

George State University
Statutes
Draft of June 10, 2015

Article I. The University

Section 1. Georgia State University is one of the several institutions constituting the University System of Georgia. It is subject to the general jurisdiction of the Board of Regents of the University System of Georgia. The term "Board of Regents" as used in these Statutes shall mean the Board of Regents and its executive officer, the Chancellor.

Section 2. Georgia State University shall exercise all authority conferred upon it by the Board of Regents, including the awarding of appropriate degrees to qualified candidates after recommendation of the faculties of the several colleges and schools of the University or the faculty members serving institutes of the University which are empowered to grant degrees but are not a part of a college or school.

Section 3. Georgia State University is comprised of the following: the College of Arts and Sciences, the J. Mack Robinson College of Business, the College of Education, the Byrdine F. Lewis School of Nursing and Health Professions, the College of Law, [Perimeter College](#), the Andrew Young School of Policy Studies, the School of Public Health, the Honors College, and other units.

Section 4. These Statutes are subordinate to the Bylaws and Policies of the Board of Regents and amendments thereto hereafter adopted.

Section 5. The confidentiality and security of faculty and student files in offices throughout campus shall be preserved and protected at all times. Information of a personal and private nature about faculty and students shall not be divulged by any office of the University, except upon legal grounds or for official university purposes or at the request of and with the consent of the faculty member or student concerned.

Section 6. The policies and regulations of the Board of Regents will govern the eligibility of persons for employment or retention on the faculty, administration, and staff.

Article II. The President

Section 1. The head of the University and its chief administrative officer shall be the President. The President shall be elected by the Board of Regents and shall serve at the pleasure of the Board.

Section 2. The powers and duties of the President shall be as follows:

- A. Those powers, duties, and responsibilities prescribed by the Board of Regents.
- B. The President shall prepare the annual budget of the University for presentation to the Board of Regents and shall recommend to the Board amendments thereto.

- C. Upon the recommendation of the appropriate faculty, the President shall confer all degrees and issue diplomas and certificates.
- D. The President shall have the power to appoint special or standing committees for consultation and advice regarding administrative problems of the University or for assistance in the performance of such functions of the University as may be necessary to the implementation of the regulations of the Board of Regents.
- E. Subject to the approval of the Board of Regents, the President shall appoint a Provost and Vice President for Academic Affairs, and such other general administrators and assistants as are needed to carry out the President's responsibilities and conduct the President's office, and shall identify and define their responsibilities and determine their titles.
- F. All officers and assistants whose appointments are provided for by these Statutes shall hold their administrative offices at the pleasure of the President.
- G. Through memoranda, organization charts, and other communications media the President shall keep the various units of the University advised on organizational changes and shifts in the responsibilities of administrative officers.

Section 3. When the President is absent from the University, the functions of the President shall be exercised by the Provost and Vice President for Academic Affairs. The President shall designate an administrative officer who shall exercise Presidential functions in the absence of both the President and the Provost and Vice President for Academic Affairs.

Article III. Provost and Vice President for Academic Affairs

Section 1. Provost and Vice President for Academic Affairs. The Provost and Vice President for Academic Affairs shall be the second officer of the University: shall be appointed by the President with the approval of the Board of Regents; shall be a member of the faculty of each college and school, of the Administrative Council, and of the University Senate; and shall be a member ex officio of all faculty committees, councils, and boards.

A. General Responsibilities:

The Provost and Vice President for Academic Affairs shall make recommendations to the President regarding the internal operations of the University.

He or she shall assign responsibilities for and evaluate completion of the academic objectives of the University to all appropriate officials.

He or she shall monitor the functions and officials of the University's academic administration and correct any conduct not consistent with the professional and legal fulfillment of the University's purposes and objectives.

He or she shall be responsible for the preparation of the annual academic budget and the preservation of its integrity.

He or she shall evaluate, on a written annual basis, the performance of all officials reporting directly to his or her office.

He or she shall preside over the meetings of the University Senate in the absence of the President.

He or she shall be responsible for planning the academic future of the University.

He or she shall be responsible for implementation of applicable academic policies of the Board of Regents of the University System of Georgia.

He or she may choose such associates and assistants as may be necessary, and upon appointment to such post by the President and with the approval of the Chancellor and the Board of Regents, these persons so chosen will assist in the conduct of his or her office.

B. The Provost and Vice President for Academic Affairs shall also be responsible for the performance of the following functions:

The coordination, correlation, and support (including library support) of instruction, research, and public service programs.

Supervision of the business and financial operations as they relate to academic affairs.

The coordination of all other administrative services. His or her office shall direct the various services of the University to assure maximum benefit to the educational programs and community interests, while restraining the unwise use of University resources.

Article IV. The Administrative Council

Section 1. Members. The Administrative Council shall consist of the President (who shall be presiding officer), the Provost and Vice President for Academic Affairs, other administrative officers to be designated by the President (always to include the deans of the various colleges and schools, and the Dean of Libraries) and the members of the Executive Committee of the University Senate (See Article VI, Section 4 and Article VIII, Section 1).

Section 2. General Functions. The Administrative Council shall be an advisory body to the President on all administrative policies of the University. The Council may recommend to the President such rules and regulations as will facilitate the administrative operations of the University, bring about closer correlation of its various departments and divisions, and improve the quality of all phases of its work.

Section 3. Special Functions. The members of the Executive Committee of the University Senate shall constitute an advisory committee of the faculty which the President may consult. The President may seek the advice of this committee in the handling of any problems that may arise.

Article V. The University Faculty

Section 1. Membership. University faculty membership consists of full-time professors, associate professors, assistant professors, ~~principle senior lecturers, senior lecturers, lecturers, clinical professors, clinical associate professors, clinical assistant professors, research professors, research associate professors, research assistant professors, professors of practice, and instructors,~~ ~~who do not hold temporary, limited-term, or visiting appointments.~~ It also includes the President, administrative and academic deans, Registrar, Dean of Libraries, and Chief Fiscal Officer. ~~D~~uly certified librarians are members of the University Faculty.

Section 2. Ex Officio Faculty Status. Administrators may hold ex officio faculty status for the purpose of eligibility to participate in the Regents' Optional Retirement Plan (ORP). The Georgia State University Faculty Handbook lists eligible administrative positions.

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Section 3. Meetings. The university faculty shall meet at least once each semester, except for the summer semester, upon the call of its presiding officer. At these meetings the President of the University shall preside and report on matters of interest to the faculty. A special meeting of the faculty shall be called by its presiding officer upon petition of ten (10) percent of the membership eligible to vote. At least fifty (50) percent of its membership as determined by the registrar shall constitute a quorum. Adequate notice shall be given for any meeting. The registrar, as secretary of the university faculty, shall prepare the minutes of each meeting of the faculty, and shall make a copy, and any corrections thereto, available to each member of the faculty. A copy of the minutes shall be sent to the Chancellor.

Section 4. Powers. The university faculty shall have a veto power over any legislative action of the University Senate by a majority vote of those present and voting at a duly called meeting. The President must be notified through the office of the Provost and Vice President for Academic Affairs seven (7) working days in advance of such meeting that a veto resolution is to be introduced by a member of the faculty who is not a member of the Senate. A veto resolution must be signed by at least ten (10) percent of the faculty, as determined by the registrar. The Provost and Vice President for Academic Affairs shall determine that this requirement has been satisfied before communicating the notice of the veto resolution to the President.

Article VI. The University Senate

Section 1. Members.

A. The University Senate shall consist of

- the President, who shall be the presiding officer,
- the Senior Vice President for Academic Affairs and Provost,
- the vice presidents,
- the deans of the several colleges and schools,
- the Dean of Libraries,
- chief administrative officers of the academic units (as defined in Article VIII, Section 1 of the Statutes),
- on the recommendation of the Provost and Vice President for Academic Affairs, the President may appoint eleven (11) additional faculty or officers of administration, after consultation with the Executive Committee of the Senate,
- a faculty member for each ten (10) members of the university faculty, or fraction thereof, for each academic department, school, and institute within the several colleges and schools,
- a representative for each ten (10) members of the university faculty, or fraction thereof, for the University Library,
- twelve (12) staff representatives, and
- twelve (12) students.

The President, the Provost and Vice President for Academic Affairs, the Dean of Libraries, and the deans of the colleges and schools shall be permanent members. The additional members from general administration or faculty shall be appointed annually. The GSU Emeriti Coordinating Committee will designate annually a member of the Emeriti Association to serve as a non-voting member of the University Senate.

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B. Student members of the Senate shall be elected for one-year terms through the annual student government election process. Staff members, who need not be members of the Staff Advisory Council but must have at least three (3) years of service at [one of the colleges or schools of Georgia State University](#) as of the time they would take office, shall be elected for two (2) year terms by the membership of the Staff Council. The faculty members, who must have at least three (3) years of service at [one of the colleges or schools of Georgia State University](#) as of the time they would take office, shall be elected for two (2) year terms. If a department or equivalent unit does not have any faculty members with three (3) years of service, then any faculty member of that department or unit is eligible for election to the Senate. Faculty elections shall be held at the beginning of the spring semester and shall take place in each department or equivalent unit by secret ballot after open nominations. The number to be elected in any one year by such department or unit shall be one-half, or its nearest practical equivalent, of the senators authorized for that department or unit as of the fall term of the academic year in which the elections are held. When the number authorized is an odd number of more than one, the department or unit shall determine how the total number authorized to be elected shall be divided over the two-year period. The term of an elected faculty member shall not be terminated by reason of a diminution in the total number of representatives authorized that department or unit. Adjustments in numbers of representatives shall be made at the time of the first election after any increase or diminution in number of representatives authorized. Terms of service shall begin with the call to order of the last Senate meeting of the academic year. Faculty vacancies which occur during a term of service shall be filled for the remainder of that term in the same manner as the original election. Any student vacancy occurring during an elected term of office shall be filled by the Senate of the Student Government Association, with the concurrence of the academic dean of the college concerned. Subject to Article XVI of these Statutes, the Executive Committee shall have responsibility for initiating and maintaining the system of overlapping terms, for verifying the number of representatives authorized each department or equivalent unit, and for resolving questions related to the faculty election process.

C. The President of the Student Government Association shall be a member. The remaining [eleven \(11\)](#) student representatives shall be elected annually during the spring term by secret ballot [by the Senate of the Student Government Association](#), by the student [Senators](#) of each college with two (2) representatives each from the [College of Arts and Sciences](#), [The J. Mack Robinson College of Business Administration](#), [the College of Education](#), and [Perimeter College](#); and one (1) representative [each](#) from [and the Andrew Young School of Policy Studies](#), [the School of Public Health](#), and [the Byrdine F. Lewis School of Nursing and Health Professions](#).

D. The chair and vice chair of the Staff Council shall be members. The remaining [ten \(10\)](#) staff senators shall be elected by the Staff Council to two-year (2) terms.

Section 2. Duties and Functions. The University Senate shall, in keeping with the bylaws and policies of the Board of Regents, exercise legislative functions dealing with the general educational policy of the University, the discipline of students, and all other student activities and affairs, including all matters where the President determines there is a need for uniform policy throughout the University. The University Senate shall not adopt any regulations affecting curricula, or the internal affairs of a college, school, or institute except insofar as such action may be necessary to protect the interests of the University as a whole, but it may make recommendations to the faculty of a college, school, or institute concerning matters within the jurisdiction of that college, school, or institute. Since the creation or abolition of a college or

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school necessarily affects the educational interests of the entire University, any proposal for the creation or abolition of a college or school shall be presented to the University Senate for its recommendation to the President. A legislative action of the University Senate is subject to veto by the University faculty and/or by the President (see Section 5, below).

Section 3. Meetings. The University Senate shall meet at least twice each semester during the academic year. The Chair of the Senate Executive Committee shall have the option of canceling a maximum of one of these four meetings should s/he determine that there is insufficient business for the meeting. Special meetings may be called by the presiding officer; upon petition of twenty (20) percent of the membership of the University Senate, a meeting must be called. A majority of the membership shall constitute a quorum. Adequate notice shall be given of any senate meeting. Meetings of the University Senate and its committees, except the Executive Committee at its own discretion, shall be open to the university community, provided that only members have the privilege of voting, and non-members shall have the privilege of the floor only when specifically provided by the University Senate, or the committees. The minutes of the University Senate and its committees, including the Executive Committee, shall be open to inspection by the university community. Exceptions shall be made in cases where confidential information about particular individuals would be otherwise revealed. The responsibility for the determination of confidentiality shall rest with the Executive Committee, who shall secure consent of the individual affected before making this information available in the minutes. In the first three years following the consolidation of Georgia State University and Georgia Perimeter College, one Senate meeting per year will be held at a campus that was part of Georgia Perimeter College.

Section 4. Organization.

A. The University Senate shall have the power to make its own bylaws and policies consistent with the policies of the Board of Regents and with these Statutes, and through its bylaws shall establish appropriate committees as may be needed for the orderly and efficient handling of its business. Faculty members, staff, and students who are not members of the Senate may be included on all Senate committees except the Executive Committee and where otherwise specified. The majority of every committee shall be members of the University Senate. With the exception of the Fiscal Advisory Committee to the President, no more than twenty-five (25) percent of any designated standing committee shall be non-elected senators who serve by virtue of office or are presidential appointees unless a temporary special case is deemed to exist and the exception is approved by the Executive Committee of the Senate.

B. An Executive Committee of the University Senate shall be established consisting of the President, the Provost and Vice President for Academic Affairs, and ~~seven (7)~~ elected members who are also elected members of the University Senate. These ~~seven (7)~~ members shall be elected by secret ballot by the University Senate annually immediately following the election of members of the University Senate. In the first three years following the consolidation of Georgia State University and Georgia Perimeter College, at least one member of the faculty of Perimeter College will be a member of the Executive Committee of the University Senate. In those three years, if no member of the faculty of Perimeter College is among the top seven (7) vote getters, then the member of the faculty of Perimeter College with the most votes will replace the faculty member who receives the seventh most votes. The University Senate shall establish a Library Committee which shall consist of representatives from each of the several colleges and schools.

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All other matters of internal organization shall be as provided in the Bylaws adopted by the University Senate.

Section 5. The President shall have the right to veto any action of the University Senate within a period of forty-five (45) days after receipt by returning said action to the University Senate with a written statement of objections and by requesting that the matter be reconsidered. The University Senate may (a) accept the veto; (b) construct a compromise action and send it to the President; or (c) reject the veto with the request that the President reconsider. If either the University Senate or the President refuses to recede and if arrangement cannot be reached, the matter shall be referred to the Board of Regents through the Chancellor for review pursuant to pertinent policies of the Board.

Article VII. The Staff Council

Section 1. Members. The membership of the Staff Council shall be elected by and from the classified personnel as defined in the Policies of the Board of Regents and in the Personnel and Policies procedures section of the Business Procedures Manual of the Board of Regents. Elections shall be conducted in accordance with the Bylaws of the Council.

Section 2. Functions and Powers. The Council shall act as an advisory body to the University President and shall act on behalf of the staff of the University where there is a need for a uniform policy throughout the University. They shall endeavor to increase a flow of communications among all sectors of the University and to make recommendations concerning actions of the University which impact on staff.

Section 3. Organization. The Council shall have the power to create its own bylaws and policies consistent with the Policies of the Board of Regents and with these Statutes, and though its Bylaws shall establish appropriate committees needed for the handling of its business.

Section 4. A meeting of the Council shall be held at least once each semester.

Article VIII. Administrative Officers of the Colleges, Schools, and Institutes

Section 1. Any school, division or other unit which is not a part of another college of Georgia State University and whose faculty hold academic rank with the unit should be defined for the purpose of the Article as an "academic unit." Such academic units shall have a dean or director who shall be its chief administrative officer and whose faculty shall be subject to the review of the Provost and Vice President for Academic Affairs for the purposes of promotion and tenure. In the event that a school, institute, or division is developed within an academic unit, the dean or director of such school or division shall report to the chief administrative officer of the academic unit. Academic units which are not a part of a college shall be defined as a college for the purposes of the implementation of these Statutes and Bylaws of the University Senate. The President shall appoint the chief administrative officer of each academic unit on the recommendation of the appropriate vice president and after consultation with the Chancellor. Such appointees of the President shall be subject to the approval of the Board of Regents. Each of the deans and directors shall hold office at the pleasure of the President. [Every academic unit](#)

shall have bylaws approved by its faculty, its dean or director, and the Provost and Vice President for Academic Affairs.

Section 2. The powers and duties of deans of colleges or schools shall be as follows:

A. Provide leadership in the development of the programs of their college or school and shall coordinate and integrate the work of its several departments.

B. Be responsible for reporting to the Provost and Vice President for Academic Affairs any matters which significantly affect the accreditation of their college or school.

C. Preside at all meetings of their faculty, and formulate policies for their college or school and present them to the faculty for consideration.

D. Recommend the appointment, reappointment, dismissal, and promotion of administrative officers and faculty.

E. In making nominations for appointments to positions within a department, act on the recommendation of the departmental chair concerned.

F. After consideration of budgets prepared by departmental chairs, prepare annually a consolidated budget of their college or school for presentation to the Provost and Vice President for Academic Affairs.

G. Oversee the work of the students of their college or school and shall establish adequate procedures to advise students in the selection of courses and fields of study. They shall be responsible for the administering of regulations affecting student scholarship. They shall report to the university office responsible for student records any action taken by them which affects a student's program. They shall report to the office responsible for student records, the office of the chief financial officer, and other offices as designated by the Provost and Vice President for Academic Affairs any action taken by them which affects a student's enrollment.

H. Prepare for the catalog the curricula approved by the faculty of their college or school.

I. On the basis of the records and reports of the university office responsible for student records, certify students for graduation who have satisfied faculty requirements and have been approved for graduation by the faculty.

J. For all official business of their college or school, serve as a medium of communication with the faculty, the administrative staff, and the students.

K. Before the close of the academic year, submit to the Provost and Vice President for Academic Affairs a report of the work of their college or school.

L. Provide the opportunity for the faculty of their college or school to organize itself and to adopt appropriate bylaws for its governance effective upon approval by the administrative council and the President.

M. Shall recommend to the President through the Provost and Vice President for Academic Affairs the appointment of such associates or assistants as may be necessary in order to enable deans to discharge efficiently the duties of their office.

N. The Dean of Libraries shall have the powers and duties of a dean with regard to Library faculty and non-faculty employees and Library activities, and shall be responsible for the formulation of appropriate regulations and procedures. The Librarian shall provide the opportunity for the Library faculty to organize itself as appropriate for the internal governance of an academic library in order to provide maximum service to the academic community, and this organization shall be effective upon the approval of the Administrative Council and the President.

O. For the purposes of implementing the Statutes of the University and the Bylaws of the University with regard to its faculty and non-faculty employees and its activities, the chief administrative officer of any academic unit which is not a college shall have those powers and duties of a dean which are appropriate for the structure and mission of the academic unit.

P. In the event that an academic unit is not further subdivided, the chief academic officer shall further assume those responsibilities enumerated in Article X, Section 3, which are appropriate to the structure and mission of the unit provided, however, that in any situation of incompatibility between the responsibilities of a dean and the responsibilities set out in Article X, Section 3, the judgment of the dean shall be the final respecting which duties to perform.

Article IX. Evaluation of Administrators

An evaluation of the President, the Senior vice President for Academic Affairs and Provost, all Vice Presidents, all Associate Provosts, the Dean of each college/school, and the Dean of Libraries will be undertaken by faculty and staff at the end of the administrator's third year in the first evaluation cycle and at least every five years thereafter, in accordance with the procedures and a schedule established by the University Senate. If an administrative appointment starts before the end of a calendar year (December 31 or earlier), that administrator will be scheduled for review at the end of the third academic year of service; if the administrative appointment begins after the start of the new calendar year (January 1 or after), then the review clock begins with the start of the next fiscal year (1 July of the year of hire) and the review will occur at the end of the third academic year following. The purpose of such comprehensive reviews is to evaluate the progress of each administrator, to provide the opportunity for constructive input from faculty and other constituencies, to review the individual's professional contributions and performance as a "leader" and as an "administrator", and to provide feedback to improve his or her performance. Detailed procedures for the evaluation are developed by the Executive Committee of the University Senate in consultation with the Faculty Affairs Committee of the University Senate and adopted by the University Senate.

Article X. Faculties of the Colleges and Schools

Section 1: Membership. The faculty of a college or school consists of those members of the university faculty who hold an appointment in a department, school, or institute of a college, school, or division. Other individuals may be specified in the Bylaws of the college or division as being faculty members of the college or division with the exception of individuals hired on a course-by-course basis.

Section 2. Authority. Subject to the Bylaws and Policies of the Board of Regents and to the policies of the University Senate on all matters affecting general university policy, and subject to minimum requirements as may be established for the University, the faculty of each college or school shall have the authority and duty to determine the entrance requirements for its own students; to prescribe and define courses of study for them; to set requirements for degrees, diplomas, and certificates; to enact and enforce rules for the guidance and government of its students; and in general, to exercise jurisdiction over all educational matters within the college or school.

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Section 3. Autonomy. The faculty of a college or school shall have the fullest autonomy which is consistent with the maintenance of the general educational policy of the University and with the maintenance of proper academic and administrative relations with the other colleges or schools of the University, provided that the autonomy is not inconsistent with the Bylaws and Policies of the Board of Regents.

Section 4. Graduate Work. The faculty of a college or school which offers graduate work may be so organized in its bylaws that certain members with suitable qualifications shall be designated as graduate faculty. This graduate faculty may have its own dean or director of graduate studies and its own bylaws subject to the provisions of the college or school bylaws. Its duties and responsibilities within a graduate structure shall be similar to the duties and responsibilities of the faculty of the college or school itself as defined in Section 1, above. If there is a graduate faculty and a director or dean of graduate studies of a college or school, they shall report through the dean of that college or school. At the discretion of the dean and faculty of a college or school, other forms of organization may be adopted with the approval of the Provost and Vice President for Academic Affairs.

Section 5. Degrees, Diplomas, and Certificates. Through its dean and the President of the University, the appropriate faculty of a college or school shall recommend to the Board of Regents the establishing, modifying, or discontinuing of degrees, diplomas, and certificates attesting to academic credit earned. A recommendation regarding any degree program shall be made only with the approval of such faculty.

Section 6. Organization. Regarding matters within its jurisdiction, the faculty of each college or school shall have the power to set up rules governing its own procedure and to adopt bylaws and regulations. On call of its dean, each faculty shall hold at least one (1) meeting during each academic semester. Minutes of all such meetings shall be sent by the dean or a representative to each faculty member of the college or school, to the Provost and Vice President for Academic Affairs and to the President. Special meetings may be called by the dean and must be called upon petition of twenty (20) percent of the faculty eligible to vote; the petition shall specify the purpose of the meeting. Adequate notice shall be given of any faculty meeting.

Article XI. Departments and Divisions

Section 1. Definition. A department, school or institute is an administrative subdivision of a college, school, or other unit of the University organized for the purpose of conducting programs in instruction, research, and service.

Section 2. Membership. The faculty of a department, school or institute consists of those members of the college faculty who hold appointment in the department, school or institute. Individuals annually appointed with rank in two or more departments are considered to be members of the faculty of each department.

Section 3. Chair. The Chair shall be evaluated by the faculty of the department at least every three years. This evaluation shall be conducted by the dean who shall notify the President of the

results of this evaluation which shall be used in the overall evaluation of the chair's performance. The duties of a departmental chair shall be as follows:

A. The chair shall be responsible to the academic dean and shall have general direction of the work of the department; and be responsible for the formation, in consultation with the chair's faculty, of departmental policies; and is charged with responsibility for the execution of departmental policies and policies of the University and college or school or other unit insofar as they affect the work of the chair's department.

B. The chair shall be the official representative of the department in all official communications with the dean, the Provost and Vice President for Academic Affairs, the President, and other officers of the University, and also in all departmental communications with the students.

C. The chair shall be responsible for the quality of the instruction offered in the department; and give close supervision to the teaching done by members of the faculty; and consult from time to time with each member of the department regarding the nature, scope, and quality of the chair's work.

D. The chair shall assign courses within the department and maintain insofar as is possible an equitable distribution of courses and sections; and shall see that there is no undue overlapping of courses in the department, and bring to the attention of the dean of the college or school any instance in which another department of the University is offering a course that conflicts with or duplicates a course offered in the chair's own department.

E. The chair shall maintain a general overview of the work of students in the department.

F. The chair shall be responsible for recruiting new faculty whose qualifications are consistent with the objectives of the institution, and shall, after consultation with members of the department, recommend appointments, reappointments, promotions, and, consistent with tenure policy, dismissals of members of the faculty.

G. The chair shall, after consultation with members of the faculty, prepare the annual budget for the department and submit it to the dean of the college or school through the divisional chair, when applicable.

H. The chair shall be responsible for the expenditure of departmental funds and the care and use of departmental property; and shall transmit, where applicable, through the dean of the college or school to the Provost and Vice President for Academic Affairs on forms provided to the chair, budget amendments, personnel and payroll documents, and requisitions for supplies, equipment, and other materials that may be required by the department.

I. The chair shall prepare such information regarding the courses in the department as may be needed for the catalog and transmit this material to the dean of the college or school.

J. The chair shall make an annual report to the dean of the college or school on the teaching, research, and service work of the department.

Section 4. Divisions. Upon the recommendation of the Provost and Vice President for Academic Affairs, and dean or deans affected, the President may create a divisional organization encompassing departments engaged in closely related work.

A. The divisional chair shall be appointed by the President upon recommendation of the dean, or deans concerned, and the Provost and Vice President for Academic Affairs with the approval of the Board of Regents.

B. The chair of a division shall be responsible to the dean or deans concerned for the scope, content, and quality of all courses cutting across department lines and embracing work in more

than one (1) field. The chair shall be responsible for correlating the work of all departments within the division and for setting up an integrated program of instruction, research, and service.

Section 5. Faculty.

A. Responsibility. The faculty of a department, subject to the direction of the faculty of their college or school, shall be responsible for the program of studies offered by the department and shall have power to determine matters of internal administration within the department so long as they do not adversely affect relations with other departments.

B. Meetings. The faculty of a department shall meet at least once each semester, except for the summer semester. At all meetings of the departmental faculty, the chair of the department shall be the presiding officer. Minutes shall be maintained, and copies shall be transmitted formally to the academic dean.

Article XII. Faculty Members

Section 1. Appointment. All appointments, reappointments, and promotions of members of the faculty shall be made by the President with the approval of the Board of Regents. Recommendations shall originate with the department and shall be presented to the dean of the college or school for consideration. If the dean approves, the dean shall transmit a recommendation to the Provost and Vice President for Academic Affairs.

Section 2. Qualifications. Every appointment shall be made in accordance with the Policies of the Board of Regents and solely on the basis of merit and the special fitness of the individual. In the appointment and promotion of members of the faculty, special consideration shall be given to their teaching ability, research ability, achievement, and general usefulness or promise thereof to the University. The initial appointees to the rank of associate or full professor should have doctoral degree or equivalent in training, ability, or experience. Appointees as assistant professor or instructor must have, as a minimum, the master's degree, except for persons of special learning and ability.

Section 3. Employment Contracts. Contracts shall be as prescribed by the Board of Regents.

Section 4. Duties. Members of faculty shall perform such responsibilities in instruction, research, and service and discharge such other professionally appropriate duties as may be assigned to them during the period of their contract.

Section 5. Scholarship. Each faculty member shall be expected to maintain scholarship through continuous research and study, which should yield results in improved teaching and publication of research studies.

Section 6. Teaching Performance. No service to the University, however exceptional, shall be deemed sufficient to overcome failure to render adequate service in teaching. In the annual report the departmental chair shall include a statement concerning the performance of teaching faculty members in the department. Due attention shall be given in this report to special qualities of excellence in the performance of teaching faculty members in the department.

Section 7. Formal Academic Exercises. Members of the faculty are expected to attend formal academic exercises of the University and to wear on such occasions appropriate academic costume.

Section 8. Extra-Curricular Activities. Faculty members shall be encouraged to participate, in a manner befitting their academic position, in such extra-curricular activities as are proper extension of their professional field of interest, whether these be in the internal administration of the University or in representation of the University before outside groups. Annual departmental reports shall make references to such activities on the part of members of the faculty.

Section 9. Office Hours. Members of the faculty are expected to make available in the medium provided for that purpose such office hours and conference periods as they deem most advantageous to their students.

Section 10. Outside Activity. No members of the faculty of the University shall engage in any outside work or activity if it interferes with the regular and punctual discharge of their official university duties and responsibilities. Prior to engaging in remunerative outside work or activity, a faculty member must file a description of the nature and extent of the outside work or activity with the dean of the appropriate college or school and the Provost and Vice President for Academic Affairs. The faculty member shall not continue or undertake such employment if notified of the disapproval of such undertaking.

Section 11. Faculty Rewards. Instruction, research, and public service are the three (3) components of Georgia State University's educational function. In determining faculty salary increases consideration shall be given scholarly attainment and professional growth as evidenced by each of the following: (a) teaching activity and effectiveness; (b) research, publication, creative scholarly activity, or artistic performance; and (c) university, professional, and public service activities.

Section 12. Evaluation. Each faculty member shall be evaluated at least annually by the person to whom that faculty member reports.

Section 13. Salaries. In determining salaries of members of the faculty and staff serving on an annual (fiscal year) basis, consideration shall be given to the fact that they are required to be on duty for a period over one-third longer than that of those whose appointments are on a two (2) semester basis.

Section 14. Promotion and Tenure.

A. Each college, school, department or other unit which recommends faculty promotions or tenure will specify and make available to its faculty written copies of the applicable criteria and procedures governing promotion and tenure.

B. Recommendations regarding promotion and tenure by the appropriate chair, dean or other administrator shall be made following consultation with an appropriate faculty committee from within the department, college, division or unit.

C. Consultations regarding promotion and tenure shall be documented and shall include the committee's recommendation, if any.

D. All recommendations made under this section will be documented showing that all required criteria and procedures have been followed.

E. Tenure is established and governed by the policies and regulations of the Board of Regents.

F. Minimum criteria for promotion shall include a significant representation of the following qualifications.

Superior teaching.

Outstanding service to the University.

Academic achievement.

Professional growth and development.

Length of service in the University.

Outstanding public service.

G. This section does not apply to decisions about non-renewal or non-retention of untenured faculty or to dismissals.

Section 15. Degree Equivalents. As a general rule, no person will be advanced to the rank of associate professor who has not received the doctoral degree. Exceptions to this rule may be made in the case of members of the faculty who have served the University for a number of years and in the case of those who may qualify as having the equivalent of such degree. The following, in combination, may be as equivalent:

A. Established reputation in field of interest.

B. Research, scholarly publications, or creative production.

C. 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.

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

E. Outstanding service to the University.

F. Activities related to professional growth and development.

Neither the possession of a doctoral degree nor longevity of service is a guarantee of promotion.

Section 16. Academic Freedom. All faculty members are entitled to enjoy and to exercise, without penalty for such exercise, all the rights of an American citizen as well as the rights of academic freedom as they are generally understood in the teaching profession.

Section 17. Tenure. Tenure is established and governed by the policies and regulations of the Board of Regents.

Section 18. Illness. The rights of employees who are incapacitated by illness are as established by the policies of the Board of Regents.

Section 19. Vacations. Members of the general administration shall be employed on an annual (fiscal year) basis. Vacation for such personnel and for faculty members employed on an annual (fiscal year) basis is as established by the Board of Regents.

Section 20. Leave. All leaves granted by Georgia State University must be in accordance with Regents' regulations. When the members of the faculty desire to leave for the purpose of study, research, or other pursuit, the object of which is to increase their professional efficiency and usefulness to the University, they shall make known to the dean of their college or school the

period during which they wish to be absent. The dean, in consultation with the Provost and Vice President for Academic Affairs shall try to schedule the work of the faculty member so as to make it possible for them to have the leave requested.

A. The President may, with the approval of the Chancellor and the Board of Regents, grant leaves of absence, with or without pay, to members of the faculty or administrative staff. Recommendations for leave without pay will be approved whenever it appears that the granting of such leaves will not be prejudicial to the interests of the University.

B. Leave with pay shall be granted only for the purpose of promoting scholarly work and encouraging professional development. The program or project on which the applicant proposes to work will be examined carefully by the President and the likelihood of the applicant's being able to accomplish the purpose for which leave is requested also will be considered.

C. Leave with pay ordinarily will not be granted if the applicant has less than three (3) years' employment in the University nor will leave with pay be granted to an applicant who has not already completed the requirements for a master's degree or the equivalent.

D. Faculty members who have been granted a leave of absence with pay shall be required, before beginning their leave, to sign an agreement that they will return the full amount of compensation they received from the Institution while on leave if they should not return to the University for at least one (1) year of service after termination of their leave.

E. In evaluating a request for a leave, the President should take into consideration the effect that the granting of 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.

F. Military leave shall be granted as provided by Policies of the Board of Regents.

Section 21. Classified Personnel. Classified personnel are defined as professional and administrative personnel and staff personnel. Classified professional and administrative personnel are personnel who are exempt from the Federal Wage-Hour provisions of the Fair Labor Standards Act and who are not identified as faculty or as graduate assistants. Classified staff employees are personnel who are not exempt from the provisions of the Fair Labor Standards Act. These personnel are subject to the Classified Personnel Policy for the University System of Georgia adopted by the Board of Regents, including periodic evaluation as provided in this policy.

Section 22. Part-time Personnel. Persons of learning and ability in special fields may be employed on a part-time basis with academic titles, but they shall not be entitled to faculty rank, tenure, or voting rights in the faculty.

Section 23. The Policy Manual of the Board of Regents provide for the employment, resignation, and removal of a faculty member as follows:

A. From the Policy Manual, Board of Regents of the University System of Georgia, Section 803.06: "a. Tenured All tenured faculty members employed under written contract for the fiscal or academic year shall give written notice of their intention to resign to the president of the institution or to his/her authorized representative, postmarked no later than February 1, immediately preceding the expiration of the contract period. b. Non-tenured

Each year, on or before the dates specified in Regents' tenure regulations, the president of an institution, or his/her authorized representative, shall advise, in writing, all non-tenured faculty who have been awarded academic rank (instructor, assistant professor, associate professor, professor) and who are employed under written contract whether an employment contract for the succeeding academic year will be offered to them. Such written notice shall be delivered by hand or by certified mail, to be delivered to the addressee only, with receipt to show to whom and when delivered and the address where delivered.

Notice of 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:

at least three months before the date of termination of an initial one-year contract;

at least six months before the date of termination of a second one-year contract;

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 position, or persons with courtesy appointments, such as adjunct appointments.

Non-tenured faculty and other non-tenured personnel employed under written contract shall be employed only for the term specified in the contract and subsequent or future employment, if any, shall result solely from a separate offer and acceptance requisite to execution of a new and distinct contract."

B. From the Policy Manual, Board of Regents of the University System of Georgia, Section 803.09, Paragraphs J. and K.: "J. 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:

at least three months before the date of termination of an initial one-year contract;

at least six months before the date of termination of a second one-year contract;

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.

K. A tenured faculty member, or a non-tenured faculty member, before the end of his/her contract term, may be dismissed for any of the following reasons provided that the institution has complied with procedural due process requirements:

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 willfully concealed;

Professional incompetency, neglect of duty, or default of academic integrity in teaching, in research, or in scholarship;

Unlawful manufacture, distribution, sale, use or possession of marijuana, a controlled substance, or other illegal or dangerous drugs as defined by Georgia laws; teaching or working which interferes with the faculty member's performance of duty or his/her responsibilities to the institution or to his/her profession;

Conviction or admission of guilt in a court proceeding of any criminal drug offense;

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;

False swearing with respect to official documents filed with the institution;

Disruption of any teaching, research, administrative, disciplinary, public service, or other authorized activity;
Such other grounds for dismissal as may be specified in the statutes of the institution."

Section 24. Institutional Regulations for removal of Faculty Members.

A. The Policy Manual, Board of Regents of the University System of Georgia, Section 803.11, provides the following procedures for removal of faculty members: "The president of an institution may at any time remove any faculty member or other employee of an institution for cause. Cause shall include willful or intentional violation of the policies of the Board of Regents or the approved statutes of an institution. Further causes 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. 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 individual standards or procedures, consistent with the Policies Manual and Bylaws of the Board, which an institution of the System may elect to adopt for its own improvement or to make adjustments 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 this Policy Manual and in approved statutes or bylaws 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:

Discussion between the faculty member and appropriate administrative officers looking toward a mutual settlement.

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.

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.

A statement of charges, if requested by the faculty member, framed with reasonable particularity by the president or his or her designated representative. Along with the charges, the faculty member shall be advised of the names of the witnesses to be used against him or her together with the nature of their expected testimony.

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 Policy Manual of the Board) 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 chair 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 chair 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 chair of the Hearing Committee at least five days in advance of the date set for the hearing. The chair shall have the authority to decide whether a member of the committee is disqualified for cause. If the chair 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 chair is thus removed, the committee shall elect a new chair 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:

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;

The Hearing Committee, in consultation with the president and the faculty member, may exercise its judgment as to whether the hearing should be public or private;

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;

At the request of either party or the chair of the Hearing Committee, a representative of a responsible education association shall be permitted to attend as an observer;

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;

An oath or affirmation shall be administered to all witnesses by any person authorized by law to administer oaths in the State of Georgia;

The Hearing Committee may grant adjournments to enable either party to investigate evidence as to which a valid claim of surprise is made;

The faculty member and the administration shall be afforded a reasonable opportunity to obtain necessary witnesses and documentary or other evidence;

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;

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 chair or presiding officer;

The findings of fact and the decision of the Hearing Committee will be based solely on the hearing record;

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;

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;

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 Chancellor 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;

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 the suspension."

B. The following additional standards or procedures apply to Georgia State University:

A hearing committee which shall consist of five (5) faculty members shall be appointed by the Executive Committee of the University Senate from the entire faculty of the University in the manner described below. At the beginning of the year during which the Executive Committee is to serve it shall elect by secret ballot fifteen (15) faculty members from the entire faculty of the University, as the faculty is defined by the Board of Regents and as referenced in Article V, Section 1, of these Statutes. These faculty members shall be ranked from the highest to the lowest in order of the number of votes received. The five (5) faculty members with the highest number of votes shall be appointed by the Executive Committee as members of the Hearing Committee. The remaining ten (10) members shall serve as alternates in the order of the number of votes received. In the event that two (2) or more persons are elected by the same number of votes the presiding officer of the Executive Committee shall determine how they shall be ranked. The presiding officer of the Executive Committee shall serve when regular members are not available and are excused by the chair of this Hearing Committee for good reasons, as set forth above in Section 24, A.

During the proceedings the parties shall have the right to be represented by an academic or other personal advisor or legal counsel of their own choice. The Hearing Committee shall also be permitted to have advisory counsel. The role of counsel shall be to advise the faculty member,

administrative official, or the committee, but no party to the hearing shall have the right to address the committee in an intimidating or harassing manner, or to conduct the hearing in a manner inconsistent with the canons of civility, decorum, and academic propriety. In the event that any party to the hearing disrupts the proceedings or makes it impossible to continue an orderly hearing, in the judgment of the committee, such hearing may be recessed or terminated. The hearing committee in consultation with the President and the faculty member, may exercise its judgment as to whether the hearing should be public or private.

The hearing referred to herein shall constitute the original hearing and all allegations, causes of action, or rebuttals of the charges must be specified at the time of such hearing; any subsequent appeal of the decision determined after the original hearing shall constitute the complete substance of any further appeal and shall be restricted solely to parties and matters originating on the hearing record. Thereafter, the appeal shall be reviewable only on the hearing record and there shall be no de novo hearings, except those which may be authorized by the Board of Regents, unless there is a showing with respect to the original hearing of fraud, lack of jurisdiction, substantial error materially prejudicing the right of the faculty member, or a finding that the hearing committee was arbitrary and capricious in its findings.

The faculty member and advisor or counsel and the university administration, at the expense of each party, shall have the right to be present at and to participate in the questioning of any witness who cannot or will not appear before the hearing committee, with the witness's answers to all questions being entered into the affidavit.

The hearing committee shall make specific findings relative to each of the charges made. If the hearing committee concludes that an academic action less than dismissal would be more appropriate than dismissal, it may so recommend, with supporting reasons. The report shall be made to the President. Upon receipt of such report the President may refer the document to the appropriate vice president who must communicate the vice president's recommendations on the charges and on the findings and recommendations of the hearing committee to the President. The President may approve an action less than dismissal, or may approve a recommendation for dismissal and remove the faculty member. If the President does not approve the recommendation of the hearing committee the President should state the reasons in writing to the committee for response before rendering a final decision. The faculty member shall be informed of the action taken and shall have the right to appeal any adverse recommendation to the Board of Regents in accordance with paragraph 14 of the preceding section on Dismissal Procedures.

Section 25. Other Appeals and Complaints.

A. Each college, school, or other comparable administrative unit (hereinafter referred to as "college") of the University, which has assigned faculty members as defined in these Statutes, shall incorporate in its bylaws, or in official instructions, these procedures for the establishment of a fair and impartial hearing panel for its faculty and for the handling of faculty complaints related to matters other than removal of a faculty member for cause or non-renewal of faculty contract.

B. Applicability. This procedure shall apply to complaints relating to allegations of discrimination including those on the basis of race, creed, color, national or ethnic origin, religion, age, sex, sexual orientation, or handicap in any educational or employment program, policy, procedure, or practice of Georgia State University; allegations of arbitrary or capricious decisions affecting the faculty member's employment or professional reputation; and allegations

by a faculty member or group of faculty members that the faculty member's contract has been violated, EXCEPT that this procedure shall NOT apply to matters covered under Article XI, Section 24, "Institutional Regulations for Removal of Faculty Members" or to matters related to administrative appointments or responsibilities.

C. Definitions. A complaint is an allegation of a misinterpretation, incorrect application, or violation of a policy, practice, or procedure not pursued by the faculty member in a forum outside the University. The use of this appeals procedure is not available if a formal complaint is filed with a governmental agency or a court action has been initiated based upon substantially similar facts, in which case any investigation then in progress by the University will be terminated relative to the appeals process.

A complainant is a faculty member who seeks resolution of a complaint through the informal or formal procedures as outlined herein.

A respondent is a person against whom a complaint is filed.

The College Faculty Appeals Committee is an elected body to which complaints are referred by the dean, which responds to complaints and from which hearing panels are derived. The College Faculty Appeals Committee must have this charge as its sole function.

The Hearing Panel, derived from the College Faculty Appeals Committee, is charged with hearing complaints, and making recommendations regarding the complaints.

For purposes of counting, a day is any weekday (Monday-Friday) on which classes or exams are scheduled in the college applicable to the appeal during fall or spring terms. Complaints arising during the summer term or ones not resolved at the end of spring term, shall be continued into fall term unless both the complainant and respondent (and if applicable, the mediator or the Hearing Panel) agree to continue through the summer term.

D. Informal Procedures. Before a faculty member brings a formal complaint, the faculty member must first attempt to resolve the matter informally by discussion with the respondent. This informal discussion shall be initiated by the complainant within ninety (90) days of the knowledge of the consequence of event(s) upon which the complaint is based.

If the matter is unresolved by informal discussions, and the complainant wishes to pursue the matter, the complainant must, within one hundred ten (110) days of knowledge of the consequence of event(s), submit a written complaint to the respondent. The written complaint shall state the exact nature of the complaint and the remedy sought.

If no resolution has been reached within fifteen (15) days after presentation of the written complaint, the informal procedures are considered ended. The complainant may request mediation or the complainant may request a hearing. Such a request must be filed with the dean within ten (10) days of the conclusion of these informal procedures. During the mediation process, the time within which to present a written complaint is suspended (see F.2.).

The Provost and Vice President for Academic Affairs with the approval of the Faculty Affairs Committee of the colleges shall provide a standing Faculty Counselor to provide information to complainant during the appeals process.

E. Optional Mediation Procedures 1. Each college will include mediation as an option within the appeals procedure of the college. If the complaint is not resolved by informal procedures, then the parties in the complaint may agree to mediation following the informal procedures and preceding the complainant's request for a hearing. 2. The Provost and Vice President for Academic Affairs with the approval of the Faculty Affairs Committee shall provide a list of mediators. 3. The criteria listed below shall pertain to any college mediation procedure: a. The mediation procedure shall be a part of the college's appeals procedure or college bylaws. b. The

mediation procedure shall be used only upon mutual agreement of the complainant and respondent and shall provide for a mediator or mediators to be nominated by the Provost and Vice President for Academic Affairs and to be agreed upon by the complainant and respondent. c. The mediation procedure may be terminated by either the complainant, respondent, or mediator at any time. d. Each participant in the mediation procedure shall be encouraged to participate in good faith in an effort to resolve the dispute. e. The mediation procedure shall contain explicit limits which are reasonable, but in no event shall maximum time exceed thirty (30) days. These limits shall be observed by the complainant and respondent. Immediately upon conclusion of mediation, the mediator shall notify in writing the respondent and complainant that mediation has been concluded and explain the terms of the mediation agreement. While the results of the mediation shall be recorded, no other University records shall be created or maintained of the mediation process. f. Concessions and offers made during mediation shall not later be used by either the complainant or respondent if the dispute continues beyond mediation. A complaint based on failure to comply with an agreement reached in mediation may be the basis of a subsequent appeal.

F. Formal Procedures 1. The College Faculty Appeals Committee. The College Faculty Appeals Committee shall consist of faculty members without administrative appointments elected to serve designated terms. The College Faculty Appeals Committee shall have a minimum of five (5) members and shall elect a chair and vice chair from its membership. College Faculty Appeals Committee members shall exercise prudence and caution, taking extreme care to discuss cases only in appropriate committee meetings or hearings. 2. Initiating a Hearing. a. If the complaint has not been resolved by informal procedures and if the complainant wishes to pursue the matter, the request for a formal hearing must be filed by the end of the tenth (10th) day following the conclusion of the informal procedures (see item D.2. above). If the complainant and respondent have participated in mediation, the request for a formal hearing shall be made by the end of the tenth (10th) day following the date of notification to the respondent and complainant by the mediator that mediation has concluded. The request for a hearing shall be written and shall be addressed to the chair of the College of Faculty Appeals Committee with a copy to the dean or designee and to the respondent. The dean shall acknowledge in writing receipt of the complainant. b. The dean or designee shall notify the College Faculty Appeals Committee of the Request within ten (10) days of the receipt of the complaint. The notification should include only names of complainant and respondent. By the conclusion of this same ten-day (10-day) time period, the complainant shall set forth in detail the nature of the complaint and the redress sought along with any supporting documents. A copy of all of these materials shall be sent to the respondent and to the chair of the College Faculty Appeals Committee by the complaint. c. The respondent shall submit a written response to the complaint, along with any supporting documents, to both the chair of the College Faculty Appeals Committee, and the complainant within ten (10) days of receipt of the complainant's materials. d. Upon receipt of the response the chair of the College Faculty Appeals Committee shall organize in consultation with the complainant and respondent to form a Faculty Appeals Hearing Panel of no fewer than five (5) people. 3. Formation of Hearing Panel. a. The members of the College Faculty Appeal Committee who will serve as the Hearing Panel shall be drawn by lot within ten (10) days of receipt by the College Faculty Appeals Committee of the response to the complaint. These procedures shall include the following provisions. (1) The complainant and respondent each shall be allowed to disqualify without cause one member of the Hearing Panel.

The complainant and respondent shall be allowed to request the disqualification, for cause, of any member of the Hearing Panel. The chair of the College Faculty Appeals Committee shall determine whether a statement of cause is valid grounds for removal of a member from service on the Hearing Panel. If the complainant or respondent requests the removal of the College Faculty Appeals Committee chair for cause, the vice chair shall determine whether the statement of cause is valid grounds for removal.

(3) College Faculty Appeals Committee members may remove themselves from service on the Hearing Panel for cause (subject to the agreement by the chair of the College Faculty Appeals Committee) without prejudice to serving the remainder of their term on the College Faculty Appeals Committee. (4) In the event of disqualification of Hearing Panel members such that fewer than five (5) members remain for hearing a complaint, additional members from the college faculty at large may be considered for the Hearing Panel subject to agreement by both complainant and respondent and subject to disqualification as outlined above. If a hearing committee cannot be constituted according to these guidelines the matter is referred to the University Hearing Committee. (5) If the complainant or respondent feels that a fair hearing cannot be conducted by the College Faculty Appeals Committee, the complainant or respondent may petition the Provost and Vice President for Academic Affairs before the Hearing Panel is selected for a hearing by the University Hearing Committee. The hearing will be conducted by the rules of the College Faculty Appeals Committee. b. The Hearing Panel chair will be elected by the committee. c. Until the hearing procedure in the college is complete, the group responsible for considering all matters related to the complaint shall be the Hearing Panel as constituted by these procedures. 4. Hearing procedures shall be conducted according to the following: a. The first order of business for the Hearing Panel after the determination of its chair is the determination of the rules of the hearing. Because each appeal is unique, the conditions under which a given hearing will be conducted (rules, order, agenda, etc.) will be determined by the Hearing Panel after consultation with the complainant and respondent and with University Counsel. The hearing shall be considered closed unless all participants agree to the contrary. The Hearing Panel will notify the complainant and respondent in writing of the conditions under which the hearing will be conducted at least ten (10) days in advance of the hearing. b. A hearing will be scheduled to begin within fifteen (15) days of the notification of the rules of the hearing. c. The complainant has the right to be in attendance throughout the presentation by the respondent, and the respondent has the right to be in attendance throughout the presentation by the complainant; the complainant and respondent have the right to be accompanied by counsel, have the right to call witnesses, and to question witnesses. Witnesses have the right to be accompanied by counsel. Counsels for the complainant and respondent and counsel for witnesses shall not have the right to address the Hearing Panel nor the witnesses unless requested to do so by the Hearing Panel. The Hearing Panel may have counsel throughout the proceedings. d. An audio tape of the hearing will be kept at college expense. The complainant and respondent may receive one copy upon request.

G. Procedures Following the Hearing 1. Decision of the Dean. a. Within ten (10) days of the close of the hearing, the Hearing Panel will transmit in writing, confidentially, its finds, arguments (if any), and recommendations to the dean, complainant, and respondent by personal delivery or registered mail. Committee recommendations are not binding on the dean. The report shall be signed by all members of the Hearing Panel. In the report, dissenting opinions to the majority shall be signed by the appropriate Hearing Panel members. b. Within thirty (30) days of

receipt of the final report, the dean will transmit in writing to the Hearing Panel, to the complainant and to the respondent the dean's decision in reference to the formal record and the actions, if any, which will be taken. c. The Hearing Panel has, at this point, fully discharged its obligations and shall have no further role. Because the case may yet be appealed, Hearing Panel members shall not comment on the hearing proceedings. d. If the complaint is against the dean of a college, then the College Hearing Committee report will be forwarded to the Provost and Vice President for Academic Affairs. 2. Appeal to the Provost and Vice President for Academic Affairs. a. The complainant may appeal the dean's decision to the Provost and Vice President for Academic Affairs. The appeal must be submitted in writing within ten (10) days of receipt of the dean's decision. No new or additional charges may be added to the complaint. b. The appeal to the Provost and Vice President for Academic Affairs shall state the complaint, the redress sought, and include any supporting documentation. c. The Provost and Vice President for Academic Affairs shall consider the appeal based upon the formal record. The Provost and Vice President for Academic Affairs shall render a decision within thirty (30) days of receipt of the appeal request. d. If complainant or respondent charge that proper procedures were not followed in the College Faculty Appeals Committee, the complainant or the respondent may petition the Provost and Vice President for Academic Affairs and provide evidence of misconduct for a new hearing by the University Hearing Committee. The hearing will be conducted following the rules of the College Faculty Appeals Committee. The granting of such a hearing should be based on failure of the original hearing committee to follow procedures and not on discontent with conclusions. 3. Appeal to the President. a. The complainant may appeal the decision of the Provost and Vice President for Academic Affairs to the President of the University. To do so, the complainant must submit an appeal, along with reasons for doing so and redress desired, in writing, to the President within ten (10) days of receipt of the decision of the Provost and Vice President for Academic Affairs. b. The President shall consider the appeal based upon the formal record and other information or materials requested by the President. The complainant and respondent will both be notified of the request for additional information, and will be allowed to respond. The President shall render a decision within thirty (30) days of receipt of the appeal request. 4. Appeal to the Board of Regents. Further appeal of the President's decision shall be in accordance with University System Bylaws.

H. Miscellaneous General Provisions.

Withdrawing Complaints: A complainant may withdraw, in writing, the complaint prior to the distribution of materials (as outlined in F.2.b.) to the College Faculty Appeals Committee members. Upon the agreement of the respondent, the complainant may withdraw the complaint at any subsequent time.

Waiving the Hearing: Upon agreement of the respondent, a complainant may waive the hearing, requesting that the Hearing panel's report and recommendations be reached only on the basis of the formal complaint, the written response and any documentary evidence submitted by either party and available to both parties for examination and rebuttal. Having waived a hearing, the complainant is not entitled to rescind the waiver.

Point of Decision: These procedures presume that the Hearing Panel will make recommendations to the dean of the college. In the event that the primary respondent is the dean of the college, the Hearing Panel recommendations will be made to the Provost and Vice President for Academic Affairs. Any appeals of the decision of the Provost and Vice President for Academic Affairs will be made to the President.

Remedial Action: If at any administrative level, the complainant's charges have been substantiated, or the parties agree to conclude the appeal, the appropriate administrator may confer with the complainant in determining appropriate action. The University will implement the action upon the directive of the properly authorized administrator.

Legal Sufficiency: Any agreements reached by the parties shall be reviewed by the university legal counsel for legal sufficiency and compliance with University System and university policy and procedure.

Burden of Proof: The complainant has the burden of proving allegations raised in the complaint.

Non-retaliation: Any individual exercising his or her rights under this appeals procedure will be treated fairly and the complaint will be given unbiased consideration. Neither individuals using this procedure, nor individuals providing information so that the facts can be determined, will be penalized or harassed for their participation in the appeals process.

Time Limits: Each step of these procedures has specific time limits that shall be observed. The counting of time during the appeals procedure will begin on the next day following the effective date of knowledge of the consequences of the alleged event upon which the complaint is based; it will continue for each step on the next day after completion of the preceding step. All time limits contained in the foregoing procedures may be extended by written consent of the parties during the informal stage, by the mediator during mediation, by the chair of the Faculty Appeals Committee during the initiation of the formal process, and by the chair of the Hearing Panel during a hearing. Once recommendations of the Hearing Panel have been forwarded to the dean or other appropriate official, or appeals of the dean's decision have been filed, time limits may be extended by mutual agreement of the complainant and the dean or other official.

Confidentiality of Proceedings: When appropriate, the University shall take all reasonable steps to insure the confidentiality of all proceedings, hearings, and records. However, should confidentiality be breached regarding these proceedings, all parties reserve the right to issue statements.

Retention of Hearing Materials: Following a hearing and any appeals which may be filed thereafter the college will retain written documents presented by the complainant, the respondent, or any parties to the appeals, along with the audio tapes of the proceedings of the hearing for four years.

Article XIII. Procedure for Conduct of Meetings

Section 1. The presiding officer of the University faculty and the University Senate, and the deans of the several colleges and schools shall conduct all meetings in accordance with the provisions of the University Statutes and Bylaws of said bodies, and for matters not covered in such Statutes and Bylaws then in accordance with the latest edition of Robert's Rules of Order.

Section 2. The presiding officer shall appoint a parliamentarian to advise the presiding officer when questions arise concerning parliamentary law and shall request the parliamentarian's advice prior to ruling on controversial questions.

Section 3. The President shall decide all question of the interpretation of these Statutes; and, in the event of questions, the President shall determine the nature and extent of the jurisdiction proper to the faculties of the colleges and schools and proper to the various administrative officers under these Statutes. The President shall settle all questions of conflict or jurisdiction

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which may arise. From the decision of the President on such questions, an appeal may be made through the Chancellor to the Board of Regents under such regulations as the Board of Regents may from time to time prescribe.

Article XIV. Communications to the Faculty and Conformity with Regents' Policy

Section 1. Recognizing the paramount authority of the Board of Regents, the President shall have the duty of obtaining and causing to be put in the library five (5) copies of all pertinent policies, regulations, and bylaws of the Board of Regents. Two (2) copies of the documents shall be kept on reserve for library use only. Where such information has not been made available, this fact will be taken into consideration in the event of a controversy.

Section 2. Where the Bylaws and Policies of the Board of Regents are quoted in these Statutes, any amendment or change by the Board of Regents shall supersede such quotation. The President shall cause said changes to be included in the library copies, and the faculty shall be informed of matters affecting their interests.

Section 3. Official written policies and procedures which have been adopted and which affect the faculty at Georgia State University, including those concerning promotion, tenure, appeals, evaluation, and non-reappointment, shall be distributed to faculty members of the individual college or school affected and shall be forwarded to and maintained in the office of the Provost and Vice President for Academic Affairs who shall make them available upon request to any faculty member of the University, who may be required to pay for the cost of reproduction.

Article XV. Amendments

Section 1. The University Senate, subject to veto by the University faculty, shall have the power to recommend through the President to the Board of Regents any amendments to or any modifications of or any appeal from any portion of or all of these Statutes.

Section 2. The University Senate shall recommend amendments to the Statutes of the University in the following manner.

A. The Committee on University Statutes and Senate Bylaws of the University Senate shall serve to initiate and review proposals to amend the University Statutes.

B. Amendments which affect administrative officers or pertain to administrative policies of the University may be proposed to the Committee on University Statutes and Senate Bylaws by the President and Administrative Council.

C. Proposals to amend which originate in the Senate but outside the committee shall be presented to the committee for consideration and for a recommendation to the University Senate at least by the next regularly-scheduled meeting of the Senate. Proposals arising in the University Senate meetings, except in reports of the Committee on Statutes and Bylaws, shall be referred to the Committee for consideration and a recommendation at the next meeting.

D. The committee may propose amendments, or report its recommendations concerning proposals for amendments, at any regular meeting of the University Senate or at any special meeting called for the purpose of amending. The committee shall submit all such proposals and

recommendations in writing to the members of the University Senate not later than ten (10) days prior to the meeting of the University Senate.

E. Proposed amendments must be adopted by a two-thirds majority of the University Senate members present, provided the required quorum is present at the time of voting.

Section 3.

A. Amendments to these Statutes also may be proposed at any time by any member of the faculty or officer of the administration. Proposals originating outside the University Senate Committee on University Statutes and Senate Bylaws shall be submitted in writing to the President of the University Senate who shall transmit them within one (1) week to the Committee on University Statutes and Senate Bylaws. After due deliberation, the committee shall report such proposed amendments and its recommendations to the university faculty for its consideration not later than one (1) regular meeting after the day on which the committee receives the proposed amendment, or not later than the second regular meeting after such day if the committee receives the proposed amendment ten (10) days or less prior to a regular faculty meeting.

B. Amendments to the Statutes proposed under this section must be approved by a two-thirds majority of the university faculty members present, provided the required faculty quorum is present at the time of voting.

Section 4. The President shall have the right to veto any amendment to these Statutes by advising the Committee on University Statutes and Senate Bylaws, within thirty (30) days after approval by the university faculty of such amendment, of the President's veto and stating in writing the reasons therefore. The Committee shall transmit a copy of the President's veto statement to each member of the faculty. Subsequently, the Committee may:

A. Recommend to the initiating body (either the Senate or full faculty) that no action be taken and that the veto be allowed to stand.

B. Confer with the President and attempt to work out an acceptable compromise for recommendation to the appropriate initiating body.

C. Request the President to call a special meeting of the appropriate initiating body to reconsider its approval or to reapprove its original action, with a request that the President reconsider.

Senate or faculty reapproval of its original action must be by two-thirds majority of Senate or faculty members present at such meeting at which a quorum is present. If either the University Senate or faculty or the President refuses to recede, and if agreement cannot be reached, the matter shall be referred to the Board of Regents for review pursuant to the pertinent policies of the Board.

Section 5. These Statutes and amendments thereto become effective only after approval by the Board of Regents. Access to a Summary of University Statutes Amendments

Article XVI. Non-Discrimination Policy

Georgia State University stipulates that no person in the United States shall, on the grounds of race, color, sex, religion, creed, age, sexual orientation, gender, disability, or national origin, be excluded from employment or participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity conducted by Georgia State University or any of its several departments now in existence or hereafter established.

Article XVII. Interpretation and Implementation of Statutes and Bylaws

The President shall interpret these Statutes and any University Bylaws, when necessary, and shall exercise expressed and implied powers to implement them.