a rehired retiree must be consistent with his/ or her work commitment.

New Policy:

8.2.8.3 Employment Beyond Retirement

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

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

retirement (for TRS retirees), whichever is deemed higher; with consideration for the average cost of living adjustment increases that have been applied since the employee retired;

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