

A UNIT OF THE UNIVERSITY SYSTEM OF GEORGIA


# FLOYD JUNIOR COLLEGE

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May 19, 1981

## MEMORANDUM

TO: Phillip Dillard  
Harold Boyd ✓  
Gale Harrison  
Elsie Washington  
Hal Langford

FROM: Jim McKee 

Jack Sharp  
Jerry Shelton  
Barbara Smith  
Jo Anne Starnes  
Hubert Whitlow

Here it is!

We'll meet at 1:10 (PCR) on Thursday, May 21 to go over it. Please try to read it before then.

## PROPOSED STATUTES OF FLOYD JUNIOR COLLEGE

These Statutes are expressly subject to the Policies and Bylaws of the Board of Regents of the University System of Georgia and the amendments thereto. In the case of any diversion from the conflict with official policy of the Board of Regents, the official policy of the Board of Regents shall prevail.

### Article I. THE COLLEGE

#### Section A. A Unit of the System

Floyd Junior College is a unit of the University System of Georgia and is under the jurisdiction of the Board of Regents and the Chancellor of the University System of Georgia. As a two-year institution, Floyd Junior College confers the Associate of Arts and the Associate of Science degrees.

#### Section B. Purpose

Floyd Junior College was established to provide opportunities for the physical, intellectual, and cultural development of the people in the community it serves. The offerings of the College are determined by available resources and are governed by policies established by the Board of Regents. The College proposes to meet the educational and cultural needs of the community through the following programs:

The College provides, through the concept of the University System Core Curriculum, the first two years of a four-year degree program. Credits earned during these two years are transferable to senior college and universities.

The College provides, in accordance with demonstrated need, career programs to prepare students for gainful employment.

The College provides developmental instruction designed for students who need to strengthen their academic backgrounds before entering college level programs of study.

The College provides opportunities for members of the community it serves to participate in courses in continuing education. These courses are offered according to demonstrated need and available resources.

## Article II. THE PRESIDENT

### Section A. Election

The President shall be elected by the Board of Regents upon the recommendation of the Chancellor.

### Section B. Responsibility

The President shares responsibility for the definition and attainment of goals, for administrative action, and for operating the communications system which links together the components of the academic community. He represents the institution to its many publics. His leadership role is supported by delegated authority from the Board of Regents, with the support of the Faculty and the students.

### Section C. Powers and Duties

The Powers and duties of the President shall be those ordinarily implied in his office. The following are specifically included in the Regents' Bylaws, VI. A. 1., pp. xvii and xviii:

1. He shall exercise such supervision and direction as will promote the efficient operation of the institution and shall insure that no action of the Faculty, any committee, or any administrative officers, shall violate the goals of Floyd Junior College or policies of the Board of Regents.
2. He shall be responsible to the Chancellor for the operation and management of the institution and for the execution of all directives of the Board and the Chancellor.
3. He shall be the ex officio chairman of the Faculty and shall preside at its meetings.
4. He shall serve as chairman of the Advisory Council and shall preside at its meetings.
5. He shall insure that the views of the Faculty, including dissenting views, are presented to the Chancellor in those areas where responsibilities are shared. Similarly, the Faculty, through the President, should be informed of the actions of the Board of Regents and of the administration on like issues.
6. He shall recommend annually to the Board of Regents, through the Chancellor, the election or re-election of the Faculty and other employees, the salary of each, and all promotions and removals.

Article II, Section C, continued

7. He shall have the right and authority, with the approval of the Chancellor, to fill Faculty vacancies between meetings of the Board of Regents with the understanding that these appointments shall be subject to approval of that Board.
8. He shall have the right and authority, with the approval of the Chancellor and the Board of Regents, to grant leaves of absence to members of the Faculty for study at other institutions or for such reasons as the Board of Regents may deem proper.
9. He shall make an annual report to the Board of Regents, through the Chancellor, of the work and condition of Floyd Junior College.
10. Concomitant to his responsibilities for definition and attainment of goals of Floyd Junior College and for carrying out policies of the Board of Regents, he shall have veto power over any action of the Faculty and over any action of a standing committee of the Faculty.
11. Additional powers and duties are described in Policies of the Board of Regents, pp. 101-103.

Article III. THE COLLEGE FACULTY

Section A. Faculty Status

Pursuant to policies of the Board of Regents, the following officers shall have Faculty status: The President, the Dean, the Director of Student Affairs, the Assistant Director of Student Affairs, the Director of Admissions and Records, the Comptroller, the Librarian, the Assistant Librarians, the Director of Public Service, other administrative officers designated by the President, and all full-time professors, associate professors, assistant professors, and instructors. Refer to Regents' Bylaws XVII and Policy p. 120.

Section B. Authority of the Faculty

The Faculty shall make, subject to the approval of the Chancellor and the Board of Regents, rules and regulations for its government and procedure, and for that of the students; provide such committees as may be required; prescribe regulations regarding admission, dismissal, discipline, scholarship, classes, course of study,

Article III, Section B, continued

and requirements for graduation; and make such other regulations as may be necessary or proper for the maintenance of high educational standards. The Faculty shall prescribe rules for regulation of student publications, athletics, intercollegiate and intramural games, musical, dramatic, and literary clubs, fraternities and sororities, and all other student activities and affairs, subject to the approval of the Chancellor and the Board of Regents.

Section C. Faculty Organization

1. The Faculty shall meet regularly at a time and place established by the Faculty in its first meeting of the fall quarter each year. The first meeting of the fall quarter shall be called by the President. The time and place of the regular Faculty meetings may be changed at any regular or called Faculty meeting by a majority vote of the Faculty.
2. Special meetings of the Faculty may be called at any time by the President, by the Dean, or by the Executive Committee of the Faculty. Written notice of the time, place, and purpose of the meeting shall be given each member of the Faculty at least seventy-two hours in advance of the proposed meeting.
3. A quorum of the Faculty shall consist of a majority of its members currently employed by the College. The presence of a quorum of its members shall be necessary for the conduct of any business of the Faculty.

Section D. Appointment, Renewal of Contract, and Resignation

1. All appointments, reappointments, and promotions of the Faculty shall be made by the President with the approval of the Board of Regents. Recommendations for positions within the corps of instruction ordinarily shall originate with the Division and shall be presented to the Dean for his consideration. The Dean will then transmit these recommendations to the President, along with his own approval or disapproval.
2. Qualifications for Faculty Appointment
  - a. Minimum qualifications for all academic ranks with Floyd Junior College shall be the following:
    - (1) Master's degree. Exceptions may be made for:
      - (a) persons of special learning and ability

Article III, Section D, continued

- (b) promising individuals who have recently acquired the bachelor's degree and are proceeding with their graduate training; and/or
  - (c) temporary emergency appointments.
- (2) Evidence of ability as a teacher.
- (3) Successful experience, generally waived in the case of beginners who meet all other requirements.
- (4) Evidence of scholarly competence and activity.
- (5) Desirable personal qualities judged on the basis of a personal interview, complete biographical data, and recommendations.
- b. Initial appointees to full professorships should have completed at least two years' work beyond the bachelor's degree. With reference to persons appointed to serve as department heads, each appointee should have two years of work beyond the bachelor's degree or, in certain specialized professions, the highest training available in accordance with recognized standards in the particular field of specialization.
- 3. Non-tenured Faculty and other non-tenured personnel employed under written contract shall be employed only for the term specified in their contracts and subsequent or future employment, if any, shall result solely from separate offers and acceptance requisite to execution of new and distinct contracts.
- 4. Faculty members and other personnel employed under written contract on a temporary appointment shall be employed only for the term specified in the contract and the contract shall not be automatically renewed.
- 5. Notice of the intention not to reappoint a non-tenured faculty member shall be furnished, in writing, according to the following schedule:
  - a. at least three months before the date of termination of an initial one-year contract;
  - b. at least six months before the date of termination of a second one-year contract;

Article III, Section D, continued

- c. at least nine months before the date of termination of a contract after two or more years of service in the institution.
6. All tenured faculty members employed under written contract for the fiscal year or academic year of three quarters shall give to the President or his authorized representative written notice of their intention to resign, postmarked no later than February 1 immediately preceding the expiration of the contract period. Refer to Regents' Policy p. 112, I-6A, paragraph one (1), for additional information.
7. In accordance with the policy of the Board of Regents, there shall be no discrimination based upon race, color, sex, religion, creed, national origin, age or handicap, of employees in their appointment, promotion, retention, remuneration, or any other condition of employment.

Section E. Employment of Relatives

1. The basic criteria for the appointment and promotion of Faculty shall be appropriate qualifications and performance as set forth in the policies of the Board of Regents. Relationship by family or marriage shall constitute neither an advantage nor a disadvantage provided the individual meets and fulfills the appropriate appointment and promotion standards as set forth in such policies.
2. No individual shall be employed in a department or unit under the supervision of a relative who has or may have a direct effect on the individual's progress, performance, or welfare.
3. For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the foregoing.

Section F. Annual Evaluations

Each full-time faculty member of Floyd Junior College who holds the rank of Instructor, Assistant Professor, Associate Professor, or Professor shall be evaluated annually by his supervisor in accord with the guidelines listed below. Annual evaluations shall be utilized in preparing recommendations concerning salary, tenure, and promotions.

Article III, Section F, continued

1. Criteria for evaluation shall be those mentioned in the policies of the Board of Regents: performance of teaching duties, service to the institution, academic achievement, professional growth and development, and length of service.
2. The faculty and head of each division shall produce a written document specifying the role of various instruments such as student evaluations, peer evaluations, and self-evaluations in preparation of the annual evaluation. It shall be the responsibility of the head to see that such a document is prepared and that it is reviewed by the division at the beginning of each Fall Quarter. Any statistics derived from student evaluations which are used for comparative purposes shall be based on at least the equivalent of two quarters of full-time instructional effort.
3. The annual evaluations of first and second-year faculty members shall be completed by April 15; all others by January 15. The supervisor shall discuss the evaluation with the faculty member, who may choose to read and/or respond to the evaluation. Following the discussion the faculty member shall sign the evaluation. Within two weeks of the above dates the evaluation together with the faculty member's response, if any, shall be forwarded to the Dean's Office by the supervisor. The supervisor shall retain a copy of the evaluation and permit access by a faculty member to his evaluations.

Section G. Tenure and Promotion

1. Board of Regents' Tenure Policies may be found on pages 119, 119a in the Policy Manual.
2. Tenure and Promotion Criteria
  - a. Applicability

The criteria and procedures in this section and Section G.3 shall apply to those faculty members whose duties are primarily of an instructional nature and who work under the supervision of a division head. Recommendations for the awarding of tenure or granting of promotions to division heads shall



Article III, Section G, continued

originate with the Dean of the College. For other persons who hold faculty rank the awarding of tenure or granting of a promotion may be recommended either by that person's immediate supervisor or by the head of that division in which the person holds academic rank. All recommendations for Division heads and persons described in the preceding sentence shall utilize the criteria in Section 2 b. as appropriate. The Dean and President shall consult both parties in considering the recommendation. Such faculty members and division heads have the right to appeal as described in Section G 3 b.

b. General Criteria

When a candidate is being evaluated for the awarding of tenure or promotion, the criteria to be considered are those specified on p. 118 of the Regents' Policy Manual. These criteria include performance of teaching duties, service to the institution, professional growth and development, academic achievement and length of service. Evaluation of candidate's performance in these areas should, in large measure, be based upon past annual evaluations of the candidate.

- (1) Superior Teaching. Teaching is understood to include any faculty activity within the formal academic program of the College of which the aim is the communication of knowledge, the fostering of intellectual skills, and the promotion of human development. Success in teaching shall be the most important consideration in evaluating those candidates whose duties are primarily of an instructional nature. Without successful teaching, no other consideration will be sufficient to warrant the awarding of tenure or granting of a promotion.

The assessment of success in teaching must entail more than the accumulation of statistics; indication of it must depend upon the judgment of the evaluators using such evidence as is appropriate and reliable. Such evidence shall include past annual evaluations and may include additional supporting materials such as recommendations from former students, teaching materials, and indication of enrichment of the academic program.

Article III, Section G, continued

- (2) Outstanding service to the Institution. The faculty share a responsibility for sustaining the College as an educational community. Every faculty member is expected to contribute time and energy to this task at the divisional, College, and/or University System level by working on committees, working in campus organizations, and serving in whatever other ways seem useful to the promotion of the College's well-being.
- (3) Professional Growth and Development. This implies that the faculty member continues to develop his knowledge and skills and contributes them to the College and possibly the profession as a whole.
- (4) Academic Achievement. In order to be promoted to the rank of Assistant Professor or awarded tenure a faculty member must have the master's degree or its equivalent in training and experience. In order to be promoted to the rank of Associate Professor or Professor a faculty member must have a terminal degree or its equivalent. The following equivalents in training, ability, or experience are suggested:

Established reputation in the field of interest.  
Research, scholarly publications, creative writing.  
Superior teaching as shown by competence in the conduct of classes and seminars, effective relations with students, and use and development of appropriate teaching aids.  
Substantial, significant and integrated program and study beyond the master's degree  
Outstanding service to the institution.  
Activities related to professional growth and development--such as participation in educational, professional scientific and scholarly organizations, services to society, professional experience in industrial and governmental activities, practice of a learned profession, and other types of related endeavors.

- (5) Length of Service. A person appointed as Instructor normally shall serve in that rank for a minimum of two years before being promoted. A person appointed or promoted to the rank of Assistant or Associate Professor normally shall serve in that rank for a minimum of five years before being promoted.

Article III, Section G, continued

Upon employment at the rank of Assistant or Associate Professor, an individual may receive credit for service in that rank based upon previous experience. Upon promotion to either of these ranks an individual may receive credit for service in that rank for those years in excess of the minimum which he served at his previous rank. In either case, such credit may not exceed three years and must be agreed upon in writing by the individual, his division head, and the Dean of the College at the time of employment or promotion. (For persons employed at the time of adoption of this proposal, these requirements shall take effect at their next promotion.)

- c. In addition to qualifications listed in Section G. 2. b., promotion to an associate or full professorship should require at least two years' study beyond the bachelor's degree.

3. Tenure and Promotion Recommendations and Appeals

a. Recommendation Process

- (1) Each division head shall submit to the Dean of the College his recommendations concerning the awarding of tenure and/or promotions to faculty members of his division. He shall provide each faculty member with a copy of his recommendation two months prior to the date that such recommendations must be submitted to the Board of Regents.
- (2) All division heads, together with other supervisors submitting recommendations, shall meet with the Dean as a group and discuss the recommendations which he has received. The Dean shall require each person to present evidence to support his recommendations and shall consider advice of the group in determining his actions on the recommendations.
- (3) Within two weeks of receiving the recommendations for tenure and promotions, the Dean shall submit all recommendations, with an indication of his approval or disapproval, to the President of the College. At this time the Dean shall also notify in wiring the individual faculty members

Article III, Section G, continued

concerned, and their immediate supervisors, as to his action on their recommendations.

- (4) The President may formulate and submit to the Board of Regents his recommendations for the awarding of tenure and/or promotion to Floyd Junior College faculty members and so notify those recommended, their supervisors, and the Dean of the College.
- (5) Upon approval of the award of tenure to an individual by the Board of Regents, that individual shall be notified in writing by the President of his institution, with a copy of the notification forwarded to the Chancellor.

b. Appeals Procedure

- (1) Any member of the faculty who is dissatisfied with his division head's recommendation, or lack thereof, for granting of tenure and/or promotion shall attempt to resolve his concerns in direct discussion with his division head. Following this the faculty member may confer with the Dean of the College. If after conferring with the Dean the faculty member is still dissatisfied, he is entitled to a hearing by the Appeals Committee. The structure of the Appeals Committee is described in Article III, Section J # 3.
- (2) Any member of the faculty who is dissatisfied with the Dean's action on a recommendation concerning tenure and/or promotion for that faculty member is entitled to a hearing by the Appeals Committee.
- (3) All notifications of appeal must be submitted in writing to the President no later than two weeks after the Dean has notified faculty members of his action on recommendations concerning them.
- (4) When a notification of appeal is received by the President, he (or his designee) shall meet with the Dean and the faculty member and select by random drawing the names of five members from among those nine members of the Appeals Committee. The Dean and the faculty member may each strike up to two of those five drawn. Names of replacements for those stricken shall then be drawn, and the right

Article III, Section G, continued

of each of the parties to strike again may be exercised. This process shall be repeated as necessary in order to obtain a five member hearing committee for the appeal. Each party shall be limited to a total of two strikes throughout the entire procedure. The five so selected shall convene at a time designated by the President (or his designee) and select one of their number to serve as chairman for the hearing. This shall be accomplished within three working days of the date that the President received the notification of appeal. The chairman shall then assume the responsibility of coordinating the hearing.

- (5) The appeals committee shall hear the appeal and prepare its report within three weeks of the time that a notification of appeal is submitted. Copies of its report shall be distributed to the President, the Dean, the faculty member involved, and that faculty member's immediate supervisor.
- (6) The President shall notify the Dean, the faculty member, and the faculty member's supervisor as to his action concerning a recommendation for that faculty member.
- (7) The recommendation of the President to the Board of Regents may be appealed only by following procedures outlined in the Policies of the Board of Regents.

Section H. Suspension and Removal

The President may at any time remove any faculty member or other employee of the institution for cause, in accordance with procedural due process requirements, by giving written notice, by certified mail, to be delivered to addressee only with receipt to show to whom and when delivered, and address where delivered, clearly stating the charges against the person to be removed, and notifying such person that he may file an appeal in writing within ten days after the date of the receipt of such notice and charges to the Board of Regents for a fair hearing before said Board or a committee of the Board, within forty-five days from the date of filing such an appeal. Said employee shall be suspended from employment without pay from the date of receipt of such notice and charges. Should said employee be reinstated by action of the Board of Regents, he shall be compensated from the date of the suspension. The action

Article III, Section H, continued

of the Board shall be final. For additional information refer to Regents' Bylaws, vi, 6d on pp. xxi-xxv. Also refer to the Policy Manual, pp 119b, 119c, 112a, 113.

## Article III, Section I

### Section I. Duties, Responsibilities, and Privileges of the Faculty

1. The academic year as defined in the faculty contract begins with the first day of the fall quarter. The teaching load may be assigned in (1) the day program, (2) the evening program, or (3) the day and evening programs combined.
2. Each full-time faculty member is employed for the academic year of three quarters only, and, if his service should be needed during the summer quarter, a separate contract will be made with him covering his services for the summer quarter. Refer to page 71 of Regents Policy Manual.
3. The leave policy at this institution shall be that set forth by the Policies and Bylaws of the Board of Regents.
4. Administrative officers and members of the Faculty whose work is of a type requiring continuous service shall be appointed to serve during the four quarters of the academic year. In fixing salaries of members of the Faculty and staff serving on this basis, consideration shall be given to the fact that they are required to be on duty for a period longer by one-third than are those whose appointments are on a three-quarter basis.
5. When an employee of the College has been incapacitated by illness or injury, his salary shall be continued in accordance with the provisions of the Policies and Bylaws of the Board of Regents.
6. The following policies relate to salaries:
  - a. Changes shall not be made during a fiscal year in the salaries set up for positions listed in the College budget. The President shall incorporate his recommendations for salary increases for positions in the annual budget, provided that such increases are within previously established regulations of the Board and the College. Salary increases shall be based upon merit and shall not be automatic except as determined by policies of the Board of Regents.
  - b. Research and Saturday classes will ordinarily be carried by University System personnel as part of their normal workload without additional financial compensation. Adequate allowance in time assigned for the extra duties shall be made by a proportionate decrease in the teaching load.
  - c. No consideration shall be given to salary supplements that may be paid from foundations or other sources in order that salary supplements will be over and above the regular salary paid with State funds. A supplemental budget shall be prepared to include supplements to be paid from foundations

Article III, Section I, 6, c, continued

or other sources. The salary to be paid from State funds for summer school employment or for a leave of absence with pay shall be based on the approved salary exclusive of any supplement. Each Faculty or staff member receiving a salary supplement shall be advised that he is receiving the salary supplement with information as to the amount and source of funds and that the salary supplement was upon the recommendation of the President of the institution.

- d. A member of the University System shall not accept gratuities, courtesies, or gifts in any form whatsoever from persons, corporations, or associations that, directly or indirectly, may seek to use the connections thus formed for securing favorable comment or consideration on any commercial commodity, process, or undertaking.
7. A faculty member shall be expected to participate in activities concerning the internal administration of the College. He shall be encouraged to participate, in a manner befitting his academic position, in non-teaching activities which are a proper extension of his professional field of interest. Annual Divisional reports shall make reference to such activities on the part of members of the Faculty.
8. The following is College policy concerning academic freedom:
  - a. A member of the Faculty is free to express, inside or outside the classroom, his opinion on any matter that falls within the fields of knowledge which he is employed to teach and to study, subject only to those restrictions that are imposed by high professional ethics, fair-mindedness, common sense, accurate expressions, and a generous respect for the rights, feelings, and opinions of others. The Faculty member should be careful in his teaching to deal adequately with the course matter as described in the College catalogue and to maintain respect for varying opinions on controversial matters. He should emphasize the fact that the opinion which he expresses is personal and not institutional.
  - b. Each Faculty member should maintain a reputation for scholarship through continuous research and study. The Faculty member is entitled to full freedom in research and in publication of the results. This research and study should yield results in improved teaching.
  - c. A Faculty member, acting individually, or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary activity; any public service activity; or any other activity authorized to be discharged or held on this College campus is considered by the College to have committed an act of gross irresponsibility and shall be



Article III, Section I, 8, c, continued

subject to disciplinary procedures, possibly resulting in dismissal or termination of employment.

- d. Disputations concerning academic freedom may be appealed to the Appeals Committee according to the procedures outlined in Article III, Section G. 3, paragraph b, (4).
9. All absences of a Faculty member from ordinary service in the College shall be reported to his Division Chairman.\* Members of the Faculty are expected to attend all College-wide academic exercises. Appropriate absences from such exercises should be considered by the Division Chairman to whom the Faculty member reports. The outside activities of Faculty members of Floyd Junior College are governed by the following policy statement from the Policies and Bylaws of the Board of Regents: "The members of the Faculties shall not engage in any occupation, pursuit, or endeavor which will interfere with the regular and punctual discharge of their official duties."
10. No service to the College, however exceptional, shall be deemed sufficient to overcome failure to render academic service in teaching. In any evaluation or report the Division Chairman shall include a statement concerning the performance of teachers in this area. Due attention shall be given in each report to special qualities of excellence in the performance of teachers in his Division.
11. A member of the Faculty is expected to be available for student consultation on a regular basis and to publicize his conference hours.
12. Each member of the Faculty and Administrative Staff is expected to become acquainted with and to conform to all rules and regulations of the College and the Policies and Bylaws of the Board of Regents relating to himself and his work. Copies of all rules and regulations of the College and copies of the Policies and Bylaws of the Board of Regents are available for perusal by all Faculty members. A copy of the College Statutes and a copy of the Faculty handbook shall be furnished to each Faculty member.

Section J. Grievance Procedures

1. Committees

The Grievance Committees at Floyd Junior College shall be known as the Appeals Committee and the Board of Review.

\*As used herein, the word "Chairman" shall be construed to mean the person who chairs the Division or committee, whether male or female.

Article III, Section J, continued

2. Purpose

The Appeals Committee and the Board of Review are established to provide a means to hear the complaints of College faculty members who have exhausted normal channels, as defined herein, but who have not received satisfaction in the resolution of a grievance. Prior to filing a complaint with either committee, an aggrieved employee shall have attempted, through normal channels, that is, by appeals to administrative officers through and including one level of authority higher than the grievant's immediate supervisor, to resolve satisfactorily the grievance.

3. Appeals Committee

a. Jurisdiction

The Appeals Committee shall have jurisdiction to consider grievances of any faculty member of Floyd Junior College. Grievances heard by the Appeals Committee shall include, but not be limited to the following:

- (1) Complaints reasonably related to terms and conditions of employment, supported by affidavit of the grievant or other credible evidence, when properly and timely filed in accordance with the procedures set forth in Section G, 3, b, 4.
- (2) Complaints related to promotion and/or tenure filed in accordance with Article III, Section G, 3, b (Appeals Procedure).

b. Committee Selection

This advisory committee to the President shall be elected annually in September. It shall consist of nine members chosen from among the tenured full-time faculty who are primarily engaged in teaching and do not serve as division heads. In electing the Committee each faculty member may vote for nine eligible persons. Subject to the restriction that no more than two persons from the same division may serve on the Committee, those nine receiving the most votes shall constitute the pool from which the five-member Appeals Committee shall be selected.

c. Procedure

- (1) An appeal regarding a tenure and/or promotion decision may be filed in accordance with the procedure outlined in Article III, Section G, 3, paragraph b.
- (2) A complaint involving other matters such as academic freedom may be filed in writing in accordance with the procedures outlined in Article III, Section G, 3, paragraph b, (4).

Article III, Section J, c, continued

- (3) In the hearing of an appeal, questions related to procedural matters shall be decided by the Appeals Committee subject to the following stipulations:
  - (a) A quorum of three will be required for all business of the Committee. However, attendance of all members at each meeting shall be considered of the highest priority. Only those Committee members who have been present for a majority of the time the Committee has been in session shall be eligible to cast a vote on the Committee's final recommendation.
  - (b) A tape recording and a transcript of the proceedings shall be kept and made available to the faculty member, the Dean, and members of the Appeals Committee.
  - (c) The Committee may grant adjournments to enable either party to investigate evidence to which a valid claim of surprise is made.
  - (d) The Faculty member and the Dean shall be afforded a reasonable opportunity to present necessary witnesses and to offer evidence.
  - (e) The Committee will not be bound by strict rules of legal evidence and shall admit any evidence which may be of value in determining the issues involved.
  - (f) The Faculty member and the Dean will have the right to confront and cross-examine all witnesses. When a witness cannot or will not appear and the Committee determines that the interests of justice require the admission of his statement, the Committee will identify the witness, disclose his statement and if possible provide for interrogatories.
  - (g) The findings of fact and the recommendation of the Committee will be based solely on the hearing record.
  - (h) Public statements and publicity about the hearing should be avoided by all persons involved.
  - (i) Hearings of the Appeals Committee shall be private.
  - (j) In the event that the Appeals Committee is unable to complete the hearing, it shall notify the President as to the reason and submit to him a report on the proceedings. Such an occurrence shall in no way prejudice future appeals of the faculty member.

Article III, Section J, continued

4. The Board of Review

a. Jurisdiction

Grievances heard by the Board of Review shall include the following:

- (1) Grievances concerning salary, promotion, award of tenure or nonrenewal of a faculty member but only when it is reasonably alleged that the action complained of was the result of discrimination based on race, color, sex, religion, creed, national origin, handicap, or age.
- (2) Any grievance referred to the Board of Review for hearing by the President of Floyd Junior College or the Board of Regents of the University System of Georgia.

For all other grievances related to salary, promotion, tenure or nonrenewal, the next level of review following the President's final decision shall be the Board of Regents, in accordance with the provisions of Article IX of the Bylaws of the Board of Regents. In cases of termination (dismissal) of tenured Faculty or nontenured Faculty during their contract term pursuant to Article VI, Section B, paragraph d, of the Bylaws of the Board of Regents, an application for review may be directed to the Board of Regents, according to procedures set forth in Article IX, of the Bylaws of the Board of Regents.

A Board of Review shall not hear any grievance concerning which the President has already made a final decision.

b. Selection of Chairman

There shall be a Chairman for each Board of Review, who along with an Alternate Chairman, shall be elected annually by the faculty of the College from among the tenured faculty of the institution for a one (1) year term. Both shall be elected by the end of the first week of each fall quarter. The Chairman and Alternate shall not be elected from the faculty of any one department of the college. The Chairman and Alternate should be briefed thoroughly on the conduct of the grievance mechanism by University System counsel or the Affirmative Action Officer of the College or the University System. The Chairman and Alternate shall rotate, on an alternating basis, the duties of the Chairman.

c. Drawing of Panel

All grievances shall be filed in writing with the Chairman within thirty (30) days after the faculty member becomes aware

Article III, Section J, c, continued

of the alleged act prompting the grievance. If the grievance is determined by the Chairman to be within the jurisdiction of the Board, he shall draw a panel of eleven (11) persons as potential members of the Board, by lot, from a list of eligible faculty members, all of whom shall have at least one (1) academic year (nine months) of continuous service at the College. A new panel for each grievance shall be drawn by the Chairman in the presence of the Affirmative Action Officer of Floyd Junior College or his designee who shall certify to the President that the panel drawing process has been impartially executed.

d. Eligibility for Service on Board

With the exception of the President, all full-time Faculty having at least one (1) academic year (nine months) of continuous service at the College are potential panel members of the Board of Review. Employees' names shall be removed from the pool if: (a) employment terminates; (b) an employee is a grievant; or (c) an employee is name or otherwise directly involved in the grievance.

e. Excusing of Panel Members

Panel members who are drawn as possible Board of Review members may be excused by the Chairman if he/she determines that: (1) there is a bona fide conflict of interest between the panel member(s) and either of the parties of the grievance; (2) the potential panel member is ill; or (3) service on the Board of Review should be excused for good cause shown. The Chairman shall draw a new panel member to replace each member excused.

f. Selection of Review Board Members

Each Review Board shall consist of the Chairman (non-voting) and five (5) voting members chosen from a panel of Eleven (11) constituted as set forth in Section VI (B) above. Upon notification of the names of the panel members, each party shall in the presence of the Chairman strike the names of three (3) persons from the panel. The parties shall alternate in exercising their strikes, beginning with the grievant, until five (5) members remain. These five (5) members shall constitute the Board of Review. It is anticipated that this "striking" process will be completed within five (5) class days following the selection of the panel by the Chairman.

g. Removal of Review Board Members for Cause

A party may present a request in writing, at least three (3) class days in advance of any hearing, to the Chairman, to remove any member of the Board for reasonable cause. If

Article III, Section J, 4, g, continued

the Chairman grants the request, he shall fill the vacancy thus created by random selection of another member, according to the process described in Section B above. The Chairman may on his own motion remove any member for reasonable cause stated. Any member chosen to fill a vacancy may likewise be removed for reasonable cause. Statements of removal for cause shall become part of the written proceedings of the hearing.

h. Notice to Parties and Review Board of Hearing

After the Board of Review five (5) member has been selected as aforesaid, written notice of the time and date set for the hearing shall be hand delivered or mailed to the parties, and to the members of the Board of Review, by the Chairman no less than five (5) nor more than ten (10) class days in advance of the date set for the hearing.

i. Duties of the Chairman

The Chairman of each Board shall not vote except in case of a tie but shall be responsible for the conduct of the hearing and implementation of the grievance procedures. His/her duties will include:

- (1) Receiving the grievance and assuring within three (3) class days that:
  - a. It has been timely filed as provided in Section VI (a), below.
  - b. The Board determines that the grievance is one that can be properly heard and that the grievant, the opposing party and the President are so notified in writing;
- (2) Drawing at random, within ten (10) class days following receipt of a written grievance, a panel of eleven (11) persons as potential members of the Board of Review from the pool of Faculty (See Sec. 4 C above);
- (3) Assuring that all parties are familiar with the grievance procedures;
- (4) Notifying the grievant and the opposite party when a hearing panel of eleven (11) members has been drawn up and when each party should come before the Chairman and strike the names of three panelists;

Article III, Section J, continued

- (5) Distributing the complaint (grievance) to the members of the Board of Review, setting a date for the hearing after conferring with the Board members;
  - (6) Convening the hearing after written notice (at least three (3) but no more than (10) working days in advance of the hearing) to the members of the Board of Review and the parties, conducting and presiding over the hearing, ruling on motions of the parties and assisting the Board of Review during its deliberations;
  - (7) Assuring that a tape recording or transcript of the hearing is made and retained for use in the event an appeal is filed;
  - (8) Forwarding a copy of the written Findings of the Board of Review to the President and to the parties as set forth in Section I below.
- j. Procedures for requesting a hearing
- (1) The grievant, within thirty (30) class days after becoming aware of the alleged act causing the grievance shall file a written request for a hearing with the Chairman of the Board of Review stating the following:
    - (a) The facts of the complaint, including the date, time and place the act occurred and other pertinent facts, verified (sworn to) by the grievant;
    - (b) The names of possible witnesses;
    - (c) A description of the evidence which tends to support the complaint.
  - (2) After receipt of the grievance and deliberation of the Board as described above, the Chairman will notify all parties and the President of the Board's decision. Should the determination be that the grievance not be heard, the President may, nevertheless, direct that the grievance be heard by a duly constituted Board of Review. The Chairman will then notify the Board and the principals.

Article III, Section J, continued

k. Hearing Procedure

- (1) The quorum of three will be required for all business of the Hearing Committee. However, attendance of all members at each meeting shall be considered of the highest priority. Only those Hearing Committee members who have been present for a majority of the time the Committee has been in session shall be eligible to cast a vote on the Committee's final report or confidential recommendations (if any).
- (2) The hearing before the Board of Review will be conducted in private; however, the parties may each select one (1) person to attend as an observer.
- (3) Attorneys are not authorized to participate in grievance hearings; however, in addition to the observer, each party may select an advisor, other than an attorney, from the college to assist him/her at the hearing.
- (4) A tape recording and transcript of the proceedings shall be kept and made available to the parties concerned at reasonable cost.
- (5) The parties shall be afforded a reasonable opportunity to obtain and present witnesses and documentary or other evidence except personnel records and other confidential records of other college employees.
- (6) The parties shall have the right to cross-examine witnesses against them. Should a witness be unable to appear because of illness or other cause acceptable to the Chairman, the sworn statement (affidavit) of the witness may be introduced into the record.
- (7) An oath or affirmation shall be administered to all witnesses and parties by a notary public.



Article III, Section J , continued

- (8) The Board of Review will not be bound by strict rules of legal evidence. It may receive any evidence deemed by the Board to be of probative value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available. All questions as to the admissibility of evidence or other legal matters shall be decided by a majority vote of the Board.
- (9) The Hearing Committee may grant adjournments to enable either party to investigate evidence to which a valid claim of surprise is made.
- (10) The Board of Review shall state its Findings which shall be based on evidence introduced at the hearing. The Chairman will report the Findings to the President who will decide the case in the manner set forth in Section IX, below.
- (11) Public statements and publicity about the complaint shall be avoided and the confidentiality of the hearing shall be preserved.

1. Findings and recommendations by the Board

The Findings of the majority and Confidential Recommendation(s) (if any) to the President from the Board of Review shall be written by a member selected by the Board at the conclusion of the hearing. Immediately after review and approval by the Board of Review the written Findings shall be sent to the President, and the grievant. The Findings shall not be sent to the above named parties later than ten (10) class days following receipt of the transcript. The Board of Review may in addition to its Findings, make Confidential Recommendation(s) to the President. Findings, and Confidential Recommendation(s) (if any) made by the Board of Review to the President shall be advisory only, and shall in no way bind or commit him/her to any suggested course of action.

m. Action by the President

In making his/her decision, the President will not be bound by the Findings, or Confidential Recommendation(s) (if any) of the Board of Review. The President should, within ten (10) class days after receipt of such written notification of the Findings, and Confidential Recommendation(s) (if any) of the Board of Review, advise the faculty member, his or her direct supervisor and other parties concerned in writing of his/her decision, or he may

Article III, Section J, continued

refer the matter back to the Chairman of the Board of Review for further response and recommendation(s) before rendering his/her final decision. An employee should also be advised by the President in writing of his/her right to apply to the Board of Regents for review of the President's final decision in accordance with the provisions of Article IX of the the Bylaws of the Board of Regents.

n. Time requirements of the review process

This procedure contemplates that each eleven (11) member grievance panel should be constituted (drawn by lot) within five (5) class days following receipt by the Chairman of an acceptable written grievance from any Faculty of Floyd Junior College, and that the final selection of a five (5) member Board of Review from the panel should be completed within ten (10) class days after the filing of the alleged grievance. The Chairman should give written notice of any hearing date to the members of the Board of Review and to the parties at least three (3) but no more than ten (10) class days from the conclusion of the hearing unless a transcript of the evidence is required. If a transcript of the evidence is required, such documents should be forwarded to the President within ten (10) class days after receipt of the transcript from the Chairman. The final decision of the President should be made within ten (10) class days thereafter unless he/she refers the matter back to the Board of Review for further response and recommendation(s).

o. Prohibition of retaliatory action

No participant shall be harassed, intimidated, or otherwise penalized for involvement in the grievance procedures.

## Article III, Section K

### Section K. Standing Committees of the Faculty

1. The standing committees of the Faculty are instruments of the Faculty whose actions are subject to approval or disapproval of the Faculty except as provided in Article III, Section K. 7. a, paragraph 4. A member of a standing committee who is compelled to be absent from a meeting may send a voting representative.
2. The minutes of a standing committee shall be filed with the Secretary of the Faculty and become a part of the minutes of the Faculty. In addition, the secretary of each committee shall distribute written recommendations to each Faculty member at least two days prior to the Faculty meeting at which the recommendations will be presented.
3. All committees shall meet quarterly and additionally as necessary upon the call of the Committee Chairman or a majority of the committee.
4. The Faculty committee members not designated specifically by the official position which they hold shall be elected by the Faculty for a one-year term. Each Academic Division named in Article III, Section K, shall be represented on each committee unless the position is waived by the Chairman involved.
5. The Executive Committee of the Faculty shall serve as a Committee on Committees and shall recommend procedures for the election of Faculty and student committee members not designated by the official positions they hold.
6. All standing committees shall be limited by a maximum of twelve and a minimum of eight members.
7. The standing committees of the Faculty shall consist of the Executive Committee, the Admissions and Academic Placement Committee, the Library Committee, the Academic Progress Committee, the Statutes and Faculty Affairs Committee, the Curriculum Committee, the Student Affairs Committee, the Auxiliary Enterprises Committee, and the Public Service Committee.
  - a. Executive Committee
    - (1) The Executive Committee shall consist of the Dean, who shall serve as Chairman, the Director of Student Affairs, the Chairman of the Division of Natural Science and Mathematics, the Chairman of the Division of Humanities, the Chairman of the Division of Social Science, the Chairman of the Division of Business and Director of Public Service, the Librarian, the Chairman of the Division of Health, Physical Education and Recreation, the Chairman of the Division of Special Studies, the

Article III, Section K, continued

Chairman of the Division of Nursing Education, Coordinator of the Mental Health Program, and an at-large faculty representative elected by the faculty from a slate of nominees presented by the Statutes and Faculty Affairs Committee to serve a one-year term. If for some reason the faculty representative cannot complete the year, another representative will be elected.

- (2) The Committee shall receive, consider, and take appropriate action upon requests and petitions by students for exceptions to the established rules and regulations of the College.
- (3) The Committee shall approve student activities which necessitate a student's being absent from class.
- (4) The Committee shall serve as an executive committee of the Faculty to deal with matters of an emergency nature when it would be impossible or unduly difficult for the Faculty to meet as a whole. Actions taken by the Committee under such circumstances shall have the same force as actions of the Faculty as a whole.
- (5) The Committee shall propose the agenda for each Faculty meeting and have the power to call meetings of the Faculty as needed.
- (6) The Committee shall serve as a Committee on Committees and shall formulate policies governing the election of all members of the standing committees of the Faculty.

b. Admissions and Academic Placement

- (1) The Admissions and Academic Placement Committee shall consist of those members of the Faculty recommended by the Committee on Committees and approved by the Faculty. The Chairman shall be elected by the members of the Committee.
- (2) The Committee shall recommend to the Faculty rules and regulations concerning the admission of students.
- (3) The Committee shall have the power in the case of a meritorious applicant to declare exceptions to the regulations governing admission, insofar as such exceptions are not in conflict with the standards of admission as established by the accrediting association of which the College is a member.

Article III, Section K, continued

- (4) The Committee shall act in an advisory capacity to the Chairman of the Division of Special Studies.
- (5) The Committee shall advise the Director of Student Affairs in the areas of registration and records.
- (6) The Committee shall hear appeals from students concerning placement in the academic program.

c. Library Committee

- (1) The Library Committee shall consist of the Librarian and other members of the Faculty recommended by the Committee on Committees and approved by the Faculty. The Chairman shall be elected by the members of the Committee.
- (2) The Library Committee shall advise the Librarian concerning purchase of books, arrangement of the library hours, composition of the library collection, and related matters.

d. Academic Progress Committee

- (1) The Academic Progress Committee shall consist of the Dean and other members of the Faculty recommended by the Committee on Committees and approved by the Faculty. The Chairman shall be elected by the members of the Committee.
- (2) The Committee shall constantly evaluate the rules and regulations dealing with scholarship and recommend changes to the Faculty.
- (3) The Committee shall enforce and administer student rules and regulations established by the Faculty in regard to scholarship, with powers to place students on or remove them from probation, and to drop students from the rolls of the College for scholastic deficiencies.
- (4) The Committee shall have the power to declare eligible to return to the College students who have been dropped from the rolls of the College for scholastic deficiencies.
- (5) The Committee shall recognize and encourage scholastic achievement by awarding scholarships, conducting Honor's Day programs, publishing a Dean's List, or such other methods as may be approved by the Faculty.

e. Statutes and Faculty Affairs Committee

- (1) The Statutes and Faculty Affairs Committee shall consist of those members of the Faculty recommended by the Committee on Committees and approved by the Faculty.

Article III, Section K, continued

The Chairman shall be elected by the members of the Committee.

- (2) The Committee shall consider any proposed changes or amendments to the Statutes of Floyd Junior College, and shall transmit such proposals to the Faculty with appropriate recommendations.
- (3) The Committee shall maintain a file of all Statutes of the College.
- (4) The Committee shall constantly review fringe benefits and other pertinent matters and make recommendations to the Faculty.

f. Curriculum Committee

- (1) The Curriculum Committee shall consist of the Dean and other members of the Faculty recommended by the Committee on Committees and approved by the Faculty. The Chairman shall be elected by the members of the Committee.
- (2) The Committee shall recommend to the Faculty the requirements for all degrees, and shall approve all courses offered by each Division of instruction.
- (3) The Committee shall review all proposed changes in degree requirements and programs of instruction and shall transmit such proposals to the Faculty with appropriate recommendations.
- (4) The Committee shall receive, consider, and take appropriate action upon requests and petitions by students for exceptions to the published and established curricular requirements for graduation.

g. Student Affairs Committee

- (1) The Student Affairs Committee shall consist of the Director of Student Affairs, four representatives from the student body, and other members of the Faculty recommended by the Committee on Committees and approved by the Faculty. The Chairman shall be elected by the members of the Committee.
- (2) The Student Affairs Committee shall recommend policy and assist in the implementation of all matters pertaining to student financial aid including scholarships, loans and part-time employment; counseling and advising; student activities, organizations, publications, and health; orientation; and occupational placement counseling concerning both college transfer and occupational information.

Article III, Section K, continued

- (3) The Student Affairs Committee shall consider for recognition student organizations which have been recommended for approval by the Student Senate.
- (4) The Student Affairs Committee shall oversee student publications through the establishment of a Publications Committee to carry out that function, subject to ratification by the Student Affairs Committee and the Faculty.

h. Auxiliary Enterprises Committee

- (1) The Auxiliary Enterprises Committee shall consist of the Comptroller, other members of the Faculty recommended by the Committee on Committees and approved by the Faculty, and two representatives from the student body. The Chairman shall be elected by the members of the Committee.
- (2) The Committee shall recommend to the Faculty rules and regulations concerning the activities of auxiliary enterprises. The Faculty will act accordingly in an advisory capacity.
- (3) The Committee shall receive, consider, and take appropriate advisory action concerning recommendations or grievances relating to operations of auxiliary enterprises.
- (4) The Committee shall review all operating changes suggested by the Director of Auxiliary Enterprises and act accordingly in an advisory capacity.

i. Public Service Committee

- (1) The Public Service Committee shall consist of the Chairman of the Division of Business and Director of Public Service and other members of the Faculty recommended by the Committee on Committees and approved by the Faculty. The Chairman shall be elected by the members of the Committee.
- (2) The Committee shall act in an advisory capacity to the Chairman of the Division of Business and Director of Public Service concerning the Public Service Program.

Section L. Instructional Divisions and Departments

The educational programs of Floyd Junior College shall be immediately and directly supervised and administered through the systematic organization of subject matter interests into

### Article III, Section L, continued

appropriate divisions. These divisions shall consist of a Division of Social Sciences, a Division of Humanities, A Division of Natural Sciences and Mathematics, a Division of Business and Public Service, a Division of Health, Physical Education and Recreation, a Division of Special Studies, and a Division of Nursing Education.

### Article IV. GENERAL ADMINISTRATIVE OFFICERS

The Administrative Officers shall be as follows: the President, the Dean of the College, the Librarian, the Division Chairmen and Department Directors, the Chairman of the Division of Business and Director of Public Service, the Director of Student Affairs, the Assistant Director of Student Affairs, the Comptroller, the Public Information Officer, and such other officers as may be designated by the President with the approval of the Board of Regents.

A Faculty member who has academic rank and rights of tenure in the corps of instruction and who accepts appointment to an Administrative office shall retain his academic rank and rights of tenure as an ex officio member of the corps of instruction but shall have no rights of tenure in the Administrative Office to which he has been appointed. An Administrative Officer having Faculty status shall have all the responsibilities and privileges of Faculty membership. Administrative Officers shall be appointed by the President with the approval of the Board of Regents and shall hold office at the pleasure of the President.

### Article V. MISCELLANEOUS PROVISIONS

All questions of interpretation of these Statutes and questions of the nature and extent of the jurisdiction of the Faculty of the College and of the various Administrative Officers under these Statutes shall be determined by the President. The President shall settle all questions of conflict of jurisdiction that may arise between any of the committees of the College or between them and the Administrative Officers. After the decision of the President on such questions, an appeal may be made to the Board of Regents pursuant to Article IX of the Bylaws of the Board of Regents.

### Article VI. AMENDMENTS

All proposed Amendments to the Statutes of Floyd Junior College shall be made initially to the Statutes and Faculty Affairs Committee. This Committee shall consider such amendments and make recommendations to the Faculty. An amendment must be read



Article VI, continued

in its final form at a meeting at least five working days prior to the one in which a vote is taken. At the time of this final reading, the meeting date shall be announced for voting thereon. Faculty members who expect to be absent from the meeting in which the vote will be taken may vote in the Dean's Office during the five working days prior to the time of the meeting. If an Amendment is approved by a two-thirds vote of all members of the Faculty having voting status, it shall be submitted through the President of the College to the Board of Regents for formal approval.

Article VII. RATIFICATION

The Statutes of Floyd Junior College shall be ratified and become effective upon approval by a two-thirds vote of all members of the Faculty currently employed by the College and approval by the President and the Board of Regents.

## BYLAWS

### ARTICLE

#### A. Heads of Institutions

1. Heads of Institutions: The President of each institution in the University System shall be the executive head of the institution and of all its departments, and shall exercise supervision and direction as will promote the efficient operation of the institution. He shall be responsible to the Chancellor for the operation and management of the institution and for the execution of all directives of the Board and the Chancellor. He shall be the ex officio chairman of the faculty and shall preside at meetings of the faculty. At those institutions which have a council, senate, assembly, or any such body, he shall serve as chairman of such body and shall preside at its meetings. He shall be the official medium of communication between the faculty and the Chancellor, and between the council, senate, assembly, or any such body and the Chancellor. He shall recommend annually to the Board of Regents, through the Chancellor, the election or reelection of the faculty and the other employees of each institution, the salary of each, and all promotions and removals. He shall have the right and authority, with the approval of the Chancellor, to fill vacancies in the faculty between meetings of the Board with the understanding that these appointments shall be approved by the Board as hereinbefore provided. He shall have the right and authority, with the approval of the Chancellor and the Board, to grant leaves of absence to members of the faculty for study at other institutions or for such reasons as the Board may deem proper. He shall make an annual report to the Board, through the Chancellor, of the work and condition of the institution under his control.

#### B. Faculties

1. Faculties: The faculty of each institution of the University System shall consist of the head, vice presidents, deans and directors, associate and assistant deans and directors, professors, associate professors, assistant professors, research associates, instructors, and equivalent ranks, members of the extension and research staffs, treasurer or similar official, registrar, and librarian.

-IX-  
APPEALS

Any person in the University System for whom no other appeal is provided in the By-laws, and who is aggrieved by a final decision of the President of an institution, may apply to the Board of Regents, without prejudice to his position, for a review of the decision. The application for review shall be submitted in writing to the Executive Secretary of the Board within a period of twenty days following the decision of the President. It shall state the decision complained of and the redress desired. A review by the Board is not a matter of right, but is within the sound discretion of the Board. If the application for review is granted, the Board, or a committee of the Board, shall investigate matter thoroughly and render its decision thereon within sixty days from the filing date of the application for review or from the date of any hearing which may be held thereon. The decision of the Board shall be final and binding for all purposes. (Minutes, December 13, 1973, pp. 238-239)

d. Procedures for Removal of Faculty Members

Introduction

These procedures shall apply only to the dismissal of a faculty member with tenure, or a non-tenured faculty member before the end of the term specified in his/her contract.

It is intended that the procedures set forth below shall be considered as minimum standards of due process and shall not be construed as a limitation upon additional standards or procedures, consistent with the Policies and By-Laws of the Board of Regents, which an institution of the System may elect to adopt for its own improvement or to make adjustment to its own particular circumstances. Such additional standards or procedures shall be incorporated into the statutes of the institution.

The President may at any time remove any faculty member for cause. Cause or grounds for dismissal are set forth in the Tenure regulations of the Policies of the Board of Regents and in the approved Statutes or By-Laws of an Institution. Whenever the words "President" or "Administration" are used in these procedures, they shall be construed to include the designated representative of the President.

Preliminary Procedures

The dismissal of a tenured faculty member, or a non-tenured faculty member during his/her contract term should be preceded by:

1. Discussion between the faculty member and appropriate administrative officers looking toward a mutual settlement.
2. Informal inquiry by an appropriate faculty committee which may, upon failing to effect an adjustment, advise the President whether dismissal proceedings

should be undertaken; its advisory opinion shall not be binding upon the President.

3. A letter to the faculty member forewarning that he/she is about to be terminated for cause and informing him/her that a statement of charges will be forwarded to him/her upon request. The faculty member may also request a formal hearing on the charges before a faculty committee. Failure to request charges or a hearing within a reasonable time shall constitute a waiver of the right to a hearing.
4. A statement of charges, if requested by the faculty member, framed with reasonable particularity by the President or his designated representative.

#### Provision for Hearing Committee

A dismissal as defined above shall be preceded by statement of charges or causes (grounds for dismissal) if so requested, including a statement that the faculty member concerned shall have the right to be heard by a faculty hearing committee.

The Hearing Committee shall consist of not less than three or more than five impartial faculty members appointed by the Executive Committee (or its equivalent) of the highest legislative body of the faculty, from among the members of the entire faculty (as defined by the Policies of the Board of Regents) of the institution.

Members of the Hearing Committee may serve concurrently on other committees of the faculty. The Hearing Committee will meet as a body when it is called into session by the Chairman of the body which selected them either at his discretion or upon the request of the President or the faculty member who is subject to dismissal.

When the Hearing Committee is called into session, it shall elect a chairman from among its membership. A member should remove himself/herself from the case, either at the request of a party or on his/her own initiative if he/she deems himself/herself disqualified for bias or interest. Each party shall have a maximum of two challenges without stated cause; provided however, that all challenges whether with or without cause shall be made in writing and filed with the Chairman of the Hearing Committee at least five days in advance of the date set for the hearing. The Chairman shall have the authority to decide whether a member of the Committee is disqualified for cause. If the Chairman determines that a member is so disqualified or if a Committee member removes himself/herself from a case,

the replacement shall be made in the same manner as the original Committee was selected. If the Chairman is thus removed, the Committee shall elect a new chairman after Committee replacements have been appointed. A minimum of three (3) members is required for any action to be taken.

#### Dismissal Procedures

In all instances where a hearing is requested the following hearing procedures shall apply:

1. Service of notice of the hearing with specific reasons or charges against the faculty member together with the names of the members of the Hearing Committee shall be made in writing at least twenty (20) days prior to the hearing. The faculty member may waive a hearing or he/she may respond to the charges in writing at least five (5) days in advance of the date set for the hearing. If a faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the Hearing Committee shall evaluate all available evidence and rest its recommendation upon the evidence in the record;
2. The Hearing Committee, in consultation with the President and the faculty member, may exercise its judgement as to whether the hearing should be public or private;
3. During the proceedings the faculty member and the administration shall be permitted to have an academic advisor and/or counsel of his/her choice. The Hearing Committee will be permitted to have advisory counsel;
4. At the request of either party or the Chairman of the Hearing Committee, a representative of a responsible education association shall be permitted to attend as an observer;
5. A tape recording or transcript of the proceedings shall be kept and made available to the faculty member and the administration in the event an appeal is filed;
6. An oath or affirmation shall be administered to all witnesses by any person authorized by law to administer oaths in the State of Georgia;
7. The Hearing Committee may grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made;

8. The faculty member and the administration shall be afforded a reasonable opportunity to obtain necessary witnesses and documentary or other evidence;
9. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear but the Committee determines that the interests of justice require the admission of his/her statement, the Committee will identify the witness, disclose his statement and if possible provide for interrogatories;
10. The Hearing Committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available. All questions relating to admissibility of evidence or other legal matters shall be decided by the Chairman or presiding officer;
11. The findings of fact and the decision of the Hearing Committee will be based solely on the hearing record;
12. Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers should be avoided until the proceedings have been completed, including consideration by the Board of Regents in the event an appeal is filed. The President and the faculty member will be notified in writing of the decision and recommendation, if any, of the Hearing Committee;
13. If the Committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the President. If the President does not approve the report, he should state his reasons in writing to the Committee for response before rendering his final decision. If the Committee concludes that an academic penalty less than dismissal would be more appropriate than dismissal, it may so recommend with supporting reasons. The President may or may not follow the recommendations of the Committee:
14. After complying with the foregoing procedures, the President shall send an official letter to the faculty member notifying him/her of his/her retention or removal for cause. Such letter shall be delivered to addressee only, with receipt to show to whom and when delivered

and address where delivered. The letter shall clearly state any charges which the President has found sustained and shall notify such person that he/she may appeal to the Board of Regents for review. The appeal shall be submitted in writing to the Executive Secretary of the Board within twenty (20) days following the decision of the President. It shall state the decision complained of and the redress desired. The Board or a committee of the Board shall investigate the matter thoroughly and render its decision thereon within sixty (60) days from the date of the receipt of the appeal or from the date of any hearing which may be held thereon;

15. Upon dismissal by the President, the faculty member shall be suspended from employment without pay from the date of the final decision of the President. Should the faculty member be reinstated by action of the Board of Regents, he/she shall be compensated from the date of suspension.

(Minutes, 1974-75, pp. 304-313)



D-8 FACULTY COMPENSATION FOR SUMMER SCHOOL TEACHING

Payment of compensation to faculty members for full-time teaching during the summer quarter shall be at the rate of thirty per cent of their regular compensation for the regular session of nine months.

The salary for summer school teaching will be adjusted proportionately for a period of time less than the full teaching load of fifteen hours per week. (Minutes, 1950-51, p.333)

POLICIES  
PRESIDENTS

F-1

HEADS OF INSTITUTIONS

The president of each institution in the University System shall be the executive head of the institution and of all its departments, and shall exercise such supervision and direction as will promote the efficient operation of the institution. He shall be responsible to the Chancellor for the operation and management of the institution and for the execution of all directives of the Board and the Chancellor. He shall be the ex officio chairman of the faculty and shall preside at meetings of the faculty. At those institutions which have a council, senate, assembly, or any such body, he shall serve as chairman of such body and shall preside at its meetings. He shall be the official medium of communication between the faculty and the Chancellor, and between the council, senate, assembly, or any such body and the Chancellor. He shall recommend annually to the Board of Regents, through the Chancellor, the election or re-election of the faculty and other employees of each institution, the salary of each, and all promotions and removals. He shall have the right and authority, with the approval of the Chancellor, to fill vacancies in the faculty between meetings of the Board with the understanding that these appointments shall be approved by the Board as hereinbefore provided. He shall have the right and authority, with the approval of the Chancellor and the Board,

to grant leaves of absence to members of the faculty for study at other institutions or for such reasons as the Board may deem proper. He shall make an annual report to the Board, through the Chancellor, of the work and condition of the institution under his control. (Bylaws, Art. VI, Sec. A-1)

The president of each institution shall have the authority to accept on behalf of the Board the resignation of any employee of his institution. (Minutes, 1977-78, p. 123)

The president of each institution in the University System of Georgia shall have the authority to execute and deliver, on behalf of the Board, the following types of research or service agreements, affecting his respective institution:

- (1) Research or Service Agreements between institutions of the University System of Georgia and other agencies of state government or any political subdivision of the State of Georgia, whereby the institution concerned, for monetary compensation or other good and valuable consideration, agrees to perform certain institution-oriented research or other personal services for another state agency or political subdivision of the State of Georgia, within a time period of one year or less.
- (2) Agreements between institutions of the University System of Georgia and hospitals or other organized medical facilities, both public and private, located within the State of Georgia, whereby the hospital or medical facility concerned agrees to provide clinical services to nursing and other students enrolled in nursing and allied health programs at the institution concerned. Said agreements shall be effective for one year with the option of annual renewal as specified therein and shall be subject to cancellation by either party.

Each president shall be authorized by the Board of Regents to take or cause to be taken any and all such other and further action

as in the judgment of such presidents may be necessary, proper or convenient in order to carry out the intent of this policy.

A signed or conformed copy of each of said agreements shall be filed in the office of the Executive Secretary of the Board within ten days after execution by all parties and shall be reported by him to the Board as information items at the next succeeding meeting of the Board.

Agreements shall be prepared and executed on forms previously approved by the Attorney General, and if not, shall be subject to review and approval by him. (Minutes, 1973-74, pp.69-71; Minutes, 1977-78, pp. 167-68)

I-6B REMOVAL OF FACULTY MEMBERS

The President of an institution may at any time remove any faculty member or other employee of the institutio for cause. Cause or grounds for dismissal are set forth in the Tenure Regulations of the Policies of the Board of Regents and in the approved Statutes or Bylaws of an institution. (Minutes, 1974-75, pp. 304-313)

I-6D SUSPENSION OF FACULTY MEMBERS UNDER INDICTMENT FOR VIOLATION OF STATE OR FEDERAL LAWS When a faculty member in any unit of the

University System is charged with the violation of any State or Federal law, or is indicted for any such offense, a thorough review of the circumstances shall be carried out by the President and the Chancellor.

In the event a faculty member is temporarily suspended, the administration shall immediately convene an ad hoc faculty committee or utilize the services of any appropriate existing faculty committee, for the purpose of hearing an appeal by the faculty member. The appeal shall be submitted in writing in accordance with procedures to be established by the hearing committee, which shall render its decision within ten (10) days from the conclusion of the hearing. Thereafter, any further appeal by the faculty member shall be in accordance with the procedures set forth in Article IX of the By-Laws of the Board of Regents. (Minutes, 1969-70, p. 394)

#### IV. Criteria for Promotion

A. Minimum for all three types of institutions in all professorial ranks:

1. Superior teaching.
2. Outstanding service to the institution.
3. Academic achievement.
4. Professional growth and development. Noteworthy achievement in all four of the above need not be demanded, but should be expected in at least two. A written recommendation should be submitted by the head of the department concerned setting forth the reasons for promotion.
5. The faculty member's length of service with an institution shall be taken into consideration in determining whether or not the faculty member should be promoted.

B. Type I.

In addition to IV-A above, promotions to an associate or full professorship should require the doctor's degree or its equivalent in training ability, or experience. (See I-C above.)

Neither the possession of a doctorate, nor longevity of service is a guarantee per se of promotion.

C. Type II.

The requirements for promotion to a full professorship are the same as IV-B above.

D. Type III.

In addition to IV-A above, promotion to an associate or full professorship should require at least two year's study beyond the bachelor's degree.

V. Tenure

Types I, II, and III.

1. It is intended that these tenure policies shall be the minimum standard for award of tenure, but they are to be sufficiently flexible to permit an institution to make individual adjustment to its own peculiar problems or circumstances. These policies are to be considered a statement of general requirements which are capable of application throughout the System and are not a limitation upon any additional standards and requirements which a particular institution may wish to adopt for its own improvement. Such additional standards and requirements, which must be consistent with the Regents' Policies, and approved by the Board of Regents, shall be incorporated into the Statutes of an institution.
2. Tenure resides at the institutional level. Institutional responsibility for employment of a tenured individual is to the extent of continued employment on a one hundred percent workload basis for three out of every four consecutive academic quarters until retirement, dismissal for cause, or release because of financial exigency.
3. Only Assistant Professors, Associate Professors, and Professors who are normally employed full-time (as defined by Regents' Policies) by an institution are eligible for



tenure. Faculty members with adjunct appointments shall not acquire tenure. (Minutes, 1979-80, p. 73)

The term "full-time" is used in these tenure regulations to denote service on a one hundred percent work load basis for at least three out of four consecutive academic quarters.

4. Tenure may be awarded, upon recommendation by the President and approval by the Board of Regents, upon completion of a probationary period of at least five years of full-time service at the rank of Assistant Professor or higher. The five year period must be continuous except that a maximum of two years interruption because of a leave of absence or part-time service may be permitted; provided, however, that no probationary credit for the period of an interruption shall be allowed. A maximum of three years credit toward the minimum probationary period may be allowed for service at other institutions or for full-time service at the rank of Instructor at the same institution. Such credit for prior service shall be defined in writing by the President and approved by the Chancellor at the time of the initial appointment at the rank of Assistant Professor or higher.
5. The maximum time that may be served at the rank of Assistant Professor or above without the award of tenure shall be seven years, provided, however, that a terminal contract for an eighth year may be proffered if an institutional recommendation for tenure is not approved by the Board of Regents. The maximum time that may be served in any combination of full-time instructional appointments (lecturer, instructor, or professorial ranks) without the award of tenure shall be ten years, provided, however, that a terminal contract for an eleventh year may be proffered if an institutional recommendation for tenure is not approved by the Board of Regents.
6. The maximum period of time that may be served at the rank of full-time Instructor shall be seven years.
7. Tenure or probationary credit towards tenure is lost upon resignation from an institution, or written

resignation from a tenured position in order to take a non-tenured position, or written resignation from a position for which probationary credit toward tenure is given in order to take a position for which no probationary credit is given. In the event such an individual is again employed as a candidate for tenure, probationary credit for the prior service may be awarded in the same manner as for service at another institution.

8. Upon approval of the award of tenure to an individual by the Board of Regents, that individual shall be notified in writing by the President of his institution, with a copy of the notification forwarded to the Chancellor.
9. An annual report shall be made to the President by each unit of the institution on the status of its faculty. Numbers of tenured and non-tenured faculty, by rank, shall be furnished. Individuals who have been retained in a full-time faculty status at the institution for a period in excess of seven years without the award of tenure shall be identified by name and justification for such retention given. These reports shall be available for public inspection.
10. Notice of the intention to renew or not to renew a non-tenured faculty member who has been awarded academic rank (Instructor, Assistant Professor, Associate Professor, Professor) shall be furnished, in writing, according to the following schedule:
  - (a) at least three months before the date of termination of an initial one-year contract;
  - (b) at least six months before the date of termination of a second one-year contract;
  - (c) at least nine months before the date of termination of a contract after two or more years of service in the institution.

This schedule of notification does not apply to persons holding temporary or part-time positions in whatever rank stated.

11. A tenured faculty member, or a non-tenured faculty member, before the end of his contract term, may be dismissed for any of the following reasons provided that the institution has complied with procedural due process requirements:
  - (a) Conviction or admission of guilt of a felony or of a crime involving moral turpitude during the period of employment -- or prior thereto if the conviction or admission of guilt was wilfully concealed;
  - (b) Professional incompetency, neglect of duty, or default of academic integrity in teaching, in research, or in scholarship;
  - (c) Sale or distribution of illegal drugs; teaching under the influence of alcohol or illegal drugs; any other use of alcohol or illegal drugs which interferes with faculty member's performance of duty or his responsibilities to the institution or to his profession;
  - (d) Physical or mental incompetency as determined by law or by a medical board of three or more licensed physicians and reviewed by a committee of the faculty;
  - (e) False swearing with respect to official documents filed with the institution;
  - (f) Disruption of any teaching, research, administrative, disciplinary, public service or other authorized activity;
  - (g) Such other grounds for dismissal as may be specified in the Statutes of the institution.
  
12. Each institution, as a part of its Statutes, may supplement Regents' policies governing causes for dismissal and procedures for dismissal. Each institution should provide for standards governing faculty conduct, including sanctions short of dismissal, and procedures for the implementation of such sanctions. In the imposition of sanctions, the burden of proof lies with the institution.

(Minutes, 1951-52, pp. 315-319; 1952-53, pp. 159-160, 1966-67, p. 206; 1969-70, pp. 21-22; 1974-75, pp. 304-313)

## VI. Faculty Membership

In all institutions the faculty will consist of the corps of instruction and the administrative officers.

Corps of Instruction. Full-time professors, associate professors, assistant professors, instructors, special lecturers, and teaching personnel with such other titles as may be approved by the Board, shall be the Corps of Instruction. Full-time research and extension personnel and duly certified librarians will be included in the corps of instruction on the basis of comparable training.

Administrative Officers. Faculty status of full-time administrative officers will necessarily vary with the size and complexity of the institution. A faculty member who has academic rank and rights of tenure in the corps of instruction and who accepts an appointment to an administrative office shall retain his academic rank and rights of tenure as an ex officio member of the corps of instruction but shall have no rights of tenure in the administrative office to which he has been appointed. An administrative officer having faculty status shall have all the responsibilities and privileges of faculty membership. Administrative officers shall be appointed by the President with the approval of the Board of Regents and shall hold office at the pleasure of the President. (Minutes, 1970-71, pp. 25-26)

Types II and III

The faculty will consist of the president, the administrative and academic deans, the librarian, the registrar, the controller, and the corps of instruction. Each institution is requested to file with the office of the Board of Regents a list of administrative offices which have faculty status (by office, not by name of individual).

(Minutes, 1951-52, pp. 315-319; 1952-53, pp. 159-160; 1953-54, p. 255; 1951-52, pp. 381-82)

I-12 EMPLOYMENT OF OUTSTANDING FACULTY AND RESEARCH PERSONNEL

The presidents of institutions are urged to place emphasis on employment and retention of faculty and research personnel of outstanding training and ability for positions in top professorial ranks. When additional funds are made available to the University System for salary purposes, such funds should be used to meet this objective.

I-20 LEAVES FOR PROFESSIONAL PERSONNEL

1. (a) The president of an institution may, with the approval of the Chancellor and the Board, grant leaves of absence, with or without pay, to members of the institution's faculty or administrative staff.
- (b) Recommendations for leaves without pay will,

(c) In considering a request for a leave with pay, the president should bear in mind that it is the policy of the Board that such leaves shall be granted only for the purposes of promoting scholarly work and encouraging professional development. The president should examine carefully the program or project on which the applicant for a leave proposes to work, and he should also consider the likelihood of the applicant's being able to accomplish the purposes for which the leave is requested.

(d) In considering a request for a leave, the president should take into consideration the effect that the granting of the leave will have on the institution or on the department of which the applicant is a member. If the applicant's work cannot be handled by other faculty members and if funds are not available for the employment of a substitute, the president will be justified in refusing to recommend that the leave be granted or in deferring action upon the request for a leave.

(e) If, after careful consideration, the president feels the interests of the institution and of the faculty member will be served by the granting of the leave requested, he shall submit a recommendation through the Chancellor to the Board to this effect, together with a statement of the reasons supporting his recommendation.

(f) The Board ordinarily will not approve a request for a leave with pay if the applicant has been em-

ployed at an institution for a period of less than three years, nor will it ordinarily approve a leave with pay for a person in an academic position who has not already completed the requirements for a master's degree.

(g) Any faculty member who has been granted a leave of absence with pay shall be required before beginning his leave to sign an agreement that he will return the full amount of compensation he received while on leave if he should not return to the institution for at least one year of service after the termination of his leave. (Minutes, 1953-54, p. 224)

(h) A faculty or staff member who returns from an authorized leave which enhances professional study and development shall be entitled to a salary which will include, as a minimum, the mandated across-the-board salary raises which occurred during the period of leave. (Minutes, 1980-81, p. 191)

2. No leaves of absence will be granted to persons in the University System who are retired from active duty and who are drawing retirement benefits from the Teachers' Retirement System of Georgia or from the University System. (Minutes, 1949-50, pp. 452-453)

3. It is the policy of the Board to grant leaves of absence without salary to employees of the University System who enter military service of the United States. Such leaves shall extend until such time as these employees have the opportunity to return to their duties in the University System.

Employees of the University System on leave for duty with the armed services shall return to the institutions at which they were employed at the ranks held when entering military service, provided notification is given by the employees to the institution within thirty days after discharge from military duty, and provided the employees report for work within sixty days after discharge from military duty.



Institutions of the University System shall permit employees returning to the institutions of the System, after discharge from military duty, to resume their duties immediately upon reporting at the institutions of the System at which they were employed and to pay such returning employees salaries at the same rate of compensation as when leaves were granted, unless, during the periods of leave, there is an increase in pay scale of the University System or in the position concerned, in which event the employees' salaries will be at the increased rate applicable to their positions. (Minutes, 1950-51, pp. 229-231)

4. Military Leave with Pay. (See Georgia Code Annotated, Section 86-1109)

5. Presidents of institutions of the University System may recommend, at their discretion, leaves of absence without salary for employees of the University System who take civilian positions with the United States Government or with defense industries. (Minutes, 1950-51, pp. 229-231)

#### I-21 CLASSIFIED PERSONNEL POLICIES

All employees of the University System, except faculty, are subject to and governed by the provisions of the Classified Personnel Policy for the University System of Georgia,\* as adopted by the Board of Regents on September 16, 1970, and as subsequently amended. (Minutes, 1977-78, p. 182) \*(Published as Board of Regents' Business Procedures Manual, Volume 3.)

#### I-22 SICK LEAVES

When an employee of the University System who has been in its employ for less than one year is incapacitated by illness, his

salary shall be continued as a matter of course for the duration of his illness for a cumulative period not to exceed two weeks.

When an employee of the University System who has been in its continuous employ for one year or longer is incapacitated by illness, his salary shall be continued as a matter of course for the duration of his illness in accordance with the following provisions:

1. At least one year but less than four years, a sum equivalent to one month's salary from the date of the illness.
2. At least four years but less than eight years, a sum equivalent to three months' salary from the date of the illness.
3. At least eight years, but less than twelve years, a sum equivalent to three months' full salary and an additional three months at one-half salary from date of illness.
4. At least twelve years, but less than fifteen years, a sum equivalent to three months' full salary and an additional six months at one-half salary from date of illness.
5. At least fifteen years or more, a sum equivalent to three months' full salary and an additional six months at one-half salary from date of illness, unless he is eligible for disability retirement.
6. Maternity Leave. Disability due to pregnancy shall be considered as any other disability, and appropriate sick leave provisions of these policies shall apply. (Minutes, 1975-76, pp. 168-169)

In the case of academic year employees, a period of three months shall be interpreted to be the equivalent of one academic quarter.

These provisions will not apply during the period of time employees may be on leave of absence for reasons other than illness, or periods of time during which they would not be required to perform services under the terms of their employment.

In determining the length of service of an employee in the University System, any time spent on leave or leaves of absence shall be excluded. A leave of absence shall not, however, have the effect of breaking the continuity of his service.

Any payment made under the provisions of this regulation for a continuing period of two weeks or more shall be made only on presentation of a statement of a physician certifying to the illness of the employee. All certifications must be renewed at any time upon the request of the Chancellor or of the President of the institution involved and at least every three months.

Any payment made under the provisions of this regulation for illness or injury covered by the Workman's Compensation Act shall be reduced by the amount of any payment received under the provisions of the Act. (Minutes, 1964-65, p. 470)

I-23 (Repealed. See Section I-21)

I-24 EMPLOYMENT OF FACULTY MEMBERS WITH AGENCIES' FUNDS

Whenever it is desired to employ a person at any institution of the System whose salary is to be paid in whole or in part with funds provided by a person, foundation, organization, or any agency other than a governmental agency, the president of the institution concerned shall recommend to the Board of Regents, through the Chancellor, the employment of the person, with full details of his qualifications and the availability of funds for paying his salary. (Minutes, 1938-39, pp. 437-438)

SALARIES

The Board receives an annual appropriation from the General Assembly for all phases of its operations. This appropriation may be increased or decreased by the Legislature or the Governor during the period of any fiscal year. Expenditures for operation of the University System are therefore necessarily contingent upon legislative appropriations. In the event that the General Assembly or the Governor at any time reduces the amount of funds appropriated to the Board, the compensation of all employees and other operating expenses may as a consequence be correspondingly reduced. It shall, however, be the intent of the Board to maintain current salary commitments in so far as possible to every employee and the Board will exert its composite influence and best efforts to that end. (Minutes, 1976-77, p. 184)

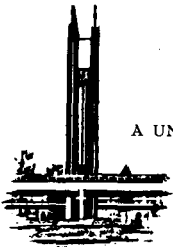
Research and Saturday classes will ordinarily be carried by System personnel as part of their normal work load without additional financial compensation. Adequate allowance in time assigned for the extra duties shall be made by a proportionate decrease in the teaching load.

Extra compensation may be paid, however, when all four of the following conditions exist:

1. The work is carried in addition to a normal full load.
2. No qualified person is available to carry the work as part of his normal load.
3. The work produces sufficient income to be self-supporting.
4. The additional duties must not be so heavy as to interfere with the performance of regular duties.

When extra compensation is paid, it shall be in line with compensation paid for performance of the teacher's normal duties.

When off-campus services conducted through the Continuing Education Center can be included in the normal work load of an individual, no additional compensation shall be paid. Extra compensation shall be paid when the off-campus service meets



A UNIT OF THE UNIVERSITY SYSTEM OF GEORGIA

# FLOYD JUNIOR COLLEGE

P. O. BOX 1864  
ROME, GEORGIA 30161

June 8, 1981

TO: All Faculty

FROM: Jim McKeel, Chairman, Statutes Committee

Re: Revised Proposed Statutes

We have prepared the attached material for your summer enjoyment. We intend to formally present the Revised Statutes to the Faculty at the first business meeting in the Fall of this year with a vote on approval to follow within a few weeks. We hope that you will take time to look at them thoroughly this Summer.

We welcome your comments and questions. We are:

James McKeel  
Phillip Dillard  
Harold Boyd  
Gale Harrison  
Elsie Washington  
Hal Langford

Jack Sharp  
Jerry Shelton  
Barbara Smith  
Jo Anne Starnes  
Hubert Whitlow

Conley ✓  
Holt ✓  
Starnes ✓  
Boyd ✓  
Harrison ✓  
Langford ✓  
Sharp ✓  
Shelton ✓  
Smith ✓  
Whitlow ✓

Hayes ✓  
Washington ✓  
Dillard ✓  
Boyd ✓  
Harrison ✓  
Langford ✓

Barbara Smith ✓  
Jo Anne Starnes ✓  
Hubert Whitlow ✓  
Jack Sharp ✓  
Jerry Shelton ✓  
Barbara Smith ✓

Conley ✓  
Holt ✓  
Starnes ✓  
Boyd ✓  
Harrison ✓  
Langford ✓  
Sharp ✓  
Shelton ✓  
Smith ✓  
Whitlow ✓

**SUPPLEMENT**

**TO**

**FLOYD JUNIOR COLLEGE STATUTES**

**(Material reproduced from Board of Regents Bylaws and Policies)**

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## BOARD OF REGENT'S POLICIES

### V. Tenure (Pages 119, 119a, 119b, 119c)

Types I, II, and III.

1. It is intended that these tenure policies shall be the minimum standard for award of tenure, but they are to be sufficiently flexible to permit an institution to make individual adjustment to its own peculiar problems or circumstances. These policies are to be considered a statement of general requirements which are capable of application throughout the System and are not a limitation upon any additional standards and requirements which a particular institution may wish to adopt for its own improvement. Such additional standards and requirements, which must be consistent with the Regents' Policies, and approved by the Board of Regents, shall be incorporated into the Statutes of an institution.
2. Tenure resides at the institutional level. Institutional responsibility for employment of a tenured individual is to the extent of continued employment on a one hundred percent workload basis for three out of every four consecutive academic quarters until retirement, dismissal for cause, or release because of financial exigency.
3. Only Assistant Professors, Associate Professors, and Professors who are normally employed full-time (as defined by Regents' Policies) by an institution are eligible for tenure. Faculty members with adjunct appointments shall not acquire tenure. (Minutes, 1979-80, p. 73)

The term "full-time" is used in these tenure regulations to denote service on a one hundred percent work load basis for at least three out of four consecutive academic quarters.

4. Tenure may be awarded, upon recommendation by the President and approval by the Board of Regents, upon completion of a probationary period of at least five years of full-time service at the rank of Assistant Professor or higher. The five year period must be continuous except that a maximum of two years interruption because of a leave of absence or part-time service may be permitted; provided, however, that no

probationary credit for the period of an interruption shall be allowed. A maximum of three years credit toward the minimum probationary period may be allowed for service at other institutions or for full-time service at the rank of Instructor at the same institution. Such credit for prior service shall be defined in writing by the President and approved by the Chancellor at the time of the initial appointment at the rank of Assistant Professor or higher.

5. The maximum time that may be served at the rank of Assistant Professor or above without the award of tenure shall be seven years, provided, however, that a terminal contract for an eighth year may be proffered if an institutional recommendation for tenure is not approved by the Board of Regents. The maximum time that may be served in any combination of full-time instructional appointments (lecturer, instructor, or professorial ranks) without the award of tenure shall be ten years, provided, however, that a terminal contract for an eleventh year may be proffered if an institutional recommendation for tenure is not approved by the Board of Regents.
6. The maximum period of time that may be served at the rank of full-time Instructor shall be seven years.
7. Tenure or probationary credit towards tenure is not upon resignation from an institution, or written resignation from a tenured position in order to take a non-tenured position, or written resignation from a position for which probationary credit toward tenure is given in order to take a position for which no probationary credit is given. In the event such an individual is again employed as a candidate for tenure, probationary credit for the prior service may be awarded in the same manner as for service at another institution.
8. Upon approval of the award of tenure to an individual by the Board of Regents, that individual shall be notified in writing by the President of his institution, with a copy of the notification forwarded to the Chancellor.

9. An annual report shall be made to the President by each unit of the Institution on the status of its faculty. Numbers of tenured and non-tenured faculty, by rank, shall be furnished. Individuals who have been retained in a full-time faculty status at the institution for a period in excess of seven years without the award of tenure shall be identified by name and justification for such retention given. These reports shall be available for public inspection.
10. Notice of the intention to renew or not to renew a non-tenured faculty member who has been awarded academic rank (Instructor, Assistant Professor, Associate Professor, Professor) shall be furnished, in writing, according to the following schedule:
  - (a) at least three months before the date of termination of an initial one-year contract;
  - (b) at least six months before the date of termination of a second one-year contract;
  - (c) at least nine months before the date of termination of a contract after two or more years of service in the institution.

This schedule of notification does not apply to persons holding temporary or part-time positions in whatever rank stated.

#### V. Tenure (Causes for Dismissal)

11. A tenured faculty member, or a non-tenured faculty member, before the end of his contract term, may be dismissed for any of the following reasons provided that the institution has complied with procedural due process requirements:
  - (a) Conviction or admission of guilt of a felony or of a crime involving moral turpitude during the period of employment--or prior thereto if the conviction or admission of guilt was wilfully concealed;

- (b) Professional incompetency, neglect of duty, or default of academic integrity in teaching, in research, or in scholarship;
- (c) Sale or distribution of illegal drugs; teaching under the influence of alcohol or illegal drugs; any other use of alcohol or illegal drugs which interferes with faculty member's performance of duty or his responsibilities to the institution or to his profession;
- (d) Physical or mental incompetency as determined by law or by a medical board of three or more licensed physicians and reviewed by a committee of the faculty;
- (e) False swearing with respect to official documents filed with the institution
- (f) Disruption of any teaching, research, administrative, disciplinary, public service or other authorized activity;
- (g) Such other grounds for dismissal as may be specified in the Statutes of the institution.

12. Each institution, as a part of its Statutes, may supplement Regents' policies governing causes for dismissal and procedures for dismissal. Each institution should provide for standards governing faculty conduct, including sanctions short of dismissal, and procedures for the implementation of such sanctions. In the imposition of sanctions, the burden of proof lies with the institution.

(Minutes, 1951-52, pp. 315-319; 1952-52, pp. 159-160, 1966-67, p. 206; 1969-70, pp. 21-22; 1974-75 pp. 304-313)

## SUSPENSION OF FACULTY MEMBERS (Page 113)

### I-6D SUSPENSION OF FACULTY MEMBERS UNDER INDICTMENT FOR VIOLATION OF STATE OR FEDERAL LAWS

When a faculty member in any unit of the University System is charged with the violation of any State or Federal law, or is indicted for any such offense, a thorough review of the circumstances shall be carried out by the President and the Chancellor.

In the event a faculty member is temporarily suspended, the administration shall immediately convene an ad hoc faculty committee or utilize the services of any appropriate existing faculty committee, for the purpose of hearing an appeal by the faculty member. The appeal shall be submitted in writing in accordance with procedures to be established by the hearing committee, which shall render its decision within ten (10) days from the conclusion of the hearing. Thereafter, any further appeal by the faculty member shall be in accordance with the procedures set forth in Article IX of the By-Laws of the Board of Regents.

(Minutes, 1969-70, p. 394)

## FACULTY CONTRACTS FOR SUMMER QUARTER (Page 71)

### D-8 FACULTY COMPENSATION FOR SUMMER SCHOOL TEACHING

Payment of compensation to faculty members for full-time teaching during the summer quarter shall be at the rate of thirty

per cent of their regular compensation for the regular session of nine months. The salary for summer school teaching will be adjusted proportionately for a period of time less than the full teaching load of fifteen hours per week. (Minutes, 1950-51, p. 333)

LEAVE POLICIES, (Pages 127-132)

I-20      LEAVES FOR PROFESSIONAL PERSONNEL

1.      (a)      The president of an institution may, with the approval of the Chancellor and the Board, grant leaves of absence, with or without pay, to member of the institution's faculty or administrative staff.
- (b)      Recommendations for leaves without pay will, as a rule, be approved by the Board whenever it appears that the granting of such leaves will not be prejudicial to the interests of the institution.
- (c)      In considering a request for a leave with pay, the president should bear in mind that it is the policy of the Board that such leaves shall be granted only for the purposes of promoting scholarly work and encouraging professional development. The president should examine carefully the program or project on which the applicant for a leave proposes to work and he should

also consider the likelihood of the applicant's being able to accomplish the purposes for which the leave is requested.

- (d) In considering a request for a leave, the president should take into consideration the effect that the granting of the leave will have on the institution or on the department of which the applicant is a member. If the applicant's work cannot be handled by other faculty members and if funds are not available for the employment of a substitute, the president will be justified in refusing to recommend that the leave be granted or in deferring action upon the request for a leave.
- (e) If, after careful consideration, the president feels the interests of the institution and of the faculty member will be served by the granting of the leave requested, he shall submit a recommendation through the Chancellor to the Board to this effect, together with a statement of the reasons supporting his recommendation.
- (f) The Board ordinarily will not approve a request for a leave with pay if the applicant has been

employed at an institution for a period of less than three years , nor will it ordinarily approve a leave with pay for a person in an academic position who has not already completed the requirements for a master's degree .

(g) Any faculty member who has been granted a leave of absence with pay shall be required before beginning his leave to sign an agreement that he will return the full amount of compensation he received while on leave if he should not return to the institution for at least one year of service after the termination of his leave. (Minutes, 1953-54, p. 224)

(h) A faculty or staff member who returns from an authorized leave which enhances professional study and development shall be entitled to a salary which will include, as a minimum, the mandated across-the board salary raises which occurred during the period of leave.(Minutes, 1980-81, p. 191)

2. No leaves of absence will be granted to persons in the University System who are retired from active duty and who are drawing retirement benefits from the Teachers' Retirement



System of Georgia or from the University System. (Minutes, 1949-50, pp. 452-453)

3. It is the policy of the Board to grant leaves of absence without salary to employees of the University System who enter military service of the United States. Such leaves shall extend until such time as these employees have the opportunity to return to their duties in the University System.

Employees of the University System on leave for duty with the armed services shall return to the institutions at which they were employed at the ranks held when entering military service, provided notification is given by the employees to the institution within thirty days after discharge from military duty, and provided the employees report for work within sixty days after discharge from military duty.

Institutions of the University System shall permit employees returning to the institutions of the System, after discharge from military duty, to resume their duties immediately upon reporting at the institutions of the System at which they were employed and to pay such returning employees salaries at the same rate of compensation as when leaves were granted, unless, during the periods of leave, there is an increase in pay scale of the University System or in the position concerned, in which event the employees' salaries will be at the increased rate applicable to their positions. (Minutes, 1950-51, pp.229-231)

4. Military Leave with Pay. (See Georgia Code Annotated. Section 86-1109)
5. Presidents of institutions of the University System may recommend, at their discretion, leaves of absence without salary for employees of the University System who take civilian positions with the United States Government or with defense industries. (Minutes, 1950-51, pp. 229-231)

I-21 CLASSIFIED PERSONNEL POLICIES

All employees of the University System, except faculty, are subject to and governed by the provisions of the Classified Personnel Policy for the University System of Georgia,\* as adopted by the Board of Regents on September 16, 1970, and as subsequently amended. (Minutes, 1977-78, p. 182) \*(Published as Board of Regents' Business Procedures Manual, Volume 3.)

I-22 SICK LEAVES

When an employee of the University System who has been in its employ for less than one year is incapacitated by illness, his salary shall be continued as a matter of course for the duration of his illness for a cumulative period not to exceed two weeks.

When an employee of the University System who has been in its continuous employ for one year or longer is incapacitated by illness, his salary shall be continued as a matter of course for the duration of his illness in accordance with the following provisions:

1. At least one year but less than four years, a sum equivalent to one month's salary from the date of the illness.

2. At least four years but less than eight years, a sum equivalent to three months' salary from the date of the illness.
3. At least eight years, but less than twelve years, a sum equivalent to three months' full salary and an additional three months at one-half salary from date of illness.
4. At least twelve years, but less than fifteen years, a sum equivalent to three months' full salary and an additional six months at one-half salary from date of illness.
5. At least fifteen years or more, a sum equivalent to three months' full salary and an additional six months at one-half salary from date of illness, unless he is eligible for disability retirement.
6. Maternity Leave. Disability due to pregnancy shall be considered as any other disability, and appropriate sick leave provisions of these policies shall apply. (Minutes, 1975-76, pp. 168-169)

In the case of academic year employees, a period of three months shall be interpreted to be the equivalent of one academic quarter.

These provisions will not apply during the period of time employees may be on leave of absence for reasons other than illness, or periods of time during which they would not be required to perform services under the terms of their employment.

In determining the length of service of an employee in the University System, any time spent on leave or leaves of absence shall be excluded. A leave of absence shall not, however, have the effect of breaking the continuity of his service.

Any payment made under the provisions of this regulation for a continuing period of two weeks or more shall be made only on presentation of a statement of a physician certifying to the illness of the employee. All certifications must be renewed at any time upon the request of the Chancellor or of the President of the institution involved and at least every three months.

Any payment made under the provisions of this regulation for illness or injury covered by the Workman's Compensation Act shall be reduced by the amount of any payment received under the provisions of the Act. (Minutes, 1964-65, p. 470)

I-26     SALARIES (Pages 133-134)

The Board receives an annual appropriation from the General Assembly for all phases of its operations. This appropriation may be increased or decreased by the Legislature or the Governor during the period of any fiscal year. Expenditures for operation of the University System are therefore necessarily contingent upon legislative appropriations. In the event that the General Assembly or the Governor at any time reduces the amount of funds appropriated to the Board, the compensation of all employees and other operating expenses may as a consequence be correspondingly reduced. It shall, however, be the intent of the Board to maintain current salary commitments in so far as possible to every employee and the Board will exert its composite influence and best efforts to that end. (Minutes, 1976-77, p. 184)

Research and Saturday classes will ordinarily be carried by System personnel as part of their normal work load without additional financial compensation. Adequate allowance in time assigned for the extra duties shall be made by a proportionate decrease in the teaching load.

Extra compensation may be paid, however, when all four of the following conditions exist:

1. The work is carried in addition to a normal full load.
2. No qualified person is available to carry the work as part of his normal load.
3. The work produces sufficient income to be self-supporting.
4. The additional duties must not be so heavy as to interfere with the performance of regular duties.

When extra compensation is paid, it shall be in line with compensation paid for performance of the teacher's normal duties.

When off-campus services conducted through the Continuing Education Center can be included in the normal work load of an individual, no additional compensation shall be paid. Extra compensation shall be paid when the off-campus service meets the four conditions stated above. (Minutes 1951-52, pp. 86-87)

## REGENT'S BY-LAWS

### ARTICLE VI

#### d. Procedures for Removal of Faculty Members

These procedures shall apply only to the dismissal of a faculty member with tenure, or a non-tenured faculty member before the end of the term specified in his/her contract.

It is intended that the procedures set forth below shall be considered as minimum standards of due process and shall not be construed as a limitation upon additional standards or procedures, consistent with the Policies and By-Laws of the Board of Regents, which an institution of the System may elect to adopt for its own improvement or to make adjustment to its own particular circumstances. Such additional standards or procedures shall be incorporated into the statutes of the institution.

The President may at any time remove any faculty member for cause. Cause or grounds for dismissal are set forth in the Tenure regulations of the Policies of the Board of Regents and in the approved Statutes or By-Laws of an Institution. Whenever the words "President" or "Administration" are used in these procedures, they shall be construed to include the designated representative of the President.

#### Preliminary Procedures

The dismissal of a tenured faculty member, or a non-tenured faculty member during his/her contract term should be preceded by:

1. Discussion between the faculty member and appropriate administrative officers looking toward a mutual settlement
2. Informal inquiry by an appropriate faculty committee which may, upon failing to effect an adjustment, advise the President whether dismissal proceedings should be undertaken; its advisory opinion shall not be binding upon the President.
3. A letter to the faculty member forewarning that he/she is about to be terminated for cause and informing him/her that a statement of charges will be forwarded to

him/her upon request. The faculty member may also request a formal hearing on the charges before a faculty committee. Failure to request charges or a hearing within a reasonable time shall constitute a waiver of the right to a hearing.

4. A statement of charges, if requested by the faculty member, framed with reasonable particularity by the President or his designated representative.

#### Provision for Hearing Committee

A dismissal as defined above shall be preceded by statement of charges or causes (grounds for dismissal) if so requested, including a statement that the faculty member concerned shall have the right to be heard by a faculty hearing committee.

The Hearing Committee shall consist of not less than three or more than five impartial faculty members appointed by the Executive Committee (or its equivalent) of the highest legislative body of the faculty, from among the members of the entire faculty (as defined by the Policies of the Board of Regents) of the institution.

Members of the Hearing Committee may serve concurrently on other committees of the faculty. The Hearing Committee will meet as a body when it is called into session by the Chairman of the body which selected them either at his discretion or upon the request of the President or the faculty member who is subject to dismissal.

When the Hearing Committee is called into session, it shall elect a chairman from among its membership. A member should remove himself/herself from the case, either at the request of a party or on his/her own initiative if he/she deems himself/herself disqualified for bias or interest. Each party shall have a maximum of two challenges without stated cause; provided however, that all challenges whether with the Chairman of the Hearing Committee at least five days in advance of the date set for the hearing. The Chairman shall have the authority to decide whether a member of the Committee is disqualified for cause. If the Chairman determines that a member is so disqualified or if a Committee member removes himself/herself from a case, the replacement shall be made in the same manner as the original Committee was selected. If the Chairman is thus removed, the Committee shall elect a new chairman after Committee replacements have been appointed. A minimum of three (3) members is required for any action to be taken.

### Dismissal Procedures

In all instances where a hearing is requested the following hearing procedures shall apply:

1. Service of notice of the hearing with specific reasons or charges against the faculty member together with the names of the members of the Hearing Committee shall be made in writing at least twenty (20) days prior to the hearing. The faculty member may waive a hearing or he/she may respond to the charges in writing at least five (5) days in advance of the date set for the hearing. If a faculty member waives a hearing, but denies the charges or asserts that the charges do not support a finding of adequate cause, the Hearing Committee shall evaluate all available evidence and rest its recommendation upon the evidence in the record;
2. The Hearing Committee, in consultation with the President and the faculty member, may exercise its judgement as to whether the hearing should be public or private;
3. During the proceedings the faculty member and the administration shall be permitted to have an academic advisor and/or counsel of his/her choice. The Hearing Committee will be permitted to have advisory counsel;
4. At the request of either party or the Chairman of the Hearing Committee, a representative of a responsible education association shall be permitted to attend as an observer;
5. A tape recording or transcript of the proceedings shall be kept and made available to the faculty member and the administration in the event an appeal is filed;
6. An oath or affirmation shall be administered to all witnesses by any person authorized by law to administer oaths in the State of Georgia;
7. The Hearing Committee may grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made;
8. The faculty member and the administration shall be afforded a reasonable opportunity to obtain necessary witnesses and documentary or other evidence;



9. The faculty member and the administration will have the right to confront and cross-examine all witnesses. Where the witness cannot or will not appear but the Committee determines that the interests of justice require the admission of his/her statement, the Committee will identify the witness, disclose his statement and if possible provide for interrogatories;
10. The Hearing Committee will not be bound by strict rules of legal evidence and may admit any evidence which is of probative value in determining the issues involved. Every possible effort will be made to obtain the most reliable evidence available. All questions relating to admissibility of evidence or other legal matters shall be decided by the Chairman or presiding officer;
11. The findings of fact and the decision of the Hearing Committee will be based solely on the hearing record;
12. Except for such simple announcements as may be required covering the time of the hearing and similar matters, public statements and publicity about the case by either the faculty member or administrative officers should be avoided until the proceedings have been completed, including consideration by the Board of Regents in the event an appeal is filed. The President and the faculty member will be notified in writing of the decision and recommendation, if any, of the Hearing Committee;
13. If the Committee concludes that adequate cause for dismissal has not been established by the evidence in the record, it will so report to the President. If the President does not approve the report, he should state his reasons in writing to the Committee for response before rendering his final decision. If the Committee concludes that an academic penalty less than dismissal would be more appropriate than dismissal, it may so recommend with supporting reasons. The President may or may not follow the recommendations of the Committee;
14. After complying with the foregoing procedures, the President shall send an official letter to the faculty member notifying him/her of his/her retention or removal for cause. Such letter shall be delivered to addressee only, with receipt to show to whom and when delivered and address where delivered. The letter shall clearly state any charges which the President has found sustained and shall notify such person that he/she may

appeal to the Board of Regents for review. The appeal shall be submitted in writing to the Executive Secretary of the Board within twenty (20) days following the decision of the President. It shall state the decision complained of and the redress desired. The Board or a committee of the Board shall investigate the matter thoroughly and render its decision thereon within sixty (60) days from the date of the receipt of the appeal or from the date of any hearing which may be held thereon;

15. Upon dismissal by the President, the faculty member shall be suspended from employment without pay from the date of the final decision of the President. Should the faculty member be reinstated by action of the Board of Regents, he/she shall be compensated from the date of suspension.

(Minutes, 1974-75, pp. 304-313)

## ARTICLE IX

### APPEALS

Any person in the University System for whom no other appeal is provided in the By-laws, and who is aggrieved by a final decision of the President of an institution, may apply to the Board of Regents, without prejudice to his position, for a review of the decision. The application for review shall be submitted in writing to the Executive Secretary of the Board within a period of twenty days following the decision of the President. It shall state the decision complained of and the redress desired. A review by the Board is not a matter of right, but is within the sound discretion of the Board. If the application for review is granted, the Board, or a Committee of the Board, shall investigate the matter thoroughly and render its decision thereon within sixty days from the filing date of the application for review or from the date of any hearing which may be held thereon. The decision of the Board shall be final and binding for all purposes. (Minutes, December 13, 1973, pp. 238-239)

UNIVERSITY SYSTEM OF GEORGIA  
244 WASHINGTON STREET, S. W.  
ATLANTA, GEORGIA 30334

OFFICE OF THE CHANCELLOR

June 22, 1981

*cop to [unclear]*  
*Copies: McKel*  
*Turnble*  
*D. Cook*  
*Guller*  
*Dillard*  
*Hera*  
*Stelton*  
*Beery*  
*Whitlow*  
*6/24/81*  
*ll*

MEMORANDUM

TO: Presidents  
University System of Georgia

FROM: Vernon Crawford *Vernon Crawford*  
Chancellor

SUBJECT: Faculty Evaluation

It is the policy of the Board of Regents that each faculty member in the University System be evaluated at least annually, such evaluation to be based on definite and stated criteria consistent with Regents' policy and the statutes of the institution. These criteria are to be developed at the institutional level. The Regents' policy statement does not detail procedures to be followed in the administration of faculty evaluation systems.

In order to effect a necessary measure of procedural uniformity within the System, I am directing that the following steps be made a part of all evaluation systems:

1. The immediate supervisor will discuss with the faculty member in a scheduled conference the content of that faculty member's annual evaluation.
2. The faculty member will sign a statement to the effect that he/she has been apprised of the content of the annual evaluation.
3. The faculty member will be given the opportunity to respond in writing to the annual evaluation, with this response to be attached to the evaluation.
4. The ~~immediate~~ supervisor will acknowledge in writing his/~~her~~ receipt of this response, noting changes, if any, in the annual evaluation made as a result of either the conference or the faculty member's written response. This acknowledgement will also become a part of the record.

The utilization of these procedural steps will give added assurance to the legitimacy of the faculty evaluation system.

cc: Members of the Board of Regents  
Central Office Staff

SECTION G-2a: APPLICABILITY

The criteria and procedures described in this section shall apply to all instructional faculty who are under the supervision of a division chairman. Recommendations concerning tenure and promotion for faculty who are not under a division chairman may be made by that individual's immediate supervisor or by the division chairman where he holds academic rank.

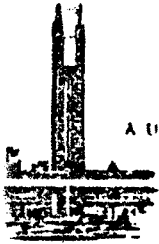
All recommendations for the awarding of tenure and promotion to division chairmen shall be made by the Dean. General criteria described under Section G-2b shall apply to all faculty, where appropriate. Appeal procedures described under Section G-3b shall apply to all faculty.

COA/cdp  
10/22/81

September 15, 1981

X. TIME REQUIREMENTS OF THE REVIEW PROCESS

The Chairman should give written notice of any hearing date to the members of the Board of Review and to the parties at least three (3), but no more than ten (10) class days prior to the date set for the hearing. Findings, and Confidential Recommendation(s) (if any) should be forwarded by the Board of Review to the President within ten (10) class days from the conclusion of the hearing unless a transcript of the hearing is required. If a transcript of the hearing is required, such documents should be forwarded to the President within ten (10) class days after receipt of the transcript from the Chairman. The final decision of the President should be made within ten (10) class days thereafter unless he/she refers the matter back to the Board of Review for further response and recommendation(s).



A UNIT OF THE UNIVERSITY SYSTEM OF GEORGIA

# FLOYD JUNIOR COLLEGE

P. O. BOX 1864  
ROME, GEORGIA 30161

November 2, 1981

## MEMORANDUM

TO: Faculty

FROM: Statutes and Faculty Affairs Committee

RE: Statutes

*J. F. C.*

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After carefully reviewing the Proposed Statutes, the Statutes and Faculty Affairs Committees suggests that the following changes be made in the Proposed Statutes. These changes, which require faculty approval, are proposed now so that they can be voted on at the faculty meeting on November 13. If you have questions concerning these changes, don't hesitate to discuss them with me or other members of the Committee.

James Cook, Chairman

Special meetings of the Faculty may be called at any time by the President, by the Dean, or by the Executive Committee of the Faculty. Written notice of the time, place, and purpose of the meeting shall be given each member of the Faculty at least seventy-two hours in advance of the proposed meeting.

#### PROPOSED VERSION

Special meetings of the Faculty may be called at any time by the President, the Dean, the Executive Committee, or the Statutes and Faculty Affairs Committee. Written notice of the time, place, and purpose of the meeting shall be given each member of the Faculty at least seventy-two hours in advance of the proposed meeting.

The annual evaluations of first and second-year faculty members shall be completed by April 15; all others by January 15. The supervisor shall discuss the evaluation with the faculty member, who may choose to read and/or respond to the evaluation. Following the discussion the faculty member shall sign the evaluation. Within two weeks of the above dates the evaluation together with the faculty member's response, if any, shall be forwarded to the Dean's Office by the supervisor. The supervisor shall retain a copy of the evaluation and permit access by a Faculty member to his evaluations.

#### PROPOSED VERSION

The annual evaluations of first and second-year faculty members shall be completed by April 15; all others by January 15. The supervisor shall discuss the evaluation with the faculty member, who may choose to read and/or respond to the evaluation. Following the discussion the faculty member shall sign the evaluation. The supervisor will acknowledge in writing his receipt of this response, noting changes, if any, in the annual evaluation made either as a result of the conference or the faculty member's response. Within two weeks of the above dates the evaluation together with the faculty member's response, if any, shall be forwarded to the Dean's Office by the supervisor. The supervisor shall retain a copy of the evaluation and permit access by a faculty member to his evaluations.

CURRENT VERSION - Page 9, G., 2.b., (4)

Professional Growth and Development. This implies that the Faculty member continues to develop his knowledge and skills and contributes them to the College and possibly the profession as a whole.

PROPOSED VERSION

Professional Growth and Development. A faculty member should continue to grow intellectually and professionally. Evidence of professional growth may include publications, research grants, positions in professional and scholarly organizations, lectures, exhibitions, performances, consultantships, and development of new courses. Work toward a terminal degree shall also be considered, though consideration of such courses should not prejudice faculty who possess a terminal degree.

---

PROPOSED VERSION - Page 31, K., 7., e.

- (5) The Committee shall have the power to initiate special meetings of the Faculty.





*Dr. Jim Cook*

BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA

244 WASHINGTON ST., S. W.  
ATLANTA, GEORGIA 30334

HENRY G. NEAL  
EXECUTIVE SECRETARY  
656-2221

February 18, 1982

M E M O R A N D U M

To: Dr. H. Dean Propst  
Vice Chancellor

From: Henry G. Neal  
Executive Secretary *[Signature]*

Re: Floyd Junior College Statutes

*David*  
*Please review these*  
*suggestions & give*  
*me your ~~own~~ recommendations*  
*[Signature]*

As requested, I have again reviewed these Statutes and, generally, have found them to be very good. I commend those who participated in their preparation.

I have only a few comments, namely:

1. Page 3, para. 10

I suggest that the wording be modified to read: "He shall have such additional powers and duties as may be found in the Bylaws of the Board of Regents, Article VI, and in the Policies of the Board, pp. 101-103.

2. Page 5, para. 4

I suggest that the words "or part-time" be inserted after the word temporary so that the section, as amended, will read as follows:

Faculty members and other personnel employed under written contract on a temporary or part-time appointment shall be employed only for the term specified in the contract and the contract shall not be automatically renewed.

Vice Chancellor H. Dean Propst  
February 18, 1982  
Page Two.

*These sections look O.K. to me.*  
*Ry*

I believe that you and Dr. Cleere should carefully review Sections F and G of Article II concerning Annual Evaluations and Tenure and Promotion since these sections are not often found in Statutes and since they relate to internal academic matters and are of little legal significance. I did note, however, that on p. 6, Sections F & G, the second paragraph of para. 3., that the words "This acknowledgment shall become a part of the record." were omitted. Chancellor Crawford's memorandum specified the inclusion of this language. *Note*

4. Page 11, para. 5

I suggest that the words "The Committee's recommendation shall not be binding on the President." be added at the end of the paragraph.

*O.K.*  
5. Page 12, Article III, Section I concerning Duties, Responsibilities and Privileges also relate to internal procedures and I suggest that you and Dr. Cleere review this section carefully.

6. Page 15

The Grievance Procedures should not be incorporated as part of the Statutes. Rather, they should be included in the Faculty Handbook. I say this because these procedures will probably be amended from time to time.

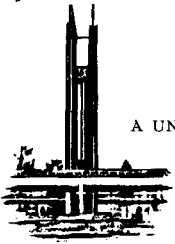
*O.K.*  
7. Page 23, Article III, Section K concerning Standing Committees of the Faculty also relate to internal academic procedures and should be reviewed very carefully by you and Dr. Cleere.

8. Page 29, Article VI, the words "Faculty members who expect to be absent from the meeting in which the vote will be taken may vote in the Dean's Office during the five class days prior to the meeting." should, for obvious reasons, be stricken.

If I may be of further assistance, please contact me.

HGN:pp

cc: Chancellor Vernon Crawford  
Dr. Ray Cleere



A UNIT OF THE UNIVERSITY SYSTEM OF GEORGIA

# FLOYD JUNIOR COLLEGE

P. O. BOX 1864  
ROME, GEORGIA 30161

## MEMORANDUM

TO: FJC Faculty  
FROM: Dr. James F. Cook  
DATE: June 1, 1982  
RE: FJC Statutes

J. F. C.

The Floyd Junior College Statutes were submitted to the Board of Regents for approval. They were reviewed carefully by Executive Secretary Henry Neal and Vice Chancellor Ray Cleere. On the whole, both men seem to have been favorably impressed by the Statutes. Indeed, Henry Neal described them as "very good." But they also suggested a number of changes. In response to their suggestions, the Statutes and Faculty Affairs Committee propose the following changes in the Statutes:

1. Delete from the Statutes and place in a Faculty Handbook most of page 11 ( (4), (5), (6), (7) ); page 16; the top half of page 17 ( (f), (g), (h), (i), (j) ); pages 18-22; most of page 23 (n., o.); and the following statement from page 29, "Faculty members who expect to be absent from the meeting in which the vote will be taken may vote in the Dean's Office during the five class days prior to the meeting."

2. Change pages 15 and 17 as follows: (see attachments)

for student consultation on a regular basis and to publicize his conference hours.

12. Each member of the Faculty and administrative staff is expected to become acquainted with and to conform to all rules and regulations of the College and the Policies and Bylaws of the Board of Regents relating to himself and his work. A copy of the College Statutes and a copy of the Faculty Handbook shall be furnished to each faculty member.

## Section J. Grievance Procedures

### 1. Committees

The Grievance Committees shall be known as the Appeals Committee and the Board of Review and shall be accessible to all members of the Faculty.

### 2. Purpose

The Appeals Committee and the Board of Review provide a means to hear the complaints of faculty members who have exhausted normal channels, as defined herein, but who have not received satisfaction in the resolution of a grievance. The Appeals Committee and the Board of Review will receive complaints, conduct hearings, and present recommendations to the President concerning grievances considered. Prior to filing a complaint with either committee, an aggrieved employee shall have attempted to resolve satisfactorily the grievance through normal channels, that is, by appeals to administrative officers through and including one level of authority higher than the grievant's immediate supervisor. Neither committee shall hear any grievance after the President has already made a final decision.

### 3. Jurisdiction

#### a. Appeals Committee

The Appeals Committee shall have jurisdiction to consider grievances of any faculty member. Grievances heard by the Appeals Committee shall include, but not be limited to, the following:

- (1) Complaints reasonably related to terms and conditions of employment, supported by affidavit of the grievant or other credible evidence, when properly and timely filed in accordance with the procedures set forth in Article III G 3 b.
- (2) Complaints related to promotion and/or tenure filed in accordance with Article III G 3 b.

evidence which it deems to be of value in determining the issues involved.

- (f) The parties involved will have the right to confront and cross-examine all witnesses. When a witness cannot or will not appear and the Committee determines that the interests of justice require the admission of his statement, the Committee will identify the witness, disclose his statement and, if possible, provide for interrogatories.
- (g) The findings of fact and the recommendation of the Committee will be based solely on the hearing record.
- (h) Public statements and publicity about the hearing should be avoided by all persons involved.
- (i) Hearings of the Committee shall be private.
- (j) In the event that the Committee is unable to complete the hearing, it shall notify the President as to the reason and submit to him a report on the proceedings. Such an occurrence shall in no way prejudice future appeals of the faculty member.

b. Board of Review

Grievances heard by the Board of Review shall include the following:

- (1) Grievances concerning salary, promotion, award of tenure or nonrenewal of a faculty member when it is reasonably alleged that the action complained of was the result of discrimination based on race, color, sex, religion, creed, national origin, handicap, or age.
- (2) Any grievance referred to the Board of Review for hearing by the President or the Board of Regents.

c. Limitations

In no instance shall the Appeals Committee or the Board of Review have jurisdiction over termination (dismissal) of tenured faculty or non-tenured faculty during their contract term pursuant to Article VI B d of the Bylaws of the Board of Regents. In such cases an application for review may be directed to the Board of Regents. For all other grievances related to salary, promotion,

tenure, or nonrenewal, the next level of review following the President's final decision shall be the Board of Regents, in accordance with the provisions of Article IX of the Bylaws of the Board of Regents.

d. Composition and Procedures

The composition of the Appeals Committee and the Board of Review and the operating procedures shall be developed by the Statutes and Faculty Affairs Committee, approved by the Faculty and President, and included in the Faculty Handbook.



A UNIT OF THE UNIVERSITY SYSTEM OF GEORGIA

# FLOYD JUNIOR COLLEGE

P. O. BOX 1864  
ROME, GEORGIA 30161

June 8, 1982

## MEMORANDUM

TO:

FROM: James F. Cook, Chairman  
Statutes & Faculty Affairs Committee

---

This is the latest version of the Floyd Junior College Statutes. Please make this copy available to other members of your division or department.

CURRENT VERSION - Page 4, C., 2.

Special meetings of the Faculty may be called at any time by the President, by the Dean, or by the Executive Committee of the Faculty. Written notice of the time, place, and purpose of the meeting shall be given each member of the Faculty at least seventy-two hours in advance of the proposed meeting.

#### PROPOSED VERSION

Special meetings of the Faculty may be called at any time by the President, the Dean, the Executive Committee, or the Statutes and Faculty Affairs Committee. Written notice of the time, place, and purpose of the meeting shall be given each member of the Faculty at least seventy-two hours in advance of the proposed meeting.

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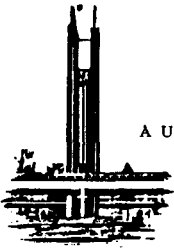
CURRENT VERSION - Page 7, F., 3.

The annual evaluations of first and second-year faculty members shall be completed by April 15; all others by January 15. The supervisor shall discuss the evaluation with the faculty member, who may choose to read and/or respond to the evaluation. Following the discussion the faculty member shall sign the evaluation. Within two weeks of the above dates the evaluation together with the faculty member's response, if any, shall be forwarded to the Dean's Office by the supervisor. The supervisor shall retain a copy of the evaluation and permit access by a Faculty member to his evaluations.

#### PROPOSED VERSION

The annual evaluations of first and second-year faculty members shall be completed by April 15; all others by January 15. The supervisor shall discuss the evaluation with the faculty member, who may choose to read and/or respond to the evaluation. Following the discussion the faculty member shall sign the evaluation. The supervisor will acknowledge in writing his receipt of this response, noting changes, if any, in the annual evaluation made either as a result of the conference or the faculty member's response. Within two weeks of the above dates the evaluation together with the faculty member's response, if any, shall be forwarded to the Dean's Office by the supervisor. The supervisor shall retain a copy of the evaluation and permit access by a faculty member to his evaluations.





A UNIT OF THE UNIVERSITY SYSTEM OF GEORGIA

# FLOYD JUNIOR COLLEGE

P. O. BOX 1864  
ROME, GEORGIA 30161

*Bord*

December 20, 1982

## MEMORANDUM

TO : David B. McCorkle, President

FROM : Wesley C. Walraven, Dean *WW*

SUBJECT: Faculty Compensation

The following pages taken from our proposed Statutes (Attachment A) and Attachment B which deals with entry level salaries, in my opinion, meets the requirements outlined in Dr. Propst's memorandum of November 4, 1982.

Section C.        Organization

1.    The Faculty shall meet regularly at a time and place established by the Faculty in its first meeting of the fall quarter each year. The first meeting of the fall quarter shall be called by the President. The time and place of the regular faculty meetings may be changed at any regular or called faculty meeting by a majority vote of the Faculty.
2.    Special meetings of the Faculty may be called at any time by the President, the Dean, the Executive Committee, or the Statutes and Faculty Affairs Committee. Written notice of the time, place, and purpose of the meeting shall be given each member of the Faculty at least seventy-two hours in advance of the proposed meeting.
3.    A quorum of the Faculty shall consist of a majority of its members currently employed by the College. The presence of a quorum shall be necessary for the conduct of any business of the Faculty.

Section D.        Appointment, Renewal of Contract, and Resignation

1.    All appointments, reappointments, and promotions of the Faculty shall be made by the President with the approval of the Board of Regents. Recommendations for positions within the corps of instruction ordinarily shall originate with the Division and shall be presented to the Dean for his consideration. The Dean will then transmit these recommendations to the President, along with his own approval or disapproval.
2.    Qualifications for Appointment
  - a.    Minimum qualifications for all academic ranks at Floyd Junior College shall be the following:
    - (1)    Master's degree. Exceptions may be made for:
      - (a)    persons of special learning and ability
      - (b)    promising individuals who have recently acquired the bachelor's degree and are proceeding with their graduate training; and/or
      - (c)    temporary emergency appointments.
    - (2)    Evidence of teaching ability.
    - (3)    Successful experience, generally waived in the case of beginners who meet all other requirements.
    - (4)    Evidence of scholarly competence and activity.

- (5) Desirable personal qualities judged on the basis of a personal interview, complete biographical data, and recommendations.
- b. Initial appointees to full professorships should have completed at least two years' work beyond the bachelor's degree. With reference to persons appointed to serve as division chairmen, each appointee should have two years of work beyond the bachelor's degree or, in certain specialized professions, the highest training available in accordance with recognized standards in the particular field of specialization.
3. Non-tenured faculty and other non-tenured personnel employed under written contract shall be employed only for the term specified in the contract and the contract shall not be automatically renewed.
4. Faculty members and other personnel employed under written contract on a temporary appointment shall be employed only for the term specified in the contract and the contract shall not be automatically renewed.
5. Notice of the intention not to reappoint a non-tenured faculty member shall be furnished, in writing, according to the following schedule:
  - a. at least three months before the date of termination of an initial one-year contract;
  - b. at least six months before the date of termination of a second one-year contract;
  - c. at least nine months before the date of termination of a contract after two or more years of service in the institution.
6. All tenured faculty members employed under written contract for the fiscal year or academic year of three quarters shall give to the President or his authorized representative written notice of their intention to resign, postmarked no later than February 1 immediately preceding the expiration of the contract period (Policies of the Board of Regents, p. 112).
7. In accordance with the policy of the Board of Regents, there shall be no discrimination based upon race, color, sex, religion, creed, national origin, age or handicap of employees in their appointment, promotion, retention, remuneration, or any other condition of employment.

Section E.      Employment of Relatives

1. The basic criteria for the appointment and promotion of faculty shall be appropriate qualifications and performance as set forth in the Policies of the Board of Regents. Relationship by family or marriage shall constitute neither an advantage nor a disadvantage provided the individual meets and fulfills the appropriate appointment and promotion standards as set forth in such policies.
2. No individual shall be employed in a department or unit under the supervision of a relative who has or may have a direct effect on the individual's progress, performance, or welfare.
3. For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the foregoing.

Section F. Annual Evaluations

Each full-time faculty member who holds the rank of Instructor, Assistant Professor, Associate Professor, or Professor shall be evaluated annually by his supervisor in accord with the guidelines listed below. Annual evaluations shall be utilized in preparing recommendations concerning salary, tenure, and promotions.

1. Criteria for evaluation shall be those mentioned in the Policies of the Board of Regents: performance of teaching duties, service to the institution, academic achievement, professional growth and development, and length of service.
2. The faculty and chairman of each division shall produce a written document specifying the role of various instruments such as student evaluations, peer evaluations, and self-evaluations that will be used in the annual evaluation. It shall be the responsibility of the division chairman to see that such a document is prepared and that it is reviewed by the division at the beginning of each Fall Quarter. Any statistics derived from student evaluations which are used for comparative purposes shall be based on at least the equivalent of two quarters of full-time instructional effort.
3. The annual evaluations of first and second-year faculty members shall be completed by April 15; all others by January 15. The supervisor shall discuss the evaluation with the faculty member, who may choose to read and/or respond to the evaluation. Following the discussion the faculty member shall sign the evaluation.

The supervisor will acknowledge in writing his receipt of this response, noting changes, if any, in the annual evaluation made either as a result of the conference or the faculty member's response.

Within two weeks of the above dates the evaluation, together with the faculty member's response, if any, shall be forwarded to the Dean's Office by the supervisor. The supervisor shall retain a copy of the evaluation and permit access by a faculty member to his evaluations.

Section G. Tenure and Promotion

1. The tenure policies of the Board of Regents may be found in the Policies of the Board of Regents, pages 119, 119a.
2. Tenure and Promotion Criteria

a. Applicability

The criteria and procedures described in this section shall apply to all instructional faculty who are under the supervision of a division chairman. Recommendations concerning tenure and promotion for faculty who are not under a division chairman may be made by that individual's immediate supervisor or by the division chairman where he holds academic rank. All recommendations for the awarding of tenure and promotion of division chairmen shall be made by the Dean. General criteria described under Section G 2 b shall apply to all faculty, where appropriate. Appeal procedures described under Section G 3 b shall apply to all faculty.

b. General Criteria

For the awarding of tenure or promotion, the criteria are specified in Policies of the Board of Regents, p. 118. They include superior teaching, outstanding service to the institution, professional growth and development, academic achievement, and length of service. Evaluation of candidate's performance in these areas should, in large measure, be based upon past annual evaluations of the candidate.

- (1) Superior Teaching. Teaching includes any faculty activity within the formal academic program of the College which involves the communication of knowledge, the fostering of intellectual skills, and the promotion of human development. Success in teaching shall be the most important consideration in evaluating those candidates whose duties are primarily of an instructional nature. Without successful teaching, no other consideration will be sufficient to warrant the awarding of tenure or granting of a promotion.

The assessment of success in teaching must entail more than the accumulation of statistics; it must

also depend upon the judgment of the evaluators using such evidence as is appropriate and reliable. Such evidence shall include past annual evaluations and may include additional supporting materials such as recommendations from former students, teaching materials, and indication of enrichment of the academic program.

- (2) Outstanding Service to the Institution. The Faculty share a responsibility for sustaining the College as an educational community. Every faculty member is expected to contribute time and energy to this task at the divisional, College, and/or University System level by working on committees, working in campus organizations, and serving in whatever other ways seem useful to the promotion of the College's well-being.
- (3) Academic Achievement. In order to be promoted to the rank of Assistant Professor or awarded tenure a faculty member must have the master's degree or its equivalent in training and experience. In order to be promoted to the rank of Associate Professor or Professor a faculty member must have a terminal degree or its equivalent. The following equivalents in training, ability, or experience are suggested:

Established reputation in the field of interest.

Research, scholarly publications, creative writing.

Superior teaching as shown by competence in conduct of classes and seminars, effective relations with students, and use and development of appropriate teaching aids.

Substantial, significant and integrated program and study beyond the master's degree.

Outstanding service to the institution.

Activities related to professional growth and development--such as participation in educational, professional, scientific, and scholarly organizations, services to society, professional experience in industrial and governmental activities, practice of a learned profession, and other types of related endeavors.

- (4) Professional Growth and Development. A faculty member should continue to grow intellectually and professionally. Evidence of professional growth may include

publications, research grants, positions in professional and scholarly organizations, lectures, exhibitions, performances, consultantships, and development of new courses. Work toward a terminal degree shall also be considered, though consideration of such courses should not prejudice faculty who possess a terminal degree.

- (5) Length of Service. A person appointed as instructor normally shall serve in that rank for a minimum of two years before being promoted. A person appointed or promoted to the rank of Assistant or Associate Professor normally shall serve in that rank for a minimum of five years before being promoted.

Upon employment at the rank of Assistant or Associate Professor, an individual may receive credit for service in that rank based upon previous experience. Upon promotion to either of these ranks an individual may receive credit for service in that rank for those years in excess of the minimum which he served at his previous rank. In either case, such credit may not exceed three years and must be agreed upon in writing by the individual, his division chairman, and the Dean of the College at the time of employment or promotion.

- c. In addition to qualifications listed in Section G 2, promotion to an associate or full professorship should require at least two years' study beyond the bachelor's degree.

### 3. Tenure and Promotion Recommendations and Appeals

#### a. Recommendation Process

- (1) Each division chairman shall submit to the Dean of the College his recommendations concerning the awarding of tenure and/or promotions to faculty members of his division. He shall provide each faculty member with a copy of his recommendation two months prior to the date that such recommendations must be submitted to the Board of Regents.
- (2) All division chairmen, together with other supervisors submitting

Proposed Addition to Faculty Handbook

Salary at the time of appointment shall be based upon the following:


- a) the academic degree(s) held and post-degree work completed.
- b) years of teaching or other relevant experience and degree of teaching excellence demonstrated.
- c) degree of relevant scholarly competence and activity demonstrated.
- d) the academic rank assigned.
- e) the academic discipline in which responsibilities will be performed.
- f) the nature of the responsibilities to be performed.



May 24, 1983

M E M O R A N D U M

To: File

From: Henry G. Neal 

Re: Floyd Junior College Statutes

*Betsy and I*

Met with Dave McCorkle and Jim Cook, Chairman of the Statutes Committee for about two hours to discuss the Statutes of Floyd Junior College. Believe we made some progress. They will re-draft portions of the Statutes and get back in touch with me.

We discussed two additional Standing Committees. These are:

1. Promotion and Tenure Appeal Committee. The Promotion and Tenure Appeal Committee shall consist of seven members of the tenured faculty elected for one year terms by the entire faculty ~~of the Institution~~ in September of each year. Members shall be eligible to succeed themselves. The Chairman shall be elected by the members of the Committee.

The Committee shall consider and act upon all appeals by faculty related to promotion and tenure in accordance with the Statutes of the Floyd Junior College Institution and procedures adopted and published by the Committee. The Committee shall submit its recommendations to the Dean within ~~30~~ *thirty* days after the appeal is filed by the faculty member.

2. The Grievance Committee. The Grievance Committee shall consist of eight faculty members elected by the entire faculty ~~of the Institution~~ and seven classified employees elected by the classified employees from their ranks in September of each year. The terms of each member shall be one year and they shall be eligible to succeed themselves. The Chairman, shall be elected by all members of the Committee. *who shall be a member of the Faculty,*

The Committee shall consider and act upon all grievances filed by faculty or classified employees except grievances related to salary,

promotion, tenure and nonrenewal of employees unless it is alleged that the action complained of was a result of discrimination based on race, color, sex, religion, creed, national origin, handicap or age. The Committee shall not consider any grievance concerning which the President has made a final decision.

three Faculty members of the Committee shall hear grievances filed by faculty members and classified employee members of the Committee shall hear grievances filed by classified employees. The Chairman shall designate an appropriate hearing panel for each grievance of not less than ~~3~~ nor more than ~~5~~ members, in addition to the Chairman. <sup>five</sup>

thirty ~~The Committee shall adopt and publish policies and procedures for the filing of grievances, the conduct of hearings and the transmission of recommendations to the President for final decision within 30 days after the grievance is filed. The Chairman, or other Committee member designated by him, shall preside at all meetings of the Committee.~~

NOTE: ~~It is contemplated that the Grievance Committee will prepare appropriate procedures to be followed in the filing and hearing of employee grievances similar to the procedures attached to this memorandum.~~

The operating procedures of the Committee, including the procedures for the filing of grievances, the conduct of hearings and the transmission of recommendations to the President for final decision within thirty days after the grievance is filed, shall be published in the Policies of Fly & Junior College. The Chairman, or other Committee member designated by him, shall preside at all meetings of the Committee.

**Grievance Procedures  
for  
Faculty and Classified Employees**

**I. NAME**

The Grievance Committee at \_\_\_\_\_ College shall be known as the Board of Review.

**II. PURPOSE**

The Board of Review is established to provide a means to hear the complaints of College employees (faculty members and classified personnel) who have exhausted normal channels of appeal but who have not received satisfaction in the resolution of a grievance. Normal channels shall be construed to mean an appeal to administrative officers, through and including at least one level of authority higher than the employee's immediate supervisor, to resolve satisfactorily the grievance.

**III. JURISDICTION**

**A. Grievance Complaints**

The Board of Review may consider the grievance of any faculty member or classified employee which is reasonably related to the terms and conditions of his/her employment and which is supported by affidavit of the employee or other credible evidence and timely filed in accordance with the procedures set forth in Section IX, below.

**B. Grievances Referred**

Notwithstanding the exclusions set forth in Section III (C) below, the Board of Review shall consider any grievance referred to the Board of Review for hearing by the President of the College or the Board of Regents of the University System of Georgia.

**C. Exclusions**

The Board of Review may not consider grievances which concern salary, promotion or dismissal of any employee or which involve the award of tenure or nonrenewal of a faculty member unless it is reasonably alleged that the action complained of was the result of discrimination based on race, color, sex, religion, creed, national origin, handicap or age. Nor shall the Board of Review consider any grievance concerning which the President has made final decision.

**D. Appeal of Academic Decisions**

Grievances based on judgment of academic qualifications such as salary, promotion, tenure or nonrenewal may be appealed at the Institution through established channels to the President of the College and, thereafter, to the Board of Regents of the University System of Georgia pursuant to the provisions of Article IX of the *Bylaws* of the Board of Regents.

**E. Dismissal of Faculty**

Grievances related to the dismissal of tenured faculty or nontenured faculty during a contract term are governed by Article VI, Sec. B-6-d of the *Bylaws* of the Board of Regents.

**F. Appeals by Classified Employees**

Grievances of classified employees which concern salary, promotion, or dismissal are governed by the *Personnel Policies* of the *Business Procedures Manual of the Board of Regents*.

#### IV. INITIATION OF GRIEVANCE

##### A. *Request for Hearing*

Any employee (grievant), within thirty (30) working days after the occurrence of the alleged act causing the grievance, may file a written request for a hearing with the chairman of the Board of Review describing the grievance and stating:

1. The actions complained of, including the pertinent facts of the complaint, the date, time and place of the occurrence, the college policies believed to have been violated or improperly applied. The complaint shall be verified and (sworn to) by the employee.
2. The names of possible witnesses, if any, and a description of the evidence which may tend to support the complaint.
3. The specified corrective action desired.

- B. The Chairman of the Board of Review, within three (3) days from the filing of the application for hearing by the grievant, shall determine whether the grievance is one which has been properly and timely filed, and whether the nature of the grievance is one which may be properly heard by a Board of Review. If so, the Chairman will instruct the parties as to the procedures to be followed in selecting the panel and members of the Board of Review. If not, the Chairman will notify the parties and the President of his determination and give the reason(s). The President may, nevertheless, direct that the grievance be heard by a duly constituted Board of Review. The Chairman will within ten (10) days following receipt of a grievance cause the panel and Review Board members to be selected as provided in Section V (b) below.

#### V. BOARD OF REVIEW

##### A. *Selection of Chairman<sup>2</sup>*

There shall be a Chairman for each Board of Review, who, along with one or more Alternate Chairman(men), shall be elected annually by the faculty of the College from among the tenured faculty of the institution for a one (1) year term, to begin no later than November 30th of each academic year; provided, however, that not more than one person shall be elected from the faculty of any one department of the College. The Chairman and Alternate Chairman(men) should be briefed thoroughly on the conduct of the grievance mechanism by University System counsel or the Affirmative Action Officer of the College or the University System. The Chairman and Alternate Chairman(men) shall rotate, on an alternating basis, the duties of the Chairman.

##### B. *Drawing of Review Panel*

All grievances shall be filed in writing with the Chairman within thirty (30) days after the alleged act prompting the grievance. If the grievance is determined by the Chairman to be within the jurisdiction of the Board, he shall draw a panel of nine (9) persons as potential members of the Board, by lot, or other random process, from a list of eligible faculty members or classified employees, as appropriate to each case. When grievances involve only faculty member(s), the Chairman shall draw the nine (9) member panel from faculty members<sup>3</sup> having at least one (1) academic year (nine months) of continuous service at the College. For grievances between faculty members and classified personnel<sup>4</sup> the Chairman shall draw four (4) members of the panel from eligible faculty members and five (5) members from eligible classified employees, all of whom shall have at least nine months of continuous service at the College. For grievances involving classified employees only, the Chairman shall draw the nine (9) member panel from the names of classified employees having at least nine months of continuous service at the College. *A new panel for each grievance* shall be drawn by the Chairman in the presence of the Chief Personnel Officer or the Affirmative Action Officer of the College who shall certify to the President that the panel drawing process has been impartially executed.

### C. *Eligibility for Service*

With the exception of the President, all full-time employees (faculty and classified) having at least one (1) academic year (nine months) of continuous service at the College are potential panel members of the Board of Review. Employee's names shall be removed from the pool if: (a) employment terminates; (b) an employee is a grievant; or (c) an employee is named or otherwise directly involved in the grievance.

### D. *Excusing Panel Members*

Panel members who are drawn as possible Board of Review members may be excused by the Chairman if he/she determines that: (1) there is a *bona fide* conflict of interest between the panel member(s) and either of the parties of the grievance; (2) the potential panel member is ill; or (3) service on the Board of Review should be excused for good cause shown.

### E. *Selection of Review Board*

Each Review Board shall consist of the Chairman (non-voting) and three (3) voting members chosen from a panel of nine (9), constituted as set forth in Section V(B) above. Upon notification of the names of the panel members, each party shall in the presence of the Chairman strike the names of three (3) persons from the panel. The parties shall alternate in exercising their strikes, beginning with the grievant, until three (3) members remain. These three (3) members shall constitute the Board of Review. It is anticipated that this "striking" process will be completed within five (5) days following the selection of the panel by the Chairman.

### F. *Removal of Review Board Members for Cause*

A party may present a request in writing, at least three (3) days in advance of any hearing, to the Chairman, to remove any member of the Board for reasonable cause. If the Chairman grants the request, he shall fill the vacancy thus created by random selection of another member, according to the process described in Section Four (B) above. The member chosen to fill the vacancy may likewise be removed for reasonable cause. The Chairman may on his own motion remove any member for reasonable cause stated.

### G. *Notice of Hearing*

After the Board of Review (three [3] members) have been selected as aforesaid, written notice of the date and time set for hearing shall be hand-delivered or mailed to the parties, and to the members of the Board of Review, by the Chairman, no less than three (3) nor more than ten (10) working days in advance of the date set for the hearing.

## VI. *DUTIES OF CHAIRMAN*

The Chairman of each Board of Review shall not vote but shall be responsible for the conduct of the hearing, the interpretation and implementation of these grievance procedures. His/her duties shall include, but not be limited to, the following:

1. Assuring that all parties are familiar with the grievance procedures.
2. Receiving the grievance and determining that it is one which is properly heard by a Board of Review, (if not, the grievant shall be notified in writing); and whether it has been timely filed as provided in Section IV (A), above.
3. Drawing, at random, within five (5) working days following receipt of a written grievance, a panel of nine (9) persons as potential members of the Board of Review from the pool of faculty or classified employees, or both (See Sec. V (B) above) as the case may be, *having at least one academic year (nine months) of continuous service at the institution.*
4. Notifying the parties: (1) whether the grievance is one which is properly heard by a duly constituted Board of Review, and if so (2) that a hearing panel of nine (9) members has been drawn and (3) that each party should come before him on a date certain and strike the names of three (3) panelists.

5. Distributing the complaint (grievance) to the opposite party and members of the Board of Review; setting a date for the hearing after conferring with the Board members.
6. Convening the hearing after written notice (at least three [3] but no more than ten [10] working days in advance of the hearing) to the members of the Board of Review and the parties; conducting and presiding over the hearing; ruling on motions of the parties and assisting the Board of Review during its deliberations.
7. Assuring that a tape recording or transcript of the hearing is made and retained for use in the event an appeal is filed.
8. Forwarding a copy of the written *Findings* of the Board of Review to the President and the grievant within ten (10) working days after the hearing; and forwarding a copy of the Board's *Confidential Recommendation(s)* (if any), to the President as set forth in Section VIII, below.

## VII. HEARING PROCEDURE

In all instances where a hearing is conducted, the following procedures shall apply:

1. The hearing before the Board of Review will be conducted in private; however, the parties may select one (1) person to attend as an observer.
2. Attorneys are not authorized to participate in grievance hearings; however, the grievant may select an advisor, other than an attorney, from the College to assist him/her at the hearing.
3. A tape recording, transcript or written summary of the proceedings shall be kept and made available to the parties concerned at reasonable cost.
4. The parties shall be afforded a reasonable opportunity to obtain and present witnesses and relevant documents or other evidence concerning the subject matter of the complaint.
5. The parties shall have the right to cross-examine witnesses against them. Should a witness be unable to appear because of illness or other cause acceptable to the Chairman, the sworn statement (affidavit) of the witness may be introduced into the record.
7. The Board of Review will not be bound by strict rules of legal evidence. It may receive any evidence deemed by the Chairman to be of probative value in determining the issues involved. Every possible effort shall be made to obtain the most reliable evidence available. All questions as to the admissibility of evidence or other procedural matters shall be decided by the Chairman.
8. The Board of Review shall make no decision on the merits but shall state its *Findings* which shall be based on the evidence introduced at the hearing. The Chairman will report the *Findings* to the grievant and President. The Board of Review may also submit *Confidential Recommendation(s)* to the President as provided in Article VIII.
9. Public statement and publicity about the complaint shall be avoided and the confidentiality of the hearing shall be preserved.

## VIII. FINDINGS AND RECOMMENDATIONS BY THE BOARD

The *Findings* of the majority of the Board of Review shall be sent by the Chairman to the President and the grievant no later than ten (10) working days following the hearing, unless a transcript of the hearing is required, in which event *Findings* shall be sent no later than ten (10) working days following receipt of the transcript. The Board of Review may, in addition to its *Findings*, make *Confidential Recommendations(s)* (if any) to the President. The *Findings*, and *Confidential Recommendation(s)* (if any) made by the Board of Review to the President shall be advisory only, and shall in no way bind or commit him/her to any suggested course of action.

#### IX. ACTION BY THE PRESIDENT

In making his/her decision, the President will not be bound by the *Findings*, or *Confidential Recommendation(s)* (if any) of the Board of Review. The President should, within ten (10) working days after receipt of such written notification of the *Findings*, and *Confidential Recommendations(s)* (if any) of the Board of Review, advise the faculty member or classified employee, his or her direct supervisor, and other parties concerned in writing of his/her decision, or he may refer the matter back to the Chairman of the Board of Review for further response and recommendation(s) before rendering his/her final decision. The employee should also be advised by the Board of Regents for review of the President's final decision in accordance with the provisions of Article IX of the *Bylaws* of the Board of Regents. The Board of Regents has the power to remedy any practices which violate the University System's commitment to non-discrimination and equal employment opportunity.

#### X. TIME REQUIREMENTS OF THE REVIEW PROCESS

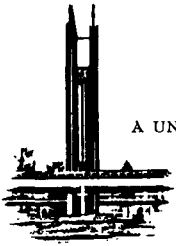
This procedure contemplates that grievance panels (nine [9] members) should be constituted (drawn by lot) within five (5) working days following receipt by the Chairman of an acceptable written grievance from any employee of the College. The final selection of a three (3) member Board of Review from the panel should be completed within ten (10) working days after the filing of the alleged grievance. The Chairman should give written notice of any hearing date to the members of the Board of Review and to the parties at least three (3) but no more than ten (10) working days prior to the date set for the hearing. *Findings* should be forwarded by the Board of Review to the grievant and the President within ten (10) working days from the conclusion of the hearing unless a transcript of the evidence is required. If a transcript of the evidence is required, such documents should be forwarded to the President within ten (10) working days after receipt of the transcript from the Chairman. *Confidential Recommendation(s)* (if any) should likewise be sent to the President within ten (10) working days. The final decision of the President should be made within ten (10) working days thereafter unless he/she refers the matter back to the Board of Review for further response and recommendation(s). Appeals to the Board of Regents shall be filed within twenty (20) days after a final decision by the President.

#### XI. RETALIATORY ACTION

A grievant shall not be harassed, intimidated, or otherwise penalized for utilization of the grievance procedures.

#### A Model Statute Faculty Grievance Committee

- A. There shall be a standing Faculty Grievance Committee to which all members of the faculty shall have access. The Faculty Grievance Committee shall have the authority to conduct inquiries into faculty grievances by mediation, and to present to the President its recommendations for appropriate responses to the grievances it has considered.
- B. Grievances involving promotion, salary, non-renewal of contracts or denial of tenure shall be appropriate for the consideration of the Grievance Committee only if the aggrieved faculty member reasonably alleges discrimination on the basis of sex, race, religion, national origin, handicap or age.
- C. The composition of the Grievance Committee and its operating procedures shall be developed by the Faculty Senate and approved by the Faculty of the College and the President.



A UNIT OF THE UNIVERSITY SYSTEM OF GEORGIA

# FLOYD JUNIOR COLLEGE

P. O. BOX 1864  
ROME, GEORGIA 30161

June 28, 1983

## MEMORANDUM

TO: Dr. George Pullen  
Dr. Philip Dillard  
Dr. David Cook  
Dr. Tom Berry  
Mr. Jerry Shelton  
Dr. Richard Trimble  
Mrs. Belen Nora  
Dr. David McCorkle

FROM: James F. Cook

J. F. C.

SUBJECT: FJC Statutes

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At the request of Dr. McCorkle I have incorporated a number of changes in our "proposed" Statutes. These changes were strongly advised by Henry Neal. Some material has been deleted from the Statutes and will be included in the Policies of Floyd Junior College (formerly known as the Faculty Handbook). I am in the process of revising the Policies and as soon as that revision is completed I will forward a copy to you.

My request is that you proofread both the Statutes and the Policies and let me know of any changes you (or other faculty in your division) wish to make. It is my understanding that Dr. McCorkle wants to have a general faculty meeting in a few weeks to discuss the Statutes. Thus, we need to proceed expeditiously.

If you have any questions about these documents or any related concerns, please feel free to contact me. I will be happy to discuss them with individuals or small groups. I am in class from 9:30 to 11:30 daily.

With your cooperation we may finally get Statutes approved by the faculty and the Board of Regents.

Thanks for your help.



## POLICIES OF FLOYD JUNIOR COLLEGE

### GRIEVANCE PROCEDURES

#### I. NAME

The Grievance Committee at Floyd Junior College shall be known as the Grievance Committee.

#### II. PURPOSE

The Grievance Committee is established to provide a means to hear the complaints of College employees (faculty members and classified personnel) who have exhausted normal channels of appeal but who have not received satisfaction in the resolution of a grievance. Normal channels shall be construed to mean an appeal to administrative officers, through and including at least one level of authority higher than the employee's immediate supervisor, to resolve satisfactorily the grievance.

#### III. SELECTION OF COMMITTEE

The Grievance Committee shall consist of eight faculty members elected by the entire faculty and seven classified employees elected by the classified employees from their ranks in September of each year. The terms of each member shall be one year and they shall be eligible to succeed themselves.

#### IV. SELECTION OF CHAIRMAN

The Chairman, who shall be a member of the Faculty, shall be elected by all members of the Committee.

#### V. JURISDICTION

The Grievance Committee shall consider and act upon all grievances filed by faculty or classified employees except grievances related to salary, promotion, tenure, and nonrenewal of employees unless it is reasonably alleged that the action complained of was a result of discrimination based on race, color, sex, religion, creed, national origin, handicap or age. The Committee shall not consider any grievance upon which the President has made a final decision.

#### VI. INITIATION OF GRIEVANCE

##### A. Request for Hearing

Any employee (grievant), within thirty (30) working days after the occurrence of the alleged act causing the grievance, may file a written request for a hearing with the Chairman of the Grievance Committee describing the grievance and stating:

1. The actions complained of, including the pertinent facts of the complaint, the date, time and place of the occurrence, the College policies believed to have been violated or improperly applied. The complaint shall be verified and (sworn to) by the employee.

2. The names of possible witnesses, if any, and a description of the evidence which may tend to support the complaint.
  3. The specified corrective action desired.
- B. The Chairman of the Grievance Committee, within three (3) days from the filing of the application for hearing by the grievant, shall determine whether the grievance is one which has been properly and timely filed, and whether the nature of the grievance is one which may be properly heard by the Grievance Committee. If so, the Chairman will instruct the parties as to the procedures to be followed. If not, the Chairman will notify the parties and the President of his determination and give the reason(s). The President may, nevertheless, direct that the grievance be heard by the Grievance Committee.

## VII. HEARING PANEL

### A. Selection of a Hearing Panel

If the Chairman determines that the grievance falls within the jurisdiction of the Grievance Committee, he shall, within ten days following receipt of the grievance, select an appropriate hearing panel of not less than three nor more than five members in addition to the Chairman. The Chairman shall select faculty members of the Committee to hear grievances involving only faculty members. Likewise, he shall select classified employee members of the Committee to hear grievances involving classified employees only. For grievances involving faculty members and classified employees, both faculty members and classified employees must be chosen for the hearing panel. Before the hearing panel selected by the Chairman can function, the Chief Personnel Officer or the Affirmative Action Officer at the College must certify to the President that the hearing panel is acceptable.

### B. Excusing Hearing Panel Members

Hearing panel members may be excused by the Chairman if he determines that there is a conflict of interest, illness, or other good cause.

### C. Removing Hearing Panel Members for Cause

A party may present a request in writing, at least three days in advance of any hearing, to the Chairman to remove any member of the hearing panel for reasonable cause. If the Chairman grants the request, he may appoint another member to fill the vacancy thus created. The Chairman may on his own motion remove any member for reasonable cause stated.

### D. Notice of Hearing

After the hearing panel has been selected, written notice of the date and time set for the hearing shall be hand-delivered or mailed to the parties, and to the members of the hearing committee, by the Chairman, no less than three nor more than ten working days in advance of the date set for the hearing.

## VIII. HEARING PROCEDURE

The following procedures shall apply to panel hearings;

1. The hearing will be conducted in private; however, the parties may select one person to attend as an observer.
2. Attorneys are not authorized to participate in grievance hearings; however, the grievant may select an advisor, other than an attorney, from the College to assist him.
3. A tape recording, transcript or written summary of the proceedings shall be kept and made available to the parties concerned at reasonable cost.
4. The parties involved shall be afforded a reasonable opportunity to present necessary witnesses and to offer evidence.
5. The parties involved will have the right to cross-examine all witnesses. Should a witness be unable to appear because of illness or other cause acceptable to the Chairman, the sworn statement (affidavit) of the witness may be introduced into the record.
6. The hearing panel will not be bound by strict rules of legal evidence. It may receive any evidence deemed by the Chairman to be of probative value in determining the issues involved. All questions of the admissibility of evidence or other procedural matters shall be decided by the Chairman.
7. Public statements and publicity about the hearing should be avoided by all persons involved.
8. The panel should complete the hearing and transmit its recommendation to the President within thirty days after the grievance is filed.

## IX. RESULTS OF THE HEARING

The panel should complete its report within thirty (30) days after the grievance is filed. Copies of the report should be sent by the Chairman to the President and the grievant. The panel may send confidential recommendations to the President, which shall be advisory only, and shall in no way commit him to any suggested course of action.

## X. ACTION OF THE PRESIDENT

In making his decision, the President will not be bound by the findings or confidential recommendation(s) (if any) of the Grievance Committee. The President should, within ten (10) class days after the receipt of such written notification of the findings and confidential recommendation(s) (if any) of the Grievance Committee, advise the faculty member or classified employee, his direct supervisor, and other parties concerned in writing of his decision, or he may refer the matter back to the Chairman of the Grievance Committee for further response and recommendation(s) before rendering his final decision.

The employee should also be advised by the President in writing of his right to apply to the Board of Regents for review of the President's final decision in accordance with the provisions of the Policies of the Board of Regents.

#### XI. PROHIBITION OF RETALIATORY ACTION

No participant shall be harassed, intimidated, or otherwise penalized for involvement in the grievance procedures.

I. NAME

Promotion and Tenure Appeal Committee

II. PURPOSE

The Promotion and Tenure Appeal Committee is established to provide a means to hear complaints of faculty members who are dissatisfied with salary, rank, tenure, dismissal or nonrenewal of a contract and make recommendations to the Dean.

III. JURISDICTION

The Promotion and Tenure Appeal Committee shall consider and act upon faculty grievances which concern salary, promotion, tenure, nonrenewal or dismissal.

IV. SELECTION OF COMMITTEE

The Promotion and Tenure Appeal Committee shall consist of seven members of the tenured full-time faculty who are primarily engaged in teaching and do not serve as division chairmen. The Committee shall be elected for one year terms by the entire faculty in September of each year, with the restriction that no more than two persons from the same division may serve on the Committee. Members shall be eligible to succeed themselves.

V. SELECTION OF THE CHAIRMAN

The Chairman shall be elected by the members of the Committee.

VI. DUTIES OF THE CHAIRMAN

1. The Chairman shall be responsible for the conduct of the appeal.
2. He shall set the date for all meetings of the Committee and shall notify the members at least two (2) days in advance of the meeting.
3. He may excuse members of the Committee if he determines that there is a conflict of interest, illness, or other good cause.
4. After consultation with the grievant, he shall determine what evidence and witnesses shall be brought before the Committee.
5. He (or his designee) shall preside at all meetings of the Committee.
6. He shall see that a tape recording or transcript of the meeting(s) is made and retained.
7. He shall submit a copy of the recommendations of the Committee to the Dean and the grievant within thirty (30) days after the appeal has been filed by the faculty member.

## VII. CONDUCT OF THE APPEAL

1. The Committee shall not be bound by strict rules of legal evidence. It may receive any evidence deemed to be of probative value in determining the issues involved. All questions regarding the admissibility of evidence or procedural matters shall be decided by the Chairman.
2. Meetings of the Committee will be conducted in private.
3. Attorneys are not authorized to participate in the meetings of the Committee.
4. The party(ies) shall be afforded a reasonable opportunity to obtain and present witnesses and documentary or other evidence except personnel records and other confidential records of other College employees.
5. Public statements and publicity about the appeal shall be avoided and the confidentiality of the Committee meetings shall be preserved.
6. Recommendations of the Committee shall be submitted to the Dean and the grievant within thirty (30) days after the appeal has been filed by the faculty member.

## VIII. ACTION BY THE DEAN

The Committee is advisory only and its recommendations are not binding upon the Dean. Within ten (10) days after receipt of the recommendations of the Committee (and minority report, if any), the Dean should make a final decision on the appeal and notify in writing the faculty member, his direct supervisor, and others concerned.

## IX. PROHIBITION OF RETALIATORY ACTION

No participant shall be harassed, intimidated, or otherwise penalized for involvement in the appeal procedure.