

## Foreword

University of West Georgia is a unit of the University System of Georgia and is governed by the Board of Regents through the Chancellor and Staff of the Central Office of the University System. Details concerning the general policies of the Board of Regents are published periodically in the Board of Regents Policy Manual, University System of Georgia. Information regarding policies adopted for particular institutions or the exact wording of a specific policy is contained in the official minutes of the Board. These documents are available to the faculty and staff upon request.

The University is also governed by statutes which have been approved by the Board of Regents. These statutes contain official statements of general policy, rules, regulations, procedures, organizations, and governance at the University of West Georgia. The Board of Regents retains the power to modify, amend, or repeal the statutes of the University.

A copy of the organizational chart of the University of West Georgia has been inserted into this Handbook.

This handbook is a compilation of general policies and procedures which affect the professional activities of the faculty and staff at the University of West Georgia.

This handbook and its provisions do not constitute an employment contract or agreement, nor any part thereof, between the University and any employee.

The rules and regulations within this handbook are subject to change by appropriate action of the faculty and/or administration. Such changes become effective on the date they are approved by the President of the University.

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## **Section 100 BASIC POLICIES AND PROCEDURES OF GENERAL APPLICABILITY TO FACULTY**

### **101 Appointment**

#### **101.01 General Provisions**

##### **101.0101 Recommendations for Appointment.**

All appointments and reappointments of members of the Faculty shall be made by the President of the University of West Georgia with the approval of the Board of Regents. Recommendations for positions on the General Faculty will, except in the case of Department Chairs, Deans, and Vice Presidents, originate at the level of the Department Chair following a review of applicants by a Search Committee selected by the faculty of the department by whatever means the faculty of the department shall determine. Any committee thus formed and the process by which it is formed must meet the requirements of Board of Regents' policies and any other constraints with which the institution must comply (e.g. Affirmative Action). Recommendations for positions on the General Faculty shall be presented to the Department Chair by the department Faculty Search Committee. The Department Chair shall then present a recommendation through the appropriate deans or directors of activities and then through the Provost and Vice President for Academic Affairs to the President for his or her consideration. When a search is being conducted to fill the position of a department chair, the Search Committee will channel its recommendations through the Dean. Recommendations for appointments to positions as Dean or Vice President will be made by Search Committees appointed by the President.

##### **101.0102 Employment of Relatives**

No individual shall be employed in a department or unit which will result in the existence of a subordinate superior relationship between such individual and any relative of such individual through any line of authority. As used herein, "line of authority" shall mean authority extending vertically through one or more organizational levels of supervision or management. (BOR Minutes, 1989-90, p. 250).

For the purpose of this policy, relatives are defined as husbands and wives, parents and children, brothers, sisters, and any in-laws of any of the foregoing. (BOR Minutes, February 14, 1973. p. 312). ([Section 8.2.3, Board of Regents Policy Manual, University System of Georgia](#)).

##### **101.0103 Nondiscrimination Policy**

(see Article V Section 2, *Policies and Procedures*)

##### **101.0104 Appointment Considerations**

Every appointment shall be made solely on the basis of merit and the special qualifications of the individual for the work demanded by the position. For teaching faculty, special considerations shall be given to the candidate's teaching ability; his or her research ability; his or her achievements; his or her successful experience (this must necessarily be waived in the case of beginners otherwise qualified); his or her desirable personal qualities, judged on the basis of personal interview; his or her complete biographical data; his or her recommendations; and his or her general usefulness or promise to the University. ([Section 8.3.1, Board of Regents Policy Manual, University System of Georgia](#))

### **101.0105 Determination of Appropriate Rank**

The appointee shall be given the appropriate rank according to the criteria outlined in [Section 8.3.1, Board of Regents Policy Manual, University System of Georgia](#) and in Section 101.02 *Faculty Handbook*, University of West Georgia. A Faculty Committee at the departmental level, selected by whatever means the faculty of the department shall determine, will review the professional records of any candidate seeking a position with professorial rank within that department and will make a recommendation to the department chair with respect to the professorial rank to be assigned each candidate. Any committee formed for this purpose and the process by which it is formed must meet the requirements of Board of Regents' policies and any other constraints with which the institution must comply (e.g., Affirmative Action). Department chairs, deans of colleges, directors of activities, and other personnel authorized to recommend initial appointment of faculty members shall be responsible for maintaining equity in rank between faculty being employed and those already serving.

### **101.0106 Statement of Terms and Conditions of Appointment**

The precise terms and conditions of every appointment, including the amount of credit the faculty member will receive toward tenure for prior service at other institutions, shall be stated in writing and be in the possession of both institution and appointee before the appointment is consummated.

### **101.0107 Verification of Degrees Claimed**

It shall be a condition of the initial offer of employment that such employment is contingent upon receipt of official verification of all degrees claimed.

## **101.02 Minimum Criteria for Appointment**

### **101.0201 To the Rank of Instructor**

1. **Teaching.** If no teaching experiences, potential for effective teaching as revealed by transcripts, recommendations, and personal interview. If experienced, evidence of effective teaching as revealed by recommendations.

2. **Service to Institution.** Potential for student advising/counseling, community service, committee work, skill in handling teaching routines or other professional duties, and for proper ethical relationship. (See Section 109 and Article V, Section 1, *UWG Statutes*)
3. **Academic Achievement.** Master's degree with plans for further academic advancement. Exception may be made in fields where recognition and achievement are of more significance than receipt of degree.
4. **Professional Growth and Development.** Definite plans for continued professional study and potential for involvement in professional activities.

#### **101.0202 To the Rank of Assistant Professor**

1. **Teaching.** Demonstration of potential for effectiveness in teaching.
2. **Service to Institution.** Demonstration of potential for effectiveness, where possible, by successful, collegial service on departmental, school-wide, institutional or system-wide committees.
3. **Academic Achievement.** Terminal degree in discipline or significant recognition and achievement in specialization.
4. **Professional Growth and Development.** Demonstration of potential for effectiveness in the candidate's discipline.

#### **101.0203 To the Rank of Associate Professor**

1. **Teaching.** Demonstration of significant contributions as a teacher and a strong likelihood of continuing effectiveness in teaching.
2. **Service to Institution.** Demonstration of significant contributions in such service and a strong likelihood of continuing effectiveness as shown by successful, collegial service on departmental, school-wide, institutional or system-wide committees.
3. **Academic Achievement.** Terminal degree in discipline or extraordinary recognition and achievement in specialization.
4. **Professional Growth and Development.** Demonstration of significant contributions to the candidate's discipline and a strong likelihood of continuing effectiveness.

#### **101.0204 To the Rank of Professor**

1. **Teaching.** Demonstration of a clear and convincing record of a high level of sustained effectiveness.
2. **Service to Institution.** Demonstration of a clear and convincing record of a high level of sustained effectiveness as shown by successful, collegial service on departmental, schoolwide, institutional or system-wide committees.
3. **Academic Achievement.** Terminal degree in discipline or extraordinary recognition and achievement in specialization.
4. **Professional Growth and Development.** Demonstration of a clear and convincing record of emerging stature as regional, national or international authority within the candidate's discipline, and/or a clear and convincing record of a high level of sustained effectiveness in the candidate's discipline.

## **101.0205 To the Rank of Lecturer**

To carry out special instructional functions such as basic skills instruction, an individual may be hired at the rank of lecturer. Not more than 20% of the FTE corps of primarily undergraduate instruction may be lecturers and/or senior lecturers. ([Section 8.3.8.2, Board of Regents Policy Manual, University System of Georgia](#))

1. **Teaching.** If no teaching experiences, potential for effective teaching as revealed by transcripts, recommendations, and personal interview. If experienced, evidence of effective teaching as revealed by recommendations.
2. **Service to Institution.** Potential for student advising/counseling, community service, committee work, skill in handling teaching routines or other professional duties, and for proper ethical relationship. ( See Section 109 and Article V, Section 1, UWG Statutes)
3. **Academic Achievement.** Master's degree with plans for further academic advancement. Exception may be made in fields where recognition and achievement are of more significance than receipt of degree.
4. **Professional Growth and Development.** Definite plans for continued professional study and potential for involvement in professional activities.

## **101.0206 To the Rank of Senior Lecturer**

Initial hiring at the rank of senior lecturer is discouraged.

## **102 Reappointment**

### **102.01 Tenured Faculty**

All tenured faculty members employed under written contract for the fiscal or academic year of two semesters who do not wish employment with the University for a subsequent fiscal or academic year shall give written notice of their intention to resign to the President postmarked no later than February 1, immediately preceding the expiration of the contract period. ([Section 8.3.4.1, Board of Regents Policy Manual, University System of Georgia](#))

### **102.02 Non-Tenured Faculty**

#### **102.0201 The Probationary Period**

- A. The substantive and procedural standards generally employed in decisions affecting renewal of appointments, promotion and tenure are published in this Handbook. When a new faculty member is employed, the department chair will ensure that the new faculty member receives a copy of this Handbook or at least is referred to the web site <https://www.westga.edu/administration/vpaa/assets/docs/faculty-handbook.pdf> and the relevant written departmental promotion and tenure policies and procedures. These specific department policies may be more precise than the institution-wide criteria delineated herein,

but they must generally conform to them. Department policies on promotion and tenure must be developed by the tenured department faculty members in consultation with the department chair and the appropriate college dean or Dean of Libraries. If there are fewer than three tenured faculty members in a department, the appropriate Dean, in consultation with the department chair and the faculty members in the department, shall appoint a sufficient number of tenured faculty members from similar disciplines outside that department to develop these departmental policies, so long as a majority of those who develop these policies are not department chairs. These policies must have the approval of the Provost and Vice President for Academic Affairs. It is the responsibility of the individual faculty member to be aware of these policies and expectations.

- B. Pre-Tenure Review. Assistant professors in their third year (or those serving a full probationary period regardless of professorial rank) are required to have a pre-tenure review completed by the end of the second semester of the third year. Effective Fall 2018, dossiers must be submitted electronically in a format approved by the Provost. This committee shall be composed of tenured faculty members of the department, selected by the faculty of the department by whatever means the faculty of the department shall determine. If there are fewer than three tenured faculty members in a department, the appropriate dean, in consultation with the department chair and the faculty members in the department, shall appoint a sufficient number of tenured faculty members from similar disciplines outside that department to constitute this committee. No department chair may serve on a Pre-Tenure Review Committee. This committee shall thoroughly and comprehensively review the individual's achievements and performance in light of the department's promotion and tenure policies. The Pre-Tenure Review Committee will report its findings to the tenured faculty members of the department, to the department chair and to the college dean (or library dean). The report will state in writing whether progress toward promotion and/or tenure is sufficient at this time. At a minimum, the pre-tenure review report should include a substantive evaluation of the faculty member's progress and/or qualifications in the following four areas: (a) teaching, (b) service, (c) professional growth and development, and (d) professional qualifications, including appropriate academic degrees. In addition, the department chair and the dean of the college (or library dean) will each provide a separate written report as to the progress of the faculty member toward promotion and/or tenure. The faculty member under review shall receive written copies of the reports prepared by the Pre-Tenure Review Committee, the department chair, and the college dean (or library dean). The faculty member is encouraged to reply to the reports. Progress judged toward promotion and/or tenure in this report does not guarantee or prejudice a favorable recommendation later on.
- C. Any recommendation to the department chair regarding reappointment shall be reached by a departmental faculty group in accordance with procedures approved by the faculty in that department. Available evidence bearing on the relevant performance of the candidate should be sought out and considered in light of the relevant standards.
- D. In any year a department may recommend whether or not to extend a contract to a nontenured faculty member. This recommendation shall be made by the department chair in consultation with the tenured faculty members in the department. Recommendations for reappointment of faculty members shall be presented through the appropriate administrative channels to the President for his or her consideration, so long as administrators under consideration for



reappointment do not have an opportunity to make recommendations with respect to their own status as faculty members.

### **102.0202 Notification**

- A. By or before the beginning of the contract year, the President shall, in writing, advise all nontenured faculty members and other non-tenured personnel employed under written contract (except those who are in their first year of employment) 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 the addressee only. Notice of the intention to renew or not to renew a non-tenured faculty member shall be furnished in writing according to the following schedule:
1. at least three months before the date of termination of an initial one-year contract;
  2. at least six months before the date of termination of a second one-year contract;
  3. at least nine months before the date of termination of a contract after two or more years of service in the institution.
- B. Non-tenured faculty and other non-tenured personnel employed under written contract shall be employed only for the term specified in their contracts, and subsequent or future employment, if any, shall result solely from a separate offer and acceptance requisite to execution of a new and distinct contract. ([Section 8.3.4.2, Board of Regents Policy Manual, University System of Georgia](#))

### **103 Procedures and Criteria for Promotion and Tenure**

#### **103.01 Foreword**

These procedures are designed to select those persons in the University qualified for promotion and tenure.

The number of faculty members who advance in rank and/or achieve tenure is dependent on various factors, several of which are beyond the control of the University of West Georgia. The external factors include the following: the Board of Regents, which must maintain a sound and equitable structure within the University System; financial appropriations; appointments of new faculty members; and resignations or retirement of faculty members within departments.

Beyond these factors, advance in rank shall be controlled within the University by an annual promotion recommendation system, which shall promote qualified members to advanced professional positions. Promotions in rank are based on merit and are not automatic. The University approves faculty for promotion in accordance with [Section 8.3.6, Board of Regents Policy Manual, University System of Georgia](#). The University approves faculty for tenure in accordance with [Section 8.3.7, Board of Regents Policy Manual, University System of Georgia](#), which includes a comprehensive statement of tenure policies in the University System. The annual promotion recommendation system shall also apply to tenure recommendations. In recognition of professional achievement and service, tenure shall be extended to ensure academic freedom in teaching and research.

Tenure is the keystone for academic freedom; it is essential for safeguarding the right of free expression and for encouraging risk-taking inquiry at the frontiers of knowledge. Both tenure and academic freedom are part of an implicit social compact which recognizes that tenure serves important public purposes and benefits society. The people of Georgia are best served when faculty are free to teach, conduct research, and provide service without fear of reprisal and to pursue those activities with regard for long term benefits to society rather than short term rewards. In return, the faculty has the responsibility of furthering the institution's programs of research.

The annual promotion recommendation system shall be administered according to the procedures herein established.

If there exists a significant conflict of interest, no person with such a conflict may participate in promotion and/or tenure recommendations; advisement of candidates; and/or preparation of materials. All personal and professional conflicts of interest must be revealed and reviewed. Such conflicts of interest include, but are not limited to, personal and professional interactions and relationships that would preclude dispassionate and disinterested recommendations and correct, complete, and unbiased participation in these matters. Spouses, immediate family members, and colleagues with an intimate personal relationship with a candidate are explicitly prohibited from participation. (This paragraph also applies to any and all recommendations made during the probationary period. See Section 102.0201)

### **103.02 Procedures**

By the end of the first week of fall semester classes, the Provost and Vice President for Academic Affairs shall establish the date by which recommendations shall be submitted at each level of the promotion/tenure process. Any faculty member who meets the criteria for promotion and tenure established herein and who desires to be considered shall submit an electronic dossier to his or her department chair, library supervisor, or other designated supervisor (in the absence of a department chair). Effective Fall 2018, dossiers must be submitted electronically in a format approved by the Provost. Department chairs or supervisors shall see that dossiers are organized uniformly according to the appropriate criteria specified. Each dossier shall include, at a minimum, the following:

- a curriculum vitae appropriate to the candidate's discipline;
- the Student Evaluations of Instruction as specified in Section 103.06; any letters of recommendation which the department chair has received; and
- reprints of scholarly publications or other evidence of scholarly or creative work.

The promotion/tenure process shall include reviews at the levels of both the Department and the College or School, except in those units without academic departments, which may choose a single-level process. Given the diverse nature of academic disciplines and the rigorous professional standards associated with each, departments may formulate specific criteria appropriate to their discipline. If a department specifies unique criteria, such criteria must be in written form and approved by the governing body of the College, the Dean, and the Provost. Department criteria must be made immediately available to candidates after their approval. Such

approved department criteria must be made available to candidates at their point of entry into UWG, and reinforced during periodic pre-tenure / promotion reviews; they must also be included as part of a candidate's dossier at each subsequent level of review. Departmental criteria must not conflict with University criteria. Each subsequent level of review must consider the dossier in terms of these stated criteria, thus ensuring that candidates are considered in the professional contexts of both their discipline and of the University.

### **103.0201 Faculty Promotion and Tenure Evaluation**

#### **A. Departmental Evaluation (for units with academic departments)**

##### **1. Faculty Committee**

A faculty promotion and tenure evaluation committee, consisting exclusively of no fewer than three tenured faculty members selected by the voting members of the department, shall formally review dossiers submitted to the department chair. In the event that a department does not have a sufficient number of tenured faculty members, tenured faculty from other departments must be invited to serve. Department chairs, Assistant/Associate Deans and Deans are excluded from selection as committee members. No faculty member shall serve on the committee during a year in which he or she is being considered by the committee. The departmental committee (or other review body of academic units that do not have departments) shall be guided by all of the specific university, college/school, and, for academic units that contain departments, departmental criteria for promotion or tenure in their formal review of dossiers submitted to the department chair and shall make a recommendation in writing (including a discussion of the candidate's strengths and identification of areas where the candidate failed to meet the criteria) regarding each case for promotion and/or tenure. A simple majority vote of the committee is required for a positive recommendation.

If a candidate is not recommended for promotion and/or tenure, the chair of the department (or Dean in the case of a unit that does not have departments) shall give the candidate a copy of the committee's evaluation in accordance with the procedures and timelines specified in Section 103.0202.

##### **2. Department Chair**

The department chair shall include the faculty committee's written evaluation along with his or her own written evaluation in the dossier of the candidate. Formal written evaluations shall include a discussion of the candidate's strengths and shall identify areas where the candidate failed to meet the criteria.

##### **3. Evaluation of Department Chair**

When a department chair is under consideration for promotion and/or tenure, the faculty committee (see above) shall review the candidate's dossier submitted to the Dean. The

committee shall make a recommendation in writing (including a discussion of the candidate's strengths and identification of areas where the candidate failed to meet the criteria) regarding the case for promotion and/or tenure. A simple majority vote of the committee is required for a positive recommendation. If a candidate is not recommended for promotion and/or tenure, the chair of the Committee shall give the candidate a copy of the committee's evaluation in accordance with the procedures and timelines specified in Section 103.0202.

4. Evaluations of other faculty holding administrative positions  
Members of the administrative staff who hold faculty rank in a teaching area and who wish to be considered for promotion shall submit a dossier to the chair of the department in which they hold rank. Their applications shall be considered under the procedures herein prescribed.

Faculty above the level of department chair (e.g., deans, vice presidents) shall be evaluated in accordance with the same promotion and/or tenure criteria and procedures outlined in this Handbook.

5. Candidates may appeal any evaluation that does not recommend promotion and/or tenure in accordance with the procedures and timelines specified in Section 103.0205.

## **B. College Evaluation**

1. A Faculty Promotion and Tenure Evaluation Committee shall be established in each of the following: The College of Arts and Humanities, the College of Business, the College of Education, the College of Science and Mathematics, and the College of Social Sciences. Each committee shall be composed exclusively of tenured faculty members selected by the voting members of the academic unit and shall formally review dossiers submitted to the Dean. Department chairs, Assistant/Associate Deans and Deans are excluded from selection as committee members. No faculty member shall serve on the committee during a year in which he or she is being considered by the committee. Each department shall have representation on the committee, but no department shall have more than two members. Deans shall be responsible for calling the initial meeting of this committee. At the initial meeting, the members of each committee shall elect one of the members as chair, who will be a voting member of the committee.
2. Each committee shall meet at the call of its committee chair. At the initial meeting, the committee chair shall review the qualifications for each rank so that members will be guided by all of the specific university, college/school, and departmental criteria for promotion or tenure.
3. Dossiers submitted shall be reviewed by committee members prior to committee meetings.

4. The merits of each candidate for promotion or tenure shall be discussed to the extent desired by a simple majority of committee members. Department members serving on the Promotion and Tenure Evaluation Committee are to serve as resource persons to the committee rather than advocates for or adversaries against members of their department under consideration for promotion and/or tenure. Any supervisor may be called to discuss with the committee the qualifications of each person nominated from his or her department.
5. Voting on promotion and tenure shall be by separate secret ballots and according to the following procedures: all candidates for promotion to each academic rank shall be voted on at the same time, and all candidates for tenure shall be voted on at the same time.
6. Each candidate shall receive a vote of approval or disapproval. The committee chair shall total the votes awarded each candidate. A simple majority vote of the committee is required for a positive recommendation. It will be the responsibility of the Dean to preserve the original ballots and to keep these on file for a period of ten years.

The committee chair shall prepare a written evaluation for each candidate that includes a discussion of the candidate's strengths and areas where the candidate failed to meet the criteria. A copy of this written evaluation, including vote totals, shall be forwarded in the dossier of the candidate to the appropriate Dean. If a candidate is not recommended for promotion and/or tenure, the Dean shall give the candidate a copy of the committee's evaluation in accordance with the procedures and timelines specified in Section 103.0202.

7. Candidates may appeal any evaluation that does not recommend promotion and/or tenure in accordance with the procedures and timelines specified in Section 103.0202.

**C. Promotion and Tenure Committee Formation for Units without Departments (e.g. School of Nursing and Library)**

Units without departments shall have the option of forming a single, unit-level promotion and tenure committee instead of two committees as described in 103.0201 A and B. Such a committee must be composed exclusively of tenured faculty and must include a minimum of three (3) members. In the event that the unit does not have a sufficient number of eligible tenured faculty, the committee must be populated by inviting tenured faculty from other units of the university, emeriti faculty, or tenured faculty from appropriate academic units at other universities. Any units that plan to populate promotion and tenure committees with emeriti or non-UWG faculty must establish a written policy for the selection of these committee members.

Units choosing the option of single-level review for promotion and tenure must develop their own written procedures for promotion and tenure committee formation and review and obtain approval from the governing body of the unit and the Provost/VPAA. These procedures must be otherwise consistent with the procedures outlined in section 103.0201.

Candidates may appeal any evaluation that does not recommend promotion and/or tenure in accordance with the procedures and timelines specified in Section 103.0202

#### **D. Evaluation by the Dean**

Each Dean shall evaluate the qualifications of the people under consideration for promotion and/or tenure. The Dean's review shall be guided by all of the specific university, college/school, and departmental criteria for promotion or tenure, taking into account all the material in their dossiers, vote totals, and recommendations provided in each previous evaluation. The names of those recommended for promotion shall be arranged by academic rank; an additional list shall consist of the names of those recommended for tenure. The names of those not recommended for promotion and/or tenure will be listed separately.

The Dean shall prepare a written evaluation that includes a discussion of the candidate's strengths and areas where the candidate failed to meet the criteria. A copy of this written evaluation shall be included in the dossier of the candidate and forwarded to the Provost. In the event the Dean recommends a candidate who, up to this point, has not been recommended for promotion and/or tenure, or chooses not to recommend a candidate who up to this point has been recommended for promotion and/or tenure, the Dean's written report shall articulate the reasons for differing with prior evaluations. If a candidate is not recommended for promotion and/or tenure, the Dean shall give the candidate a copy of the committee's evaluation in accordance with the procedures and timelines specified in Section 103.0202.

Candidates may appeal any evaluation that does not recommend promotion and/or tenure in accordance with the procedures and timelines specified in Section 103.0202.

#### **E. Evaluation by the Provost and Vice President for Academic Affairs**

The Provost and Vice President for Academic Affairs shall evaluate the qualifications of the people under consideration for promotion and/or tenure. The Provost and Vice President for Academic Affairs' review shall be guided by all of the specific university, college/school, and departmental criteria for promotion or tenure taking into account all the material in their dossiers, vote totals, and recommendations provided in each previous evaluation. The names of those recommended for promotion shall be arranged by academic rank; an additional list shall consist of the names of those recommended for tenure. The names of those not recommended for promotion and/or tenure will be listed separately. The Provost and Vice President for Academic Affairs shall prepare a written evaluation which includes a discussion of the candidate's strengths and areas where the candidate failed to meet the criteria. A copy of this written evaluation shall be included in the dossier of the candidate and forwarded to the President. In the event the Provost and Vice President for Academic Affairs recommends a candidate who, up to this point has not been recommended for promotion and/or tenure, or chooses not to recommend a candidate who up to this point has been recommended for promotion and/or tenure, the Provost and Vice President for Academic Affairs' written report shall articulate the reasons for differing with prior evaluations. If a candidate is not recommended for promotion and/or tenure, the Provost and Vice President for Academic

Affairs shall give the candidate a copy of the committee's evaluation in accordance with the procedures and timelines specified in Section 103.0202.

The Provost and Vice President for Academic Affairs shall then notify the Dean of each college/school of his or her decisions in each case. The Dean of each College or School shall notify the department chair or area supervisor of the status of each candidate.

Candidates may appeal any evaluation that does not recommend promotion and/or tenure in accordance with the procedures and timelines specified in Section 103.0202.

#### **F. Final Approval**

The President shall evaluate the qualifications of the people under consideration for promotion and/or tenure as revealed by the material in their dossiers and by the reports from the College, School, or Library Promotion and Tenure Evaluation Committees, the Deans, and the Provost and Vice President for Academic Affairs. The President shall approve or disapprove the candidate's application for promotion and/or tenure.

Candidates may appeal any evaluation that does not recommend promotion and/or tenure in accordance with the procedures and timelines specified in Section 103.0202.

#### **103.0205 Appeal for Reconsideration**

Notification of a negative evaluation shall be communicated in a verifiable method by the appropriate supervisory level no later than ten University Business Days prior to the required notification to the next level. Any candidate appealing for reconsideration at any level shall within five University Business Days of the receipt of the report state in writing the grounds for his or her request and shall include in this appeal such additional material as is pertinent.

Within five University Business Days of receipt of an appeal, the party to whom the appeal has been made shall carefully re-evaluate the candidate's dossier in light of the written appeal. This re-evaluation shall be made in accordance with the procedure established for initial consideration at this level and shall replace this party's previous evaluation in the candidate's dossier. The dossier will then proceed to the next level.

#### **103.0206 Promotion in Professorial Rank of a Member of the Administrative Staff**

Members of the administrative staff who hold faculty rank in a teaching area and who wish to be considered for promotion shall submit a dossier to the chair of the department in which they hold rank. Their applications shall be considered under the procedures herein prescribed.

#### **103.03 Time Limits and Minimum Criteria for Promotion**

##### **103.0301 Time Limits—Promotion**

The institutional timeline for the review of faculty for promotion must be considered by early February of a given academic year in order to meet the data entry deadline of the end of February for the annual report to the Board of Regents.

A Lecturer may serve in rank six years. Reappointment after six consecutive years of service will be permitted only if the lecturer has demonstrated exceptional teaching ability and extraordinary value to the institution. Lecturers who have served for a period of at least six years at the University of West Georgia may be considered for promotion to Senior Lecturer if they have met criteria for Senior Lecturer.

An Instructor may serve in rank a maximum of seven years. He or she should be considered for promotion as soon as he or she has met criteria for Assistant Professor. To be considered for tenure-track appointment at the assistant professor level, [Section 8.3.7.6](#) and [8.3.8](#) *Board of Regents Policy Manual, University System of Georgia*, should be applied regarding years of service.

An Assistant Professor is eligible for and may be reviewed for promotion in rank during their fifth year of service in their current rank at the University of West Georgia. A maximum of three (3) years' credit toward the minimum probationary period may be allowed for service in tenure track positions at other institutions. If recommended for promotion, the new rank will go into effect at the beginning of the next contract period. Recommendations for promotion are not normally considered for individuals who are currently on leaves of absence.

An Associate Professor is eligible for and may be reviewed for promotion in rank during their fifth year of service in their current rank. A maximum of three (3) years' credit toward the minimum probationary period may be allowed for service in tenure track positions at other institutions. If recommended for promotion, the new rank will go into effect at the beginning of the next contract period. Recommendations for promotion are not normally considered for individuals who are currently on leaves of absence

Under special circumstances, faculty who are performing significantly above the expectations for their current rank may be considered for "early" promotion. Early promotion may only be considered according to the following time table:

- For early promotion from Lecturer to Senior Lecturer, faculty must have served a minimum of three years as a Lecturer
- For early promotion from Instructor to Assistant Professor, faculty must have served a minimum of three years as an instructor
- For early promotion from Assistant Professor to Associate Professor, faculty must have served a minimum of four years as an Assistant Professor
- For early promotion from Associate Professor to Full Professor, faculty must have served a minimum of four years as an Associate Professor



At research and comprehensive universities, faculty may be considered for “early” promotion with less than the required minimum years of service in rank listed above. However, these cases require strong justification and approval by the president.

The granting of promotion in rank by the university recognizes the significance of a faculty member’s contribution to the institution and his/her enhanced value as a scholar-teacher. Because of this, promotion must be accompanied by a salary increase. If in times of extreme financial crisis such salary increases are suspended, the institution must retroactively apply such promotion increases to individuals who did not receive them at the time of promotion.

For further questions regarding tenure and promotion please see [Section 4.4, Academic and Student Affairs Handbook, University System of Georgia](#), [Section 4.5, Academic and Students Affairs Handbook, University System of Georgia](#) and [Section 8.3.6, Board of Regents Policy Manual, University System of Georgia](#).

### **103.0302 Specific Minimum Criteria for Promotion**

Foreword. Four criteria are prescribed by [Section 8.3.6.1, Board of Regents Policy Manual, University System of Georgia](#): 1) superior teaching, 2) outstanding service to the institution, 3) academic achievement, and 4) professional growth and development. According to Regents' Policies, noteworthy achievement should be expected in at least two areas. At the University of West Georgia, one of those “noteworthy” areas must be teaching, except in the case of librarians and administrators whose primary tasks are not teaching. For employment or promotion to Associate Professor or Professor, one must have demonstrated at least some substantive and documentable achievement in all four areas. For those holding academic rank in the Library, outstanding fulfillment of duties rather than superior teaching shall be the criterion applied although teaching librarians and administrators must supply evidence of excellence in teaching as part of their case for promotion.

As the institution becomes more diverse in the types of programs offered and clientele served, it might reasonably have different levels of expectation for faculty in different programs. All faculty members at the University of West Georgia, however, are expected to participate actively in the intellectual life of their discipline and their profession. This may take the form of professional development activities which involve the practical application of existing knowledge or the creation of new knowledge. All faculty members are expected to have a professional development agenda, to make progress annually in addressing it, and to maintain proper professional ethics. (see Section 109) Below are outlined specific MINIMUM UWG requirements by rank for meeting each criterion:

#### **1. To Be Promoted to Senior Lecturer**

1.1. Teaching. Demonstration of excellence in teaching with evidence from sources listed in section 103.0302.5.1.

- 1.2. Service to the Institution. Demonstration of effectiveness as shown by successful, collegial service on departmental, college/school-wide, institutional or system-wide committees and with evidence from additional sources listed in section 103.0302.5.2.
- 1.3. Academic Achievement. Graduate degree in discipline.
- 1.4. Professional Growth and Development. Demonstration of professional development in the candidate's discipline with evidence from the sources listed in section 103.0302.6.

## **2. To Be Promoted to Assistant Professor**

- 2.1. Teaching. Demonstration of excellence in teaching with evidence from sources listed in section 103.0302.5.1.
- 2.2. Service to the Institution. Demonstration of effectiveness as shown by successful, collegial service on departmental, college/school-wide, institutional or system-wide committees and with evidence from additional sources listed in section 103.0302.5.2.
- 2.3. Academic Achievement. Terminal degree in discipline.
- 2.4. Professional Growth and Development. Demonstration of scholarly contributions, creative work, or successful professional practice in the candidate's discipline with evidence from the sources listed in section 103.0302.5.3.

## **3. To Be Promoted to Associate Professor**

- 3.1. Teaching. Demonstration of significant contributions as a teacher and a high level of sustained excellence in teaching with evidence from sources listed in section 103.0302.5.1.
- 3.2. Service to Institution. Demonstration of significant contributions in such service and a strong likelihood of continuing effectiveness as shown by successful, collegial service on departmental, college/school-wide, institutional or system-wide committees and with evidence from additional sources listed in section 103.0302.5.2.
- 3.3. Academic Achievement. Terminal degree in discipline.
- 3.4. Professional Growth and Development. Demonstration of scholarly contributions, creative work, or successful professional practice in the candidate's discipline and a strong likelihood of continuing effectiveness with evidence from the sources listed in section 103.0302.5.3.

## **4. To Be Promoted to Professor**

- 4.1. Teaching. Demonstration of a clear and convincing record of a high level of sustained excellence with evidence from sources listed in section 103.0302.5.1.
- 4.2. Service to Institution. Demonstration of a clear and convincing record of a high level of sustained effectiveness as shown by successful, collegial service on departmental, college/school-wide, institutional or system-wide committees and with evidence from additional sources listed in section 103.0302.5.2.
- 4.3. Academic Achievement. Terminal degree in discipline.
- 4.4. Professional Growth and Development. Demonstration of a clear and convincing record of emerging stature as regional, national, or international authority within the candidate's

discipline, and/or a clear and convincing record of a high level of sustained effectiveness in the candidate's discipline with evidence from the sources listed in section 103.03025.3

5. **Acceptable Evidentiary Sources Relevant to Promotion:** Each department, school, college, or the Library must specify acceptable additional evidentiary sources for teaching, service, and professional growth and development. Additional evidentiary sources must be approved by the faculty and the Dean of the respective school or college, the Vice President for Academic Affairs/Provost, and must be published in the academic unit's respective promotion and tenure documents.

#### 5.1. **Teaching:**

- 5.1.1. Effectiveness as shown by peer or supervisor evaluation
- 5.1.2. Honors or special recognitions for teaching accomplishments
- 5.1.3. Letters from former students attesting to the candidate's instructional abilities
- 5.1.4. Successful direction of individual student work (e.g., independent projects, theses, exit papers, etc.)
- 5.1.5. Scholarly Teaching (e.g., reading pedagogical literature, attending professional development related to teaching, experimentation with new instructional methods and assessment of effectiveness. For a complete description see [Section 4.7.2, \*Academic and Student Affairs Handbook, University System of Georgia\*](#)).
- 5.1.6. Successful development of courses
- 5.1.7. Development of effective curricula and/or instructional methods
- 5.1.8. Faculty directed student research that complements classroom learning
- 5.1.9. Student evaluations
- 5.1.10. Evidence of student learning such as student self-assessments, pre- and post-test results, external test scores, rubric-based assessments, portfolios, examples of student work, and other relevant discipline-specific evidence.
- 5.1.11. Evidence of teaching that incorporates community-engaged approaches and methods.

#### 5.2. **Service to Institution:**

- 5.2.1. Successful development of service programs or projects.
- 5.2.2. Effective service-related consultation work or technical assistance.
- 5.2.3. Effective advisement of student organizations.
- 5.2.4. Successful counseling/advising of students.
- 5.2.5. Successful service on local, statewide, regional, national, or international levels in community-service organizations (e.g., committees, boards, panels).
- 5.2.6. Honors, awards and special recognitions for service to the institution or the community.
- 5.2.7. Significant contributions to the improvement of student, faculty or community life.
- 5.2.8. Successful mentoring of colleagues.

- 5.2.9. Collaborating with PK-12 schools, university colleagues, or external agencies to strengthen teaching quality and to increase student learning (as stipulated in B.O.R. policy 8.3.15)
- 5.2.10. Successful service that includes community-engaged approaches and methods.

### **5.3. Professional Growth and Development:**

#### 5.3.1. Scholarly Publications (as determined by the disciplines):

- a. Books published by peer-reviewed presses
- b. Other published books related to the candidate's professional field
- c. Articles published in refereed journals
- d. Papers and articles published elsewhere

#### 5.3.2. Presentations before learned societies and professional organizations

#### 5.3.3. Scholarship of Teaching and Learning (e.g., publications and/or presentations on research conducted in schools or the university classroom that are peer-reviewed. For a complete description see [Section 4.7.2, Academic and Student Affairs Handbook, University System of Georgia](#)).

#### 5.3.4. Grants

- a. Grants received for research, scholarship, or creative activity
- b. Grants received for curricular development or other academic projects
- c. Submitted proposals for competitive external grants

#### 5.3.5. Honors and awards for research, scholarship, or other creative activities

#### 5.3.6. Recognition by professional peers

- a. Reviews of a candidate's publications or creative work by persons of recognized competence in the discipline.
- b. Election or appointment to offices in professional organizations, successful committee work and important service to state, regional, national or international professional associations and learned societies, including editorial work.
- c. Receipt of competitively awarded fellowships, or selective admission to seminars related to one's discipline, scholarship, and/or creative activities.
- d. Successful performances in significant recitals or productions in which such performances are invited or selected after competitive review.
- e. Other performances related to academic field.
- f. Exhibitions of creative works in which such works are invited or selected after competitive review.
- g. Non-refereed exhibitions.

- h. Membership on editorial boards, juries judging art works, or juries auditioning performing artists.
  - i. Development of scholarly applications of technology, e.g., laboratory devices, computer software packages or programs, videotapes, etc.
  - j. Consultation which involves scholarly application of professional expertise
- 5.3.7. Scholarship that promotes and improves student learning and achievement in PK-12 schools and/or in the university (as stipulated in B.O.R policy 8.3.15)
- 5.3.8. Evidence of scholarship that uses community-engaged approaches and methods.
- 5.3.9. Other as approved by departments and colleges

## **6. Professional Growth and Development for Promotion from Lecturer to Senior Lecturer:**

- 6.1. Significant contributions to continuing education programs for the community or local educators.
- 6.2. Significant contributions to workshops on teaching, pedagogy, or educational technology.
- 6.3. Significant consulting work related to teaching, pedagogy, or educational technology.
- 6.4. Completion of coursework required to obtain or maintain teacher certification.
- 6.5. Completion of graduate coursework in one's primary field beyond the Master's level.
- 6.6. Supervision and training of instructors, teaching assistants, lab assistants, or tutors.
- 6.7. Significant contributions to curricular development.
- 6.8. Academic publications and/or presentations at academic conferences.

## **7. Format of Promotion and Tenure Submissions**

The Provost determines the format of tenure/promotion dossiers and must publish relevant guidelines for the following academic year by no later than April 30<sup>th</sup>.

### **103.0303 Probationary Credit Towards Promotion**

At the time of an individual's initial appointment, a maximum of three years of probationary credit toward promotion may be awarded for service at other institutions or service in a faculty rank within the institution. In extraordinary cases, research and comprehensive universities may award more than three years probationary credit at initial faculty appointments. Such awards require approval by the President and written notice to the USG Chief Academic Officer.

Individuals serving part-time, temporary, or limited term positions are not eligible for probationary credit towards promotion. Without the approval of the President, faculty given probationary credit towards promotion may not use their years of credit toward consideration for early promotion.

### **103.04 Minimum Tenure Criteria**

#### **103.0401 Foreword**

The awarding of tenure is a serious and significant step for both the faculty member and the university. It is not awarded merely on the basis of time in service or minimal effectiveness. Retention throughout a probationary period of service, regardless of faculty academic rank held, is by itself insufficient to guarantee the success of a candidate for tenure. To be eligible for consideration for tenure, a candidate must not only meet the required period of service and the minimum criteria specified below but must also show a history of evaluations that merit the award of tenure. Tenure is awarded to individual faculty members upon evidence of the capacity and likelihood for continued intellectual, scholarly, and professional vitality and a sense of responsibility and dedication to make the continuing exemplary performance of duties a reasonable expectation; and upon evidence of maintenance of proper professional ethics. (See AAUP statement on professional ethics, academic freedom and responsibility in "Academic Freedom, Responsibility and Professional Ethics" in this Handbook.) Protected from arbitrary dismissal and from transient political and ideological currents, the individual faculty member assumes a responsibility to make a continuing effort to achieve the expectations upon which the award of tenure was based. Tenure at the University of West Georgia should be regarded as a most valuable possession, signifying a long-term commitment of resources by the University of West Georgia, matched by the sincere commitment by the faculty member to continued professional growth and achievement. Only assistant professors, associate professors, and professors who are normally employed full-time (as defined by Regents' Policies) by an institution are eligible for tenure. Faculty members with the rank of instructor, Lecturer or Senior Lecturer or with adjunct appointments shall not acquire tenure.

The term "full-time" is used in these tenure regulations to denote service on a one hundred percent workload basis for at least two out of three consecutive semesters.

#### **103.0402 Time Limitations**

1. Tenure may be awarded upon recommendation by the President and approval by the Board of Regents upon completion of a probationary period of at least five years of full-time service at the rank of Assistant Professor or higher. The five-year period must be continuous except that a maximum of two years interruption because of a leave of absence or of part-time service may be permitted, provided, however, that no probationary credit for the period of an interruption shall be allowed. A maximum of three years credit toward the minimum probationary period may be allowed for service in tenure track positions at other institutions or for full-time service at the rank of Instructor or Lecturer at the University of West Georgia. Such credit for prior service shall be defined in writing by the President and approved by the

Board of Regents at the time of the initial appointment at the rank of assistant professor or higher.

2. The maximum time that may be served at the rank of assistant professor or above without the award of tenure shall be seven years, provided, however, that a terminal contract for an eighth year may be proffered if an institutional recommendation for tenure is not approved by the President.
3. The maximum time that may be served in the combination of full-time instructional appointments as instructor or professorial ranks without the award of tenure shall be ten years, provided, however, that a terminal contract for an eleventh year may be proffered if an institutional recommendation for tenure is not approved by the President. The maximum period of time that may be served at the rank of full-time instructor shall be seven years.
4. Tenure or probationary credit towards tenure is lost upon resignation from the University of West Georgia or upon written resignation from a tenured position in order to take a nontenured position at the University of West Georgia or upon written resignation from a position for which probationary credit toward tenure is given in order to take a position for which no probationary credit is given at the University of West Georgia. In the event such an individual is again employed as a candidate for tenure at the University of West Georgia, probationary credit for the prior service may be awarded in the same manner as for service at another institution.

### **103.0403 Specific Minimum Criteria for the Award of Tenure**

1. **Teaching.** Same as criteria for promotion to Associate Professor
2. **Service to the Institution.** Same as criteria for promotion to Associate Professor
3. **Academic Achievement.** Same as criteria for promotion to Associate Professor
4. **Professional Growth and Development.** Same as criteria for promotion to Associate Professor

### **103.05 Curriculum Vitae**

Candidates must submit a current curriculum vitae appropriate to the candidate's discipline.

### **103.06 Evaluating Teaching**

Evaluation of a faculty member's teaching should be continual because evaluation aids a faculty member in becoming more effective in the performance of his or her duties as well as offers evidence for promotion and/or tenure.

All classes must be evaluated. Any college, department, or faculty member may add questions to the standard form to make it apply to the unique qualifications of the specific area. In addition, a department or area may devise, administer, and tabulate the results of an evaluation form which is especially applicable to the specific area. The department chair shall use the results of the

evaluation as a factor in determining annual merit raises and shall include the results of such an evaluation form in the dossier of each department member being considered for contract renewal, promotion, tenure, pre-tenure or post-tenure review. (In the case of a department chair being reviewed for promotion and/or tenure, the appropriate next highest supervisor shall assume responsibility for including the results of such evaluations in the dossier of the candidate.) Students' evaluation data shall be an official part of the administrative evaluation process. Supervisor and peer evaluations may be used as determined by the department. eCore course evaluations will be completed through the common instruments designed for that purpose and made available by the University system for all such courses. Courses that have fewer than five students must also be evaluated but may use an alternative evaluation instrument appropriate to the course and upon approval of the department and dean of the college.

**103.0601 University of West Georgia/Student Evaluation of Instruction (SEI) - see next page**



# UNIVERSITY OF WEST GEORGIA

## Student Evaluation of Instruction (SEI)

### COURSE IDENTIFICATION

<input type="checkbox"/>	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
<input type="checkbox"/>	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
<input type="checkbox"/>	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
<input type="checkbox"/>	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
<input type="checkbox"/>	0	1	2	3	4	5	6	7	8	9																
<input type="checkbox"/>	0	1	2	3	4	5	6	7	8	9																
<input type="checkbox"/>	0	1	2	3	4	5	6	7	8	9																
<input type="checkbox"/>	0	1	2	3	4	5	6	7	8	9																

**IMPORTANT**

USE NO PENCIL ONLY

- MAKE DARK MARKS
- EXAMPLE:  1  2  3  4  5
- ERASE COMPLETELY TO CHANGE

### SECTION NUMBER

<input type="checkbox"/>	0	1	2	3	4	5	6	7	8	9
<input type="checkbox"/>	0	1	2	3	4	5	6	7	8	9

### LAB SECTION

<input type="checkbox"/>	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z
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For each item below, please fill in the circle that indicates the degree to which you feel each item is descriptive of the course instructor. IF YOU HAVE NO INFORMATION OR FEEL AN ITEM DOES NOT APPLY, PLEASE FILL IN THE N/A CIRCLE.

ITEM #	Strongly Agree	Disagree	Strongly Disagree	N/A
<b>Student-Centered Questions</b>				
1. I correctly utilized all required course texts and materials.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. I regularly attended class.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. I was punctual.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. I was well-prepared for class.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. I actively participated in all class activities.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. If/When I struggled with course material, I sought help from the professor or from resources provided to me.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. This course challenged my intellect.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Discipline-Centered Questions</b>				
1. Class discussions and/or activities helped me to understand the subject matter.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. Course assignments helped me to understand the subject matter.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. Course content was presented effectively.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. Required course texts and/or materials helped me to understand the subject matter.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. Test content was representative of assigned material.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. Tests and/or assignments required problem solving, critical thinking, and/or creative thought.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<b>Instructor-Centered Questions</b>				
1. The instructor demonstrates knowledge of his/her discipline.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
2. The instructor clearly explains course expectations.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
3. The instructor clearly explains how students will be evaluated.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4. The instructor evaluates and returns tests and assignments in a reasonable period of time.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
5. The instructor presents material in an organized manner.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
6. The instructor communicates effectively.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
7. The instructor demonstrates respect for students.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
8. The instructor is receptive and responsive to the sharing of ideas during class discussions.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
9. The instructor offers and is available for individual assistance.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Additional Information Requested			
<b>1. Student Classification</b> <input type="radio"/> Freshman-Sophomore <input type="radio"/> Junior-Senior <input type="radio"/> Graduate	<b>2. GPA</b> <input type="radio"/> below 1.00 <input type="radio"/> 1.00 to 1.99 <input type="radio"/> 2.00 to 2.99 <input type="radio"/> 3.00 to 3.99 <input type="radio"/> 4.00	<b>3. Expected Grade</b> <input type="radio"/> A <input type="radio"/> B <input type="radio"/> C <input type="radio"/> D <input type="radio"/> F	<b>4. Taking course because it is required?</b> <input type="radio"/> Yes <input type="radio"/> No

Instructor's Name: \_\_\_\_\_ Semester: \_\_\_\_\_

Please comment on the course content, subject matter and the relevance of this course to your field of study.

1. What are the most important things you learned in this course?
2. How will you use the knowledge you gained in future classes and/or in your chosen profession?
3. Explain any positive changes you would like to see made to this course.
4. Comment specifically on the value of texts, class materials, assignments, and class activities.
5. Comment on the evaluation methods utilized—fairness, difficulty, ease, etc.
6. Comment on the instructor's overall effectiveness as a teacher in his/her discipline.

## **104 Evaluation**

### **104.01 Administrative Evaluation of Faculty**

[Section 8.3.51, Board of Regents Policy Manual, University System of Georgia](#), requires each institution to establish definite and stated criteria, consistent with Regents' POLICIES and the statutes of the institution, against which the performance of each faculty member will be evaluated. The evaluation shall occur at least annually and shall follow stated procedures as prescribed by each institution. Each institution, as part of its evaluative procedures, will utilize a written system of faculty evaluations by students, with the improvement of teaching effectiveness as the main focus of these student evaluations. (BOR Minutes, 1979-80, p.50; 1983-84, p.36)

#### **104.0101 Procedure**

The following steps should be made a part of all faculty evaluation systems:

- A. The immediate supervisor will discuss with the faculty member in a scheduled conference the content of that faculty member's annual written evaluation.
- B. The faculty member will sign a statement to the effect that he or she has been apprised of the content of the annual written evaluation.
- C. The faculty member will be given the opportunity to respond in writing to the annual written evaluation; this response will be attached to the evaluation.
- D. The immediate supervisor will acknowledge in writing his or her receipt of this response, noting changes, if any, in the annual written evaluation made as a result of either the conference or the faculty member's written response. This acknowledgment will also become a part of the records.

#### **104.0102 Merit Pay Criteria**

- A. The following shall be used as criteria for distribution of merit pay:
  1. Teaching
  2. Service to the Institution
  3. Academic Achievement and Professional Growth
  4. Other
- B. Teaching should be given at least 40 percent weight. The other three criteria should be used with no less weight than 10 percent each. The department chair shall apply the weightings uniformly across the department. Members of the department and the dean of the college should be aware well in advance of pay time of the weightings which will be applied for purposes of merit.
- C. The department chair should make a pay recommendation to the dean, both in the form of percentage and dollar increase proposed. The department chair may refer to promotion and tenure material in this Handbook for guidance or may use whatever other bases he or she deems appropriate. But these bases should be known to the faculty.
  1. After consultation with the dean, the department chair will notify faculty as to the salary increase being recommended from the dean's office to the Provost and Vice President for

Academic Affairs. The department chair will justify the recommendation for each faculty member in writing.

## **104.02 Post-Tenure Review**

### **104.0201**

Beyond annual administrative review (see Section 104.01), [Section 8.3.5.4, Board of Regents Policy Manual, University System of Georgia](#), requires that each institution establish procedures to formally evaluate tenured faculty every five years, to provide recommendations recognizing and supporting effective performance, and to provide development strategies for areas of inadequate performance. The purpose of the post-tenure review "will be to examine, recognize and enhance the performance of tenured faculty members. . . focus on identifying opportunities for faculty that will enable them to reach their full potential in service to their institutions. . . and to ensure that their performance meets the expectations and needs of the institution. . ." (BOR Minutes, April 10, 1996)

### **104.0202 General Policy Statement**

The purpose of post-tenure review at the University of West Georgia is to review faculty every five years after the award of tenure and to yield accurate and useful information which will support high achievement among faculty and promote their continued professional development. Directed toward career development, this review is designed to provide a longer term perspective than is usually provided by the annual review. Post-tenure review provides both retrospective and prospective reviews of performance, taking into account that a faculty member probably will have different emphases at different points in his or her career. It is to be directed toward career development and to provide the perspective of multiple years of accomplishments and plans for development.

Each unit shall ensure that the criteria governing this review do not infringe on the academic freedom of faculty, including the freedom to pursue novel, unpopular, or unfashionable lines of inquiry. The review shall be carried out free of bias or prejudice by factors such as race, religion, sex, color, national origin, sexual orientation, ethnicity, age, disability, political affiliation, or veteran status.

Post-tenure review shall be faculty-driven and flexible enough to accommodate faculty with differing responsibilities and professional interests that reflect the mission of the University of West Georgia. The essential elements of such a peer-review process are that it shall take into account one's past progress and anticipated future as scholar, teacher, and colleague; provide a measure of accountability with regard to the performance of tenured faculty which goes beyond the annual review; be developmental in nature; assist faculty to continue to grow professionally; provide a structure by which this periodic evaluation it to take place; provide feedback and remediation recommendations for faculty found deficient in any area; allow faculty who were tenured prior to the institution of this review to select variable career paths or emphases under which they will be evaluated; provide faculty with timely and formal notification of any

perceived deficiencies; and establish an appeal route for faculty who are aggrieved by either the substantive or procedural components of the review or the remediative process.

By thirty (30) days prior to the end of each Spring term, applicable departmental and/or college or library policies and procedures must be submitted to, reviewed and approved by the Provost and Vice President for Academic Affairs to assure compliance with university guidelines.

#### **104.0203 General Implementation Procedures**

All tenured faculty members for whom five or more years have passed since their last career review decision or personnel action took effect, must undergo post-tenure review. A faculty member on a leave of absence any time during the five year review period may delay the post-tenure review for up to one year.

##### **A. Notification of faculty**

By 30 days prior to the end of each Spring term, the VPAA will provide to each college and the library a list of faculty scheduled for post-tenure review during the subsequent academic year. College deans and the Dean of Libraries, or their designees, will be responsible for notifying faculty of pending review, as well as a schedule for completion of such reviews.

##### **B. Timetable for review.**

Each year the post-tenure reviews will be completed before the end of the Fall term.

#### **104.0204 Criteria for Post-Tenure Review**

Criteria to be utilized in conducting this review shall be fair and reasonable expectations consistent with the criteria and standards used in other reviews of faculty related to teaching, academic achievement, professional growth and development, and service to the institution. These will be considered in the context of stated expectations for performance developed by the department, college, and/or unit. These criteria shall also be consistent with the duties the faculty member was assigned through means customary for the unit for the period being reviewed and related to the mission of the institution. The weights or percentages given to different areas may differ according to the faculty member's professional role, rank and established goals, and any applicable college, library or university-wide policies. The criteria must be sufficiently flexible to accommodate faculty with differing responsibilities, to recognize that faculty members may contribute in different ways to the institution's mission over time, and to consider the cumulative impact of the faculty member's career as well as his or her performance during the previous five years.

Each unit shall ensure that the criteria governing post-tenure review do not infringe on the accepted standards of academic freedom of faculty.

In the case of tenured faculty serving in administrative capacities, allowances must be made for the responsibilities these individuals carry in the area of service to the institution.

## **104.0205 Documentation Required**

Faculty undergoing post-tenure review must submit the following documentation to the Post-Tenure Advisory Committee:

1. Current curriculum vitae with accomplishments of the years under consideration highlighted.
2. Copies of annual performance reviews of the faculty member by his or her department chair or unit supervisor for the years under consideration.
3. Copies of the documentation prepared and submitted for consideration by the faculty member at the time of each of these annual reviews.
4. A statement prepared by the faculty member, not to exceed two pages in length, detailing his or her accomplishments and goals for the period under review and projected goals for the next five-year period.
5. Measures of teaching effectiveness including, but not limited, to a combination of written student evaluations and peer evaluations.
6. Any additional documentation specified by unit, departmental or institutional policy.
7. Effective Fall 2018, dossiers must be submitted electronically in a format approved by the Provost.

Consistent with library or college and university policies, review policies must specify the nature of and the evaluative standards for evidence which will be used to support claims about faculty activities.

Once submitted for consideration, the faculty member shall have supervised access at any time to his or her review file. The faculty member shall also have the right to add material to this file, including statements and additional documents, at any time during the review process.

## **104.0206 Formation and Operation of Post-Tenure Review Advisory Committee**

- A. This review shall be conducted by faculty peers with tenure who are able to render a fair and objective assessment of the person being reviewed. If a significant conflict of interest exists, no person with such a conflict may participate in post-tenure review recommendations, advisement of candidates, and/or preparation of materials. All personal and professional conflicts of interest must be revealed and reviewed. Such conflicts of interest include, but are not limited to, personal and professional interactions and relationships that would preclude dispassionate and disinterested recommendations and correct, complete, and unbiased participation in these matters. Spouses, immediate family members, and colleagues with an intimate personal relationship with the candidate are explicitly prohibited from participation. Each college and/or the library, as well as the University-wide Appeals Committee for Post-Tenure Review, shall establish a process for removing a faculty member from the Post-Tenure Review Advisory Committee(s) and shall establish criteria for assessing the credibility of claims of bias if a person being reviewed has reason to believe that another individual could not judge his or her case fairly.
- B. When post-tenure review was first initiated in 1997, the College of Arts and Sciences elected to carry out this review at the department level, while the Colleges of Business and Education

and the Library elected for a college review. This determination may be amended by a secret ballot vote of the respective faculties.

- C. A Post-Tenure Review Advisory Committee or Post-Tenure Review Advisory Committees consisting of at least three tenured faculty colleagues, selected by whatever means the faculty members so determine, shall be established annually at the department, unit and/or college level(s) in accordance with these votes.
- D. Even if the faculty of a given unit (college or library) decides that department chairs or unit supervisors can serve on Post-Tenure Review Advisory committees (for example, at the University-wide Appeals Committee advisory level), under no circumstances shall anyone who serves in a supervisory role to the individual being reviewed be permitted to serve on a Post-Tenure Review Advisory committee reviewing that individual.
- E. In each college and in the Library, the dean will be responsible for convening the initial meeting of the elected committee or committees. At the initial meeting, the members of the committee shall select one of its faculty members as chair. The chair will be a voting member of the committee.
- F. Each committee shall meet at the call of its committee chair. At the initial meeting the committee chair shall review the applicable departmental, college, unit, and university policies and procedures governing post-tenure review so that committee members will be aware of these before any review process begins.
- G. The documentation submitted by each faculty member shall be reviewed by committee members prior to committee meetings.
- H. The merits of each faculty member undergoing post-tenure review will be discussed to the extent desired by a simple majority of committee members. In the event of disagreement about the value of scholarly performance, job performance, or service, the review may include the evaluations of external reviewers to provide a due process protection that ensures an unbiased appraisal. This panel of external reviewers will be generated by the faculty member under review and appropriate department chair or unit supervisor and include a minimum of three professors knowledgeable of the faculty member's field of expertise from both on and off campus. The panel will serve to ensure that scholarly written work or job performance is being fairly and accurately interpreted. Any department chair or unit supervisor may be called to discuss with the committee the qualifications of a person under review who holds rank in his or her department.
- I. Voting on a colleague's status with regard to the post-tenure review shall be by secret ballot. Each faculty member being reviewed shall be evaluated as either satisfactory or unsatisfactory with regard to his or her overall accomplishments; to be adjudged as unsatisfactory faculty under review must receive votes of unsatisfactory from at least sixty percent (60%) of the voting members of the committee.  
Any person with an evaluation of unsatisfactory performance will be required to develop a three-year plan to address deficiencies (see section K,2 below).
- J. The committee chair, in consultation with members of the Post-Tenure Review Advisory Committee, shall prepare a written evaluation for each candidate reviewed during post-tenure review. This evaluation must be signed by all members of the committee and must provide specific reasons for conclusions contained within it. It will report the consensus arrived at by the Post-Tenure Review Advisory Committee with regard to a faculty member's performance; address the faculty member's record of accomplishments and quality of contributions with

regard to teaching, academic achievement, service, professional growth and development; clarify any areas needing improvement; and, where applicable, offer specific suggestions on what will be needed to improve performance. This evaluation must be written as clearly and collegially as possible. In the event that this evaluation differs from annual reviews, this evaluation shall state the exact reason(s) for this judgment.

The chair of the Post-Tenure Review Advisory Committee shall give each faculty member being reviewed a copy of the committee's evaluation ten (10) working days prior to the deadline for submitting the committee recommendation to the appropriate department chair or unit supervisor; therefore, the person being reviewed has five (5) working days to prepare an appeal for reconsideration by the committee (see paragraph 104.0208, below).

- K. Once any appeals to the Post-Tenure Review Advisory Committee(s) have been heard and acted upon, the committee chair will provide a copy of the committee's final evaluation to the faculty member being reviewed and to the appropriate department chair or unit supervisor. The faculty member, if he or she desires, will have an opportunity to prepare a written response to the Post-Tenure Review Advisory Committee's evaluation. Such a response shall be received by the chair of the Post-Tenure Review Advisory Committee within five (5) working days after the date the committee's final evaluation is received by the faculty member under review. It will be the responsibility of the appropriate dean to preserve the original ballots of rankings and to keep these on file for a period of six (6) years.

A copy of the post-tenure review advisory committee's evaluation and any written response to it by the evaluated faculty member shall then be sent to the administrative office at least one level above the faculty member's administrative unit. The same material shall also be placed in the faculty member's personnel file at the departmental level. The department shall also preserve in the faculty member's personnel file all documents, other than documents like publications that are readily available elsewhere, that played a substantive part in the review.

1. If the review reveals stellar performance, a faculty member shall receive recognition for his or her achievements through institutional policies and procedures already in place for acknowledging and rewarding meritorious achievement (e.g. merit pay, study and research leave opportunities, other opportunities consistent with his or her career goals and objectives and Board of Regents policy).
2. If areas needing improvement have been identified, the department chair and faculty member shall jointly develop a formal plan for faculty development that includes clearly defined and specific goals or outcomes, an outline of activities to be undertaken, a timetable within which goals or outcomes should be accomplished, and an agreed-upon strategy and criteria for monitoring progress. The faculty member's department chair and the appropriate dean are jointly responsible for arranging for appropriate funding for the development plan, if required. The department chair or unit supervisor is responsible for forwarding a copy of the faculty development plan resulting from a post-tenure review to the appropriate dean by the end of the academic year in which the review was conducted.
  - a. The faculty member's department chair or unit supervisor is responsible for monitoring the progress of faculty members engaging in a faculty development plan to remedy deficiencies identified in a post-tenure review. A progress report, which will be included in the annual review, will be forwarded each year to the appropriate dean. When the objectives of the faculty development plan designed to deal with specified



- deficiencies have been met as determined by the department chair or unit supervisor, the department chair or unit supervisor shall make a final report to the appropriate dean.
- b. It is the responsibility of the department chair or unit supervisor to determine, after a period of three years from the academic term in which the development plan is agreed upon, whether or not a faculty member whose performance was deemed unsatisfactory in the post-tenure review has been successful in remedying deficiencies identified in the review. He or she will report that finding to the appropriate dean. The university will then proceed in accordance with options available as specified by University and Board of Regents policy and procedures.

#### **104.0207 Review of Chair or Supervisor**

When a department chair or unit supervisor is under consideration for post-tenure review, the Post-Tenure Review Advisory Committee shall review the faculty member's file and make, in writing, a satisfactory or unsatisfactory evaluation to the appropriate dean. In the event deficiencies are noted which require the development of a three-year plan, the appropriate dean will be responsible for developing the plan for faculty development and monitoring the progress of the faculty member engaged in this plan with the assistance of the Provost and Vice President for Academic Affairs. Administrators other than department chairs or unit supervisors who are tenured will not undergo post-tenure review unless or until they return to a faculty role with little or no administrative responsibilities. Any administrator returning to a faculty role with little or no administrative responsibilities is to be reviewed five years after returning and reviews shall continue at five-year intervals unless interrupted by a further review for promotion. In the post-tenure review of a department chair or other faculty member with an administrative assignment, provision must be made for his or her activities in that area. Those with administrative responsibilities will still be subject to policy and procedures regarding administrative evaluation (see, for example, Sections 104.03 and 104.04).

#### **104.0208 Appeal for Reconsideration**

The first appeal shall be directed to the committee(s), which originally conducted the faculty member's post-tenure review. Within fifteen (15) working days of receipt of an appeal, the committee(s) shall carefully re-evaluate the faculty member's file in light of the written appeal. This evaluation shall be made in accordance with the procedure established for initial consideration and shall replace this party's previous evaluation of the faculty member. If, upon re-examination of the case, the original review committee(s) see(s) no reason to alter its/their recommendation(s), the faculty member may appeal within thirty (30) working days to the University-wide Appeals Committee for Post-Tenure Review.

By March 1 of each year, the Provost and Vice President for Academic Affairs will notify in writing the deans of the College of Arts & Sciences, the College of Business, and the College of Education, and the Dean of Libraries that nominees must be solicited from among the tenured faculty in each of these units and that a university-wide election must take place by the end of the Spring term to select tenured faculty from each unit to constitute a University-wide Appeals

Committee for Post-Tenure Review to hear any post-tenure review appeals. Seven duly elected tenured faculty members, apportioned as follows, will constitute the University-wide Appeals Committee for Post-Tenure Review:

College of Science and Mathematics:	1
College of Social Science:	1
College of Arts and Humanities:	1
Richards College of Business:	1
College of Education:	1
School of Nursing:	1
The Ingram Library:	1

The Provost and Vice President for Academic Affairs shall be responsible for calling the initial meeting of this committee. At the initial meeting, the members of the committee shall elect one of its faculty members as chair, who will be a voting member of the committee.

The committee shall meet at the call of its committee chair. The committee chair shall review the applicable departmental, college, library and university policies and procedures governing post-tenure review so that committee members will be aware of these before any review process begins.

Any faculty member appealing for reconsideration shall state in writing the grounds for his or her request and shall include in this appeal such additional material as is pertinent.

The documentation submitted by each faculty member, including that regarding the grounds for his or her appeal, shall be reviewed by committee members prior to committee meetings.

Within fifteen (15) working days of receipt of an appeal, the University-wide Appeals Committee for Post-Tenure Review shall carefully evaluate the faculty member's file in light of the written appeal. This evaluation shall be made in accordance with the procedure established for initial consideration (e.g., voting on a colleague's status with regard to the post-tenure review shall be by secret ballot; each faculty member being reviewed shall be evaluated as either satisfactory or unsatisfactory with regard to his or her overall accomplishments; to be adjudged as unsatisfactory, faculty under review must receive votes of unsatisfactory from at least sixty percent (60%) of the voting members of the committee). The committee chair, in consultation with the other members of the University-wide Appeals Committee for Post-Tenure Review shall prepare a written evaluation for each faculty member reviewed on appeal during post-tenure review. This evaluation must be signed by all members of the committee and must provide specific reasons for conclusions contained within it. It should report the recommendation arrived at by the University-wide Appeals Committee for Post-Tenure Review with regard to a faculty member's performance; address the faculty member's record of accomplishments and quality of contributions with regard to teaching, academic achievement, service and professional growth and development; clarify any areas needing improvement; and, where applicable, offer specific suggestions on what will be needed to improve performance. This evaluation must be written as clearly and collegially as possible. This evaluation shall take precedence over the previous

evaluation of the faculty member. The evaluation of this committee shall be forwarded to the faculty member under review, the appropriate department chair or unit supervisor, the appropriate dean, and the Provost and Vice President for Academic Affairs.

#### **104.0209 Right to Redress**

(See Policies and Procedures Manual, Article V, Section 3)

#### **104.0210 Reconsideration Clause**

At the end of the three-year phase-in period, this policy and these procedures must be reviewed and reconsidered by the Faculty and Administrative Staff Personnel Committee and the Faculty Senate to determine its effectiveness. Modifications will be considered prior to the implementation of post-tenure reviews in Academic Year 1998-1999.

#### **104.03 Faculty Evaluation of Departmental Administrative Personnel**

To provide the faculty and administration with information on the performance of departmental administrative personnel, a periodic evaluation is established.

##### **104.0301 Procedure.**

An evaluation of the department chair shall be conducted by the department at least once every three years (except that new department chairs shall not be evaluated their first year in office). The form of evaluation (written, oral, group, etc.) and the procedure to be used shall be determined by the departmental members, reviewed by the department chair, and approved by the dean. The form and procedure shall meet the following guidelines:

1. All evaluators will feel free to be candid without fear of repercussion.
2. The faculty of that department, the department chair and the dean will be made privy to the information, and these parties will not divulge the contents except at the discretion of the dean.
3. The dean will keep the results of the last three evaluations of a particular department chair.

**Personnel Evaluation Questionnaire**  
**University of West Georgia**

Individual Under Review \_\_\_\_\_ Date \_\_\_\_\_

Position \_\_\_\_\_

On the average I have contact with this person: Daily  Weekly  Bimonthly  Occasionally

I am: A Student  A Faculty Member  An Administrator  A Staff Member  Other

Return this completed form to: \_\_\_\_\_

**Instructions:**

Listed below are a number of statements which describe the behavior of administrators and professional personnel. Rate this person on each of these items by marking the appropriate response. In making your rating, compare the person with other administrators you have known. There is, of course, a great diversity among the types of professional positions, and some of the statements below may be more fitting for some positions than others. If you feel that an item is not applicable (N.A.) in describing the person's behavior or position, place a mark in the blank to its left. If you do not have sufficient information to evaluate the person, please mark the 'O' response of 'Do Not Know'. Please respond to all of the items.

**CODE**

0-Do Not Know      1-Low      2-Below Average      3-Average      4-Above Average      5-High

Evaluate the person named above in terms of the degree to which he or she:

**SCALE I. COMMUNICATIONS AND INFORMATION \_\_\_\_\_**

N.A.

- |           |   |             |
|-----------|---|-------------|
| _____ 1.  | Communicates with you in a timely and responsive manner.  | 0 1 2 3 4 5 |
| _____ 2.  | Has sufficient contact with you.  | 0 1 2 3 4 5 |
| _____ 3.  | Is duly sensitive to your needs for information.  | 0 1 2 3 4 5 |
| _____ 4.  | Writes letters and makes statements that seldom need clarification.                                   | 0 1 2 3 4 5 |
| _____ 5.  | Conveys a sense of caring and concern for the needs and problems of students, faculty and associates. | 0 1 2 3 4 5 |
| _____ 6.  | Displays a sensitivity to the feelings of students, faculty and associates.                           | 0 1 2 3 4 5 |
| _____ 7.  | Conducts effective conferences and interviews.  | 0 1 2 3 4 5 |
| _____ 8.  | Displays the ability to give constructive criticism in a positive manner.                             | 0 1 2 3 4 5 |
| _____ 9.  | Has good rapport with students, faculty and associates.   | 0 1 2 3 4 5 |
| _____ 10. | Works well with students, faculty and associates to achieve common goals.                             | 0 1 2 3 4 5 |
| _____ 11. | Needs to improve communication skills. Yes _____ No _____   |             |

If yes, explain in what way(s) \_\_\_\_\_

---

**CODE**

0-Do Not Know      1-Low      2-Below Average      3-Average      4-Above Average      5-High

**SCALE II. PLANNING, OPERATIONS, AND ACTION**

\_\_\_\_ N.A.

- |   |             |
|---|-------------|
| ____ 12. Plans ahead for those activities under his or her jurisdiction.                            | 0 1 2 3 4 5 |
| ____ 13. Keeps goals up-to-date and clearly stated.   | 0 1 2 3 4 5 |
| ____ 14. Makes time for planning by delegating routine work.  | 0 1 2 3 4 5 |
| ____ 15. Initiates action towards defined goals   | 0 1 2 3 4 5 |
| ____ 16. Perseveres in the face of frustrations and obstacles to accomplish difficult goals         | 0 1 2 3 4 5 |
| ____ 17. Completes detailed and routine tasks effectively   | 0 1 2 3 4 5 |
| ____ 18. Establishes uniform procedures where appropriate   | 0 1 2 3 4 5 |
| ____ 19. Encourages initiative and performance by delegating tasks effectively to others            | 0 1 2 3 4 5 |
| ____ 20. Can anticipate potential problems which may develop when plans do not work out in practice | 0 1 2 3 4 5 |
| ____ 21. Shows resourcefulness and imagination in finding answers to problems Other: _____          | 0 1 2 3 4 5 |
| ____ 22. Needs to improve in planning, operations and action Yes ____ No ____                       |             |

If yes, explain in what way(s)

**SCALE III. DECISION MAKING AND PROBLEM SOLVING**

\_\_\_\_ N.A.

- |  |             |
|--|-------------|
| ____ 23. Makes sound and timely decisions  | 0 1 2 3 4 5 |
| ____ 24. Gathers pertinent facts before acting   | 0 1 2 3 4 5 |
| ____ 25. Applies policy consistently and fairly  | 0 1 2 3 4 5 |
| ____ 26. Consults with others on important decisions   | 0 1 2 3 4 5 |
| ____ 27. Is skilled in participatory decision making   | 0 1 2 3 4 5 |
| ____ 28. Approaches problem solving on systematic basis  | 0 1 2 3 4 5 |
| ____ 29. Is able to cope with unanticipated events   | 0 1 2 3 4 5 |
| ____ 30. Recognizes and utilizes the special talents of others as an aid to solving problems             | 0 1 2 3 4 5 |
| ____ 31. Understands the college well enough to refer matters to the proper offices for effective action | 0 1 2 3 4 5 |

- \_\_\_ 32. Acts with deliberateness and common sense under stress  
 Other: \_\_\_\_\_ 0 1 2 3 4 5
- \_\_\_ 33. Needs to improve decision-making and problem-solving skills  
 Yes \_\_\_ No \_\_\_

If yes, explain in what way(s) \_\_\_\_\_

**CODE**

0-Do Not Know      1-Low      2-Below Average      3-Average      4-Above Average      5-High

**SCALE IV. PLANNING, OPERATIONS, AND ACTION**

\_\_\_ N.A.

- \_\_\_ 34. Establishes rapport easily and is approachable for counsel  
 \_\_\_\_\_  
 0 1 2 3 4 5

- \_\_\_ 35. Is receptive to constructive suggestions for changes 0 1 2 3 4 5
- \_\_\_ 36. Gives credit to others for their contributions 0 1 2 3 4 5
- \_\_\_ 37. Fosters morale and instills co-workers with a sense of enthusiasm, purpose and direction 0 1 2 3 4 5
- \_\_\_ 38. Works well with committees 0 1 2 3 4 5
- \_\_\_ 39. Inspires confidence in his or her personal integrity and professionalism 0 1 2 3 4 5
- \_\_\_ 40. Is fair and impartial in rendering decisions affecting students, faculty and associates 0 1 2 3 4 5
- \_\_\_ 41. Is skilled in those specialties demanded by his or her assignment 0 1 2 3 4 5
- \_\_\_ 42. Demonstrates a clear understanding of the role and scope of his or her assignments and authority 0 1 2 3 4 5
- \_\_\_ 43. Compared with other administrators and professional at UWG, is (1) one of the worst, (2) below average, (3) average, (4) above average, (5) one of the best  
 Other: \_\_\_\_\_ 0 1 2 3 4 5
- \_\_\_ 44. Needs to improve personal and human relations skills Yes \_\_\_ No \_\_\_

If yes, explain in what way(s) \_\_\_\_\_

## **104.04 Evaluation of Academic Deans**

### **104.0401 General Policy Statements**

The Provost shall conduct annual reviews and periodic evaluations of academic Deans.

#### **A. Purpose**

The purpose of this policy is to:

1. Guide the Provost in carrying out his or her responsibilities with regard to appointing, renewing, and/or terminating Deans of academic units, and to facilitate the professional development of those Deans.
2. Ensure that faculty and staff participate in the evaluation of their academic Deans.
3. Ensure Deans are afforded due process in the evaluation.
4. Afford all appropriate constituencies the opportunity to provide input.
5. Clarify the process of assembling the Review Committee, and the procedures for how it shall conduct the periodic evaluation.
6. Guide the Review Committee in producing an Evaluation Report of its findings, and delivering it to interested parties.

#### **B. Definitions**

1. For the purposes of this policy, an Academic Dean is one who carries a title of Dean, bears responsibility for an academic unit containing faculty members, and reports to the Provost.
2. In Sections 104.04, 104.05, and 104.06, a unit refers to a college, school, or the library.

## **104.05 Annual Reviews of Deans**

### **104.0501 General Policy Statement**

The Provost shall review the performance of Deans reporting to him or her annually. The following characteristics of that process shall be common to all units.

## 104.0502 Procedures

- A. Interval of Annual Review: before the conclusion of each fiscal year.
- B. Purpose and Objectives: the purpose of annual reviews of Deans is to improve the effectiveness of the unit administered, including its contribution to the effectiveness of other units and the institution as a whole. The overall objectives are:
  - 1. To review goals and accomplishments of the Dean and unit supervised, especially as these relate to the continuing mission and strategic goals of the institution.
  - 2. To review the Dean's job description and responsibilities, as well as the organization of the unit.
  - 3. To review the level of resources and other support provided to the Dean and unit.
  - 4. To discuss concerns and opportunities and to plan for changes that may be warranted or desirable.

### C. Components of the Annual Review:

- 1. *Feedback.* The Provost shall direct the annual review process. Faculty members and staff, whenever possible, may be asked to provide input.
- 2. *Self report.* Each Dean under review shall provide the Provost a brief written report:
  - a. Listing initiatives and professional activities undertaken during the review period.
  - b. Listing achievements, areas in need of improvement, and efforts related to those areas, as well as future plans and goals for the unit.
  - c. Indicating any changes that seem warranted in the Dean's job description.
  - d. Including a contextualization of the operation of the unit within the larger framework of the university.
- 3. *Conference with the Provost.* The conference will be an occasion to discuss the feedback received, the Dean's and the Provost's views, and future plans and goals for the unit.
- 4. *Dean's Annual Review Letter.* The Annual Review Letter shall be shared with the Dean and placed in his or her personnel file. The Dean may issue a written response to this document, which shall also be retained in the file.



## 104.06 Periodic Evaluations of Deans

### 104.0601 General Policy Statement

Procedures for the periodic evaluation of Deans shall be guided by three essential principles: shared governance, impartiality, and transparency. The procedures enumerated below seek to realize these principles.

#### A. Interval of Periodic Evaluation:

The first periodic evaluation of an academic Dean shall cover a full three-year period occurring in the Dean's fourth year of appointment. Thereafter, periodic evaluations shall cover a full four-year period and occur every five years. All periodic evaluations begin in the Fall semester and conclude in the Spring semester of one academic year. Credit for service as an Interim Dean shall be determined by the Provost in consultation with the Dean at the time of permanent appointment. After the first periodic evaluation, the Provost may initiate an evaluation of a Dean at any time, but shall explain its necessity and appropriateness. Refer to Table 1 below for a sample periodic evaluation sequence.

Table 1. Sample Periodic Evaluation Sequence.

<b>Appointment Year</b>	<b>Academic Year</b>	<b>Evaluation Year</b>	<b>Evaluation Review Period</b>
1	2011-2012		
2	2012-2013		
3	2013-2014		
4	2014-2015	2014 – 2015	Evaluates Fall 2011 - Summer 2014
5	2015-2016		
6	2016-2017		
7	2017-2018		
8	2018-2019	2018 – 2019	Evaluates Fall 2014 - Summer 2018

#### B. Purpose and Objectives:

1. To provide the faculty and administration with information on the performance of academic Deans who report to the Provost, both annual reviews and periodic evaluations shall be practiced.
2. The periodic evaluation will help guide the Provost in carrying out his or her responsibilities with regard to appointing, renewing, and/or terminating Deans of academic units and facilitate the professional development of those Deans.

3. To this end, a Review Committee shall be charged with collecting information about the performance of an academic Dean. Findings of the Review Committee shall supplement information from other sources (e.g., Annual Review Letters, unit financial documents) to provide the Provost with a comprehensive record of the Dean's performance.

C. Timeline of Evaluation:

1. The Provost shall notify the Dean of the pending evaluation and appoint the Chair of the Review Committee in the Fall semester.
2. Within five working days of receiving the Provost's notification, the Dean under evaluation notifies the faculty and staff of his or her unit of the pending evaluation.
3. Within five working days of receiving the Provost's appointment, the Chair of the Review Committee shall call for the election of six faculty members from within the unit led by the Dean. Refer to section 104.0601(D)(3) for guidance on the manner in which the Review Committee members shall be elected.
4. The Review Committee will provide its Evaluation Report to the Dean no later than February 28th of the academic year during which the evaluation is conducted.
5. The Dean has the right to review and respond to the Review Committee's Evaluation Report no later than March 28th.
6. The Review Committee's Evaluation Report and the Dean's response shall be forwarded to the Provost no later than March 30th.
7. The Chair of the Review Committee presents the results of the Dean's Evaluation Report to the faculty of the Dean under evaluation no later than April 30th.
8. In the event that the dates in this timeline fall on a weekend or holiday, the documents are due the following business day.

D. Composition of Review Committee:

1. The Review Committee will be composed of seven members.
2. A Review Committee Chair, who is a senior faculty member from outside the unit led by the Dean being evaluated. The Provost shall appoint the Review Committee Chair. The Chair of the Review Committee shall receive one course reassigned time.
3. Six faculty members from within the unit led by the Dean, one of which must be a department chair. The faculty governance body from the unit led by the Dean under evaluation determines the manner in which the committee members shall be elected. In the case of a unit that does not have an elected faculty governance body, the faculty at large of the unit determine the manner in which the committee members shall be elected.
4. The Provost and the Dean under evaluation shall have the right to object to the inclusion of a member of the committee. Both parties shall each be allowed only one objection.

5. No person with a conflict of interest may serve as a member of the Review Committee. All personal and professional conflicts of interest must be revealed to and reviewed by the Review Committee Chair prior to the selection of faculty to serve on the Review Committee. Such conflicts of interest include, but are not limited to, personal and professional interactions and relationships that would preclude dispassionate, disinterested, correct, complete, and unbiased participation in these matters. Spouses, immediate family members, and colleagues with an intimate personal relationship with the Dean are explicitly prohibited from participation.

E. Review Committee Procedures:

1. The Review Committee meets with the Provost and then with the Dean to be evaluated. At these meetings, the Review Committee:
  - a. Outlines the timeline for review and the evaluation criteria.
  - b. Requests relevant information to be considered during the evaluation. At this time, the Provost and the Dean may specify topics, questions, or concerns for the Review Committee to consider in making its evaluation, as well as particular individuals whose input would contribute to a complete review.
  - c. Informs the Provost and the Dean of:
    1. Their right to object to one member of the Review Committee, which shall trigger the search for a new member.
    2. The right to communicate with the Review Committee throughout the evaluation process. That is, the Committee must guarantee the Provost and the Dean the right to provide input at any time during the evaluation.
2. The Review Committee shall notify the faculty of the Dean under review of the procedures guiding the evaluation process and how the principles of shared governance, impartiality, and transparency shall be realized.
  - a. The notification shall include information about data collection, administration of the Dean Evaluation Questionnaire, how the identity of participants will be protected from unnecessary disclosure to the extent allowed by applicable law, and the Review Committee's guarantee to grant full access to anyone wishing to provide input at any time during the evaluation, unless a significant conflict of interest can be demonstrated.
  - b. Among its procedures, the Review Committee must administer the Dean Evaluation Questionnaire to the Dean's constituency. The Dean's constituency shall include, but not be limited to, Vice Presidents, Deans, Directors, the faculty and staff of the unit, the faculty governance body of the unit, and any other individuals who interact with the Dean on a regular basis.
  - c. In addition to the Dean Evaluation Questionnaire, the Review Committee shall gather information related to the topics, questions, and concerns noted by the Provost and Dean in their initial meetings.

## F. Components of the Evaluation:

### 1. Evaluation Criteria

The evaluation criteria should be based on the duties specified in Article III, Section 2 of the Policies and Procedures of the University of West Georgia and the By Laws of the unit of the Dean under evaluation.

### 2. Evaluation Report

The Review Committee shall produce an Evaluation Report of its findings, which shall be descriptive in nature. The Evaluation Report shall not include interpretations of the findings, nor recommendations regarding personnel actions; however, the Review Committee may synthesize the data they collect relative to the evaluation criteria, to include the authority to edit, shorten, paraphrase or select qualitative comments as exemplary for presentation in the report. All of the comments received shall remain anonymous and shall be presented to the Provost in an appendix, in order that the unbiased nature of the synthesis can be verified. The full Evaluation Report shall remain in the Office of the Provost for the length of time mandated by BOR Standards and may be obtained by individual request.

The Evaluation Report shall include, but not be limited to, the following sections:

#### Introduction

- a. Purpose of the evaluation.
- b. Description of how the principles of shared governance, impartiality, and transparency have been realized through the process.
- c. Description of the procedures that guided the composition of the Review Committee.
- d. Disclosure of conflicts of interest, if any, and how they were handled.
- e. Discussion of the timeline of the evaluation.

#### Methodology

- a. Data collection efforts (e.g. description of the Dean Evaluation Questionnaire, distribution methods, response rate).
- b. Procedures to protect the identity of participants from unnecessary disclosure to the extent allowed by applicable law.

#### Results

- a. Descriptive analysis of data from the Dean Evaluation Questionnaire.
- b. Descriptive summary of additional data collected to include interviews with dean's peers, supervisors, and relevant external community when useful).

#### Conclusion

- a. Purpose of the evaluation (briefly revisited).
- b. Timeline for the next periodic evaluation, per guidelines in Table 1 in Section 104.0601.

G. Post-Evaluation Conference with the Faculty. The Chair of the Review Committee shall present the Evaluation Report (minus the appendix) to the faculty of the unit no later than April 30th.

### **104.0602 Dean Evaluation Questionnaire**

The Review Committee shall use the following questionnaire to evaluate the Dean. However, each unit may include additional context-specific items to the instrument. Additional items must be placed at the end of the questionnaire in a new section labeled Unit Specific Items.

Please tell us, what is your role at UWG?

- A. Faculty Member and/or Faculty Administrator
- B. Staff Member

Your responses may be quoted in the full report, but only anonymously and as part of aggregated data.

In your role as administrator, faculty, or staff, please rate the Dean's unit on the following questions related to leadership, faculty and program development, fairness and ethics, communication, and administration. Please use the following scale to help with your answer:

0 = Unable to Judge; 1 = Strongly Disagree; 2 = Disagree; 3 = Somewhat Disagree; 4 = Neither Disagree Nor Agree; 5 -Somewhat Agree; 6 = Agree; 7 = Strongly Agree

If you have insufficient experience to make an informed judgment, please choose "Unable to Judge."

#### Leadership

The Dean...

1. articulates a clear vision for the future of the unit.
2. involves the faculty in developing plans for the unit.
3. demonstrates a commitment to intellectual integrity and the pursuit of knowledge.
4. demonstrates administrative leadership of the unit.
5. is a professional role model for the unit.
6. weighs the opinions of all segments of the unit.

#### Faculty and Program Development

The Dean...

7. promotes a favorable environment for individual faculty development.
8. emphasizes teaching in consideration of tenure, promotion, and merit raises.
9. emphasizes service in consideration of tenure, promotion, and merit raises.

10. emphasizes professional growth and development in consideration of tenure, promotion, and merit raises. (Note: each unit should adapt item #10 to reflect its P & T standards. For example, replace the term “professional growth and development” with “scholarship.”)
11. encourages creative approaches to teaching, research, and program development.
12. is responsive to the educational needs of the region when developing new programs.
13. supports student learning outcomes in work related to faculty and program development.

#### Fairness and Ethics

##### The Dean...

14. treats all members of the unit fairly irrespective of age, race, color, religion, sex, national origin, sexual orientation, disability, or veteran status.
15. respects views that are contrary to his or her own views.
16. exhibits high ethical standards in his or her official duties.
17. strongly encourages high ethical professional standards for all members of the unit.
18. exercises sound judgment in matters relating to faculty promotion and tenure.
19. exercises sound judgment in matters relating to staff hiring and promotion.
20. arbitrates disputes among faculty, staff, and department heads fairly.
21. affords departments opportunities to explain their resource needs.
22. affords all members of the unit opportunities to explain their individual needs and concerns.

#### Communication

##### The Dean...

23. welcomes constructive criticism from all members of the unit.
24. creates an environment where individuals are free to communicate without concern of rejection or reprisal.
25. provides feedback in a constructive manner.
26. is well-informed about my department’s accomplishments, challenges, and future plans.
27. communicates changes affecting all the members of the unit in a timely manner.
28. recognizes and expresses appreciation for the accomplishments of all members of the unit.
29. fosters and maintains positive external relationships.

#### Administration

##### The Dean...

30. uses administrative procedures that are clear and unambiguous for promotions, tenure, merit raises, leave, and other personnel actions.
31. exercises sound judgment in appointing associate and assistant Deans.
32. attends to administrative matters in a timely fashion.
33. conducts productive meetings.
34. handles concerns from all members of the unit well.
35. makes administrative decisions that facilitate improvement of the undergraduate programs.
36. makes administrative decisions that facilitate improvement of graduate programs.
37. integrates planning, assessment, and budgeting when making decisions.

38. is transparent about the unit's budget.
39. makes evidence-based decisions.
40. is a team player.

#### Open Ended Items

41. In your opinion, what are the Dean's strengths and/or contributions?
42. In your opinion, what are the Dean's weaknesses?
43. Please present any further comments you think would be helpful to the Dean in carrying out the academic mission of the school.
44. Please present any further comments you think would be helpful to the Provost.

#### Unit Specific Items

Units may use Likert scale or open-ended items; regardless, the items should begin with number 45. Units that opt to use a Likert scale must employ the same response options used in items 140.

### **105 Dismissal Process of a Faculty Member**

The President may at any time remove any faculty member for cause. Adequate cause for dismissal will be related directly or substantially to the fitness of the faculty member in his or her professional capacity. Dismissal will not be used to restrain faculty members in their exercise of academic freedom or rights protected by the United States Constitution.

The [\*Board of Regents Policy Manual, University System of Georgia, Section 8.3.9.1\*](#) states grounds for dismissal (8.3.9.1) of tenured faculty. Board Policy (8.3.9.1.9) permits institutions to make additions to grounds for dismissal. The grounds for dismissal which follow are institutional grounds and are superseded by Board Policy in all cases of conflict. Grounds or "cause" for dismissal may include, but shall not be limited to, the following conduct unbecoming a faculty member:

#### **Grounds for Removal** ([\*Section 8.3.9.1, Board of Regents Policy Manual, University System of Georgia\*](#)).

1. 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.
2. Professional incompetency, intentional or habitual neglect of duty, or default of academic integrity in teaching, in research, or in scholarship.
3. Unlawful manufacture, distribution, sale, use or possession of illegal drugs as defined by Georgia laws; teaching or working under the influence of alcohol which interferes with the faculty member's performance of duty or his/her responsibilities to the institution or to his/her profession (BOR minutes 1989-90, pp.384-385).

4. Conviction or admission of guilt in a court proceeding of any criminal drug offense (BOR Minutes, 1989-90, pp. 384- 385).
5. Physical or mental incompetency as determined by law or by a medical board of three (3) or more licensed physicians, or as otherwise authorized by law.
6. Intentional misrepresentation related to official documents filed with the Institution
7. Disruption of any teaching, research, administrative, disciplinary, public service or other authorized activity.
8. Willful violation of Regents' or Institution's published policies and procedures that constitute serious misconduct.

### **106 Right to Redress**

(See *Policies and Procedures Manual*, Article V, Section 3)

### **107 Dispute Resolution and Grievance Procedures**

The University of West Georgia recognizes the value of constructive dispute resolution. Faculty, staff, and students at the University of West Georgia are encouraged to seek resolution of any conflict through informal discussion with those persons involved. If such informal efforts do not resolve the dispute, the parties may choose to utilize the Office of the Ombuds (see section 107.01), the services of the Alternative Dispute Resolution (ADR) Program (see section 107.02) and/or may pursue resolution of disputes through established Grievance Procedures (see section 107.03).

#### **107.01 Office of the University Ombuds**

The Office of the Ombuds has been established to provide an accessible, informal channel of communication to facilitate non-adversarial means of dispute resolution and to promote conflict management and cooperation throughout the University community. The office will work to resolve concerns, complaints and questions about University policies, procedures and practices in a neutral, impartial and confidential manner.

In their dealings with visitors (i.e. faculty, staff and students), Ombuds staff will act with integrity and will advocate, not for any individual, but for fairness, equitable treatment, and respect throughout the University community. Ombuds staff shall be properly trained and will adhere to the Code of Ethics and Standard Operating Practices of the International Ombudsman Association.



### **107.0101 Purpose and Scope**

The University Ombuds Office is an independent source of assistance to faculty, staff and students who seek guidance in dealing with problems, issues and conflicts. The office works outside the formal organizational structure of the University to resolve concerns and complaints. Ombuds personnel promote communication, fairness and civility in work relationships and in the resolution of conflicts. The office supplements, rather than replaces, other alternative dispute resolution (ADR) processes at the University. It strives to help parties reach mutually acceptable resolutions of disputes in non-adversarial fashion. Ombuds staff also design and conduct training programs in conflict resolution and related areas for the University community.

Without violating the confidential nature of the information, Ombuds staff may make recommendations for institutional change to the President when appropriate (e.g. policy change, needed training, or other procedures that may enhance the campus climate). They also may provide feedback regarding trends or issues.

### **107.0102 Organization and Procedures**

Professional staff in the University Ombuds office are appointed by, and report to, the President of the University. The office shall operate independent of the ordinary line and staff structure of the University.

The office shall have access to any University office and will be provided information in an expeditious manner. It shall safeguard the confidentiality of that information. Ombuds serve neither as advocates nor as adjudicators and do not exercise decision-making authority. It shall not be involved in any compliance function of the institution. Contact with the Ombuds office is voluntary and shall not be required.

Ombuds provide informal, confidential guidance to visitors and assist the University community in the development of policies and procedures. They listen, offer information on University policies and procedures, discuss options, make inquiries and referrals, and facilitate communication. Ombuds will explain the limits of services to visitors and the policy of confidentiality. No member of the University community shall experience reprisal in seeking the services of the office.

Ombuds do not take sides in a conflict and strive to ensure fair and equitable treatment for all concerned. Ombuds must consider the interests of all individuals affected.

With the permission of the visitor, the Ombuds will meet with all parties involved in a conflict. If the Ombuds determines that formal mediation may be appropriate, the parties involved in the conflict will be referred to the ADR liaisons who will arrange the mediation. Ombuds will advise visitors of proper procedures to follow, including the lodging of a formal grievance, if necessary. At that point, the Ombuds will withdraw from the process.

The Ombuds office may initiate review without a specific complaint in the determination of procedural or systemic problems. An Ombuds may decline or withdraw from involvement in any

matter which is inappropriate for the engagement of the office. An Ombuds shall avoid situations in which there is appearance of conflict of interest.

Contact with the Ombuds office is not regarded as official notice to the University on any matter nor is an Ombuds required to report any such communication to the University. If a visitor wishes to put the University on notice, the Ombuds will make a referral to the appropriate official.

### **107.0103 Code of Ethics and Standard Operating Procedures**

The Ombuds office at the University of West Georgia will adhere to the Code of Ethics and Standards of Practice of the International Ombudsman Association.

#### **A. Independence**

The Ombuds office reports to the President of the University. It shall function free from interference and will not be constrained by the organizational structure of the institution. Ombuds staff will have no other affiliation or function at the University which might compromise their independence. To fulfill Ombuds functions, the Ombuds office shall have a specific, allocated budget, adequate space, and sufficient resources to meet operating needs and pursue continuing professional development. The Ombuds shall have the authority to manage the budget and operations of the Ombuds office.

#### **B. Neutrality and Impartiality**

An Ombuds shall not advocate for any individual but shall strive for fair and equitable treatment for all members of the University community. Ombuds must avoid participation in matters which would create a conflict of interest or otherwise compromise neutrality, including involvement in a compliance function.

#### **C. Confidentiality**

The Ombuds office shall not reveal the name of any party with whom it has communicated and shall maintain confidentiality in communications, disclosing confidential information only when given permission, when compelled by law, judicial subpoena or court order or when there is an imminent risk of possible violence or physical harm to self or others as determined by the Ombuds.

#### **D. Informality**

Ombuds will not participate in any internal formal grievance process or external formal process or action, even if given permission to do so.

The Ombuds office does not keep records for the University and in carrying out its mission is not authorized to:

- A. Make, change, or set aside a law, policy, or administrative decision;

- B. Make binding decisions or determine rights;
- C. Compel anyone to implement recommendations;
- D. Conduct investigations that substitute for administrative or judicial proceedings; Give legal advice;
- E. Determine “guilt” or “innocence” of anyone accused of wrong-doing;
- F. Provide testimony in formal grievance or disciplinary procedures or litigation except to explain the role of the office and provide publicly available information (unless ordered to do so by a judge);
- G. Maintain formal written case records identifying users of the office; and
- H. Assist individuals with an issue that is currently pending in a formal forum (e.g.: a grievance) unless all parties and the presiding officer in that action explicitly consent to suspend the formal process.

#### **107.0104 Evaluation**

Evaluation of the Ombuds office and staff will be conducted periodically by the University President through external review and shall include an assessment of visitor satisfaction.

#### **107.0105 Reporting**

The Ombuds office shall at least annually make reports to the University President, the Committee on Alternative Dispute Resolution and the campus community on conflict trends and areas of general concern regarding policies and procedures.

#### **107.0106 Adoption**

These Terms of Reference and any subsequent amendments shall be approved by the Committee on Alternative Dispute Resolution, the Faculty Senate and the President of the University. They shall be effective on the date approved by the President and shall be incorporated into the dispute resolution and grievance procedures in the faculty, employee and student handbooks. **107.02**

#### **Ombuds Office Initiation of Intake for Alternative Dispute Resolution**

Ombuds Office functions the intake point for the UWG ADR Program, whose services an individual may use as s/he seeks to resolve a conflict.

#### **107.0201**

The ADR program is run by the Committee on Alternative Dispute Resolution, which will consist of persons recommended by the Ombuds Office [and appointed by the President]. Each college or school and the library will be represented on the committee. The committee will participate in a variety of tasks associated with mediation, including but not limited to: overseeing the general operations of the ADR program; distributing and updating information about the program’s policies and procedures; coordinating mediation training for faculty; screening requests for mediation to determine the appropriateness of mediation (including the willingness of parties to participate in mediation); securing the consent of all parties involved and arranging for an approved neutral or neutrals to mediate the dispute; and maintaining all

necessary records, forms of consent, and evaluations required during the mediation process; and overseeing all ADR-related tasks requested by the Board of Regents.

**107.0202.1** At its first meeting of the year, the committee will elect a chair from its membership to serve for a two year term. The chair may be re-elected for one subsequent term.

**107.0203** The Committee on Alternative Dispute Resolution will recruit mediators from the faculty at the university. Each person wishing to mediate must have successfully completed an appropriate course designed to train mediators. In those cases where it may be deemed appropriate to obtain the services of a mediator from off-campus, the ADR committee will contact the office of the Consortium on Negotiation and Conflict Resolution (CNCR).

Every effort will be made to provide appropriate training to faculty who are interested in becoming mediators within the University System of Georgia.

#### **107.0204 Requests for Mediation**

Any member of the University Community may request a mediation to resolve disputes with any other member.

Seeking a solution through mediation does not take away an individual's rights to pursue claims through the grievance process or litigation.

Under ordinary circumstances, parties involved in a dispute would ideally attempt mediation before pursuing claims through the grievance process or litigation. There may be cases, however, in which parties involved in a dispute may wish to request suspension or delay of a grievance process in order to pursue possibilities for a mediated resolution of their dispute. If a grievance process is interrupted in this way and a solution is not reached in mediation within twenty (20) working days from the initial request for mediation, aggrieved parties may return to the grievance process.

#### **107. 0205 The Mediation Process**

If the Ombuds office has determined that mediation is appropriate, it will forward requests to the ADR committee to assist parties in resolution of their dispute(s). It will be the responsibility of the mediator(s) to arrange for an appropriate time and place to conduct the mediation, and to conduct the mediation according to all applicable policies and procedures.

Procedures that govern the mediation process include the following:

A. Mediation is a form of dispute resolution in which a neutral party, a trained mediator, attempts to assist parties in conflict to negotiate a mutually satisfactory resolution to their dispute. A mediator does not decide who wins or loses the dispute. A mediator does not act as judge or jury, does not take sides in disputes, and does not guarantee the results of mediation. Instead, a mediator is in the role of a neutral third-party who establishes a fair and structured process which facilitates communication and mutual decision-making between and among parties to a dispute.

B. At the beginning of the mediation session, the mediator(s) will inform the parties involved of the policies and procedures that will be followed and will ensure that participation in mediation is purely voluntary. No mediation will occur without the consent of all parties involved.

C. If the mediator(s) allow the parties to have an advisor present, the mediator(s) will decide to what degree the advisor may participate in the process.

D. All parties will be given the opportunity to present their side of the matters at issue in their own words. Because mediation is essentially a communication process and not a legal proceeding, the customary rules of evidence do not apply. Parties are free to discuss any matters related to the issue(s) they believe will support resolution of their dispute(s).

E. Confidentiality. The discussions held during mediation are strictly confidential with the following exceptions: confidentiality does not extend to a situation in which conduct by either party is criminal in nature or statements are made during the process of mediation that involve threats of imminent violence to self or others. Confidentiality does not include discrimination as defined by Title IX of the Education Amendments of 1972.

In light of this commitment to confidentiality, the mediator(s) will not retain any notes taken during the mediation, no recording will be permitted during the mediation process by any parties involved and it is understood that mediators cannot testify for or against any party should the dispute be subsequently pursued through grievance and/or legal proceedings.

F. A successful mediation is one in which the parties involved in the dispute reach an agreement described as “win/win.” In mediation, parties agree only to things that are acceptable to them, to resolutions which each believes will actually resolve the dispute(s) between/among them. Because parties jointly work to resolve the dispute, the resolutions are frequently more creative and have the potential to enhance, or at least preserve, relationships better than other forms of dispute resolution.

G. If an agreement is reached, the agreement will be written by the mediator(s), and signed by all parties. A copy of the agreement will be given to the parties but not retained by the mediator(s).

H. The mediator(s) will inform the Ombuds office only that an agreement was or was not reached.

I. Each participant in mediation will be given the opportunity to evaluate the mediation process at the conclusion of the mediation.

J. It is important to understand that: time spent in mediation will be considered part of the working day and will not require any person to take leave to participate. All supervisors will make reasonable efforts to enable employees to be available for participation in mediation.

K. The acceptance or refusal of either party to submit a dispute to a mediator will not influence the outcome of any subsequent grievance proceeding.

## 107.0206 Limitations to Mediation

It is important to understand that not all disputes are appropriate for mediation. Some examples of disputes that are not appropriate for mediation include those that have been the subject of a final ruling or decision in accordance with University policies and procedures; disputes involving purely academic decisions (i.e., faculty assessment of students' work); disputes involving trivial matters; allegations of sexual harassment; complaints of discrimination based on protected class; and disputes that have no relation to the University. It is also important to understand that mediation will not result in resolution for every dispute.

## 107.03 Grievance Procedures

**A. Initiating a Grievance.** The Grievance Process will begin when a Complainant files a formal complaint with the respondent's immediate supervisor. It will continue, if no satisfactory resolution is reached, with appeals up the administrative chain through the level of Provost. When all administrative appeals are exhausted, parties may request a formal grievance hearing by filing a formal petition with the Chair of the Faculty Development Committee. The parties should understand that a committee appointed to hear the grievance functions solely to study the case and to make recommendations to the President of the University; it is not empowered to make or reverse decisions.

### B. Definitions

**Complainant:** A faculty member who has a complaint or grievance.

**Due Process:** A meaningful opportunity to be heard at each stage in the process. While it may or may not require trial-like processes, it does include the opportunity to know and counter opposing claims, characterizations and arguments and the expectation that any persons charged with hearing the dispute will be neutral.

**Grievance:** A formal complaint that has not been resolved through available dispute resolution processes or by administrative review.

**Faculty Grievance Committee:** A select faculty committee established through the Faculty Development Committee to hear a given grievance.

**Parties:** The complainant and the respondent.

**Grievance Complaint Record:** The exclusive record for decisions including all documents submitted as part of a Grievance.

**Respondent:** Individual against whom a complaint is brought.

**Teaching Faculty:** Full time faculty members whose duties are less than one-third administrative.

## C. Grievable Actions

Grievable complaints may arise from any circumstance in which a faculty member alleges mistreatment, including arbitrary actions, decisions or evaluations to include allegations of:

- a. Irregular, arbitrary or inappropriate procedural and/or policy decisions related to matters such as salary, promotion and/or tenure, performance requirements, performance assessment, and reassignment or suspension (with or without pay)
- b. Denial of access to department, division, college or university resources; and/or
- c. Persistent and recurrent patterns of actions that indicate arbitrary assignment of duties and scheduling.

Complaints alleging discrimination under federal or state civil rights law should not be pursued through Grievance Procedures, but should be directed to tribunals or procedures established by the Social Equity Officer of the Human Resources Department.

Non-grievable complaints include the following:

- a. The legitimate non-arbitrary exercise of judgment by supervisors in keeping with University policies and procedures;
- b. Non-renewal of a contract of a non-tenured faculty member provided that the institution has complied with procedural due process notification requirements;
- c. Decisions based on the University System of Georgia Board of Regents Policy concerning Illicit Drugs. (Business Procedures Manual, Volume 3A Revised, Personnel Policies and Procedures, Page 11-A and Page 12);
- d. Tenure and Promotion Decisions that have been upheld by appropriate and approved tenure and promotion policies and procedures;
- e. Dismissal for cause of tenured faculty members in accordance with Board of Regents Policy [Section 8.3.9, Board of Regents Policy, University System of Georgia](#).

### **107.0301 Timeframe for filing a Grievance Complaint.**

A grievance complaint must be formally initiated within three (3) calendar months of the occurrence of a grievable action or last occurrence of a pattern of grievable actions and shall follow the stated procedures at each level. Time spent in consultation with the Ombudsmen or in ADR may be grounds for an extension of this timeframe.

### **107.0302 Role of Respondent's Immediate Supervisor**

A. The grievance process is initiated when a Complainant formally submits a complaint to the Respondent's immediate supervisor. A formal complaint will include the following:

- a. Name and department or administrative unit of the Complainant,
- b. Name(s) and department or administrative unit of the Respondent(s),
- c. Description of the nature and effect of actions or decisions being complained of,

- d. Evidence supporting the complaint,
- e. Statement of desired outcome,
- f. Signature of Complainant and date.

The immediate supervisor will open a formal confidential Grievance Complaint Record file. This file may be housed in a digital format. The complaint and all documents submitted in regard to the complaint shall be included in this file.

- B. Within five (5) working days of receiving a formal complaint, the immediate supervisor must notify the Respondent that a complaint has been received and provide the Respondent with a copy of the complaint. Within ten (10) working days of notification, the Respondent must provide a written response to the immediate supervisor. Upon receipt of the written response, the immediate supervisor will place it in the Grievance Complaint File and will send a copy of the response to the complainant.
- C. Within ten (10) working days of receiving the Respondent's written response the immediate supervisor will:
  - a. Review the Grievance Complaint File,
  - b. Meet with all parties to understand their views,
  - c. Consult with any appropriate resource persons for clarification,
  - d. Review appropriate written policies and procedures,
  - e. Provide a written decision to the parties and place a copy in the Grievance Complaint File.
- D. Upon receipt of the Immediate Supervisor's decision the Complainant may, within ten (10) working days after notification, appeal the decision to the next higher administrator.

### **107.0303 Role of Dean of College**

- A. In the case that the Respondent's Immediate Supervisor is a college Dean, the Dean will act as the Immediate Supervisor. If the Respondent's Immediate Supervisor ranks below the level of college Dean, appeals from an Immediate Supervisor's decision are filed with Dean of the Respondent's College.

An appeal to the Dean is initiated when a Complainant formally submits an appeal to the appropriate Dean. The Dean or higher administrator must send a copy of the formal appeal to the Respondent. A formal appeal will include the following:

- a. Name and department or administrative unit of the Complainant
- b. Name(s) and department or administrative unit of the Respondent(s),
- c. Reasons for disagreement with the Immediate Supervisor's decision,
- d. Evidence supporting the appeal,
- e. Statement of desired outcome,
- f. Signature of Complainant and date.



Within three (3) working days after receiving a Grievance Complaint Appeal, the College Dean will request that the Immediate Supervisor forward the Grievance Complaint File. The Dean will add the appeal and all documents submitted regarding the appeal shall be added to the Grievance Complaint File.

- B. Within five (5) working days of receiving the Grievance Complaint File, the Dean must notify the Respondent that an Appeal has been filed and provide the Respondent with a copy of the Appeal. Within five (5) working days of this notification, the Respondent must provide a written response to the Dean. Upon receipt of the written response from the Respondent, the Dean will place it in the Grievance Complaint File and forward a copy to the Complainant.
- C. Within fifteen (15) working days of receiving the appeal response the Dean will:
  - a. Review the entire Grievance Complaint File, including the Appeal and Response,
  - b. Meet with all parties to understand their views,
  - c. Consult with any appropriate resource persons for clarification,
  - d. Review appropriate written policies and procedures,
  - e. Provide a written decision to the parties and place a copy in the Grievance File.
- D. Upon receipt of a Dean's written decision, a Complainant may, within ten (10) working days after notification, appeal the decision to the Provost and Vice President for Academic Affairs.

#### **107.0304 Role of Provost and Vice President for Academic Affairs**

- A. Appeals from a Dean's decision must be formally filed with the Provost and Vice President for Academic Affairs. The Complainant must send a copy of the appeal to the Respondent and to the appropriate Dean. A formal appeal will include the following:
  - a. Name and department or administrative unit of the Complainant,
  - b. Name(s) and department or administrative unit of the Respondent(s),
  - c. Reasons for disagreement with the Dean or supervisor's decision,
  - d. Evidence supporting the appeal,
  - e. Statement of desired outcome,
  - f. Signature of Complainant and date.

Within three (3) working days after receiving a Grievance Complaint Appeal, the Provost/Vice President will request that the Dean forward the Grievance Complaint File and place the new appeal and all documents that are part of it in the Grievance Complaint File.

- B. Within three (3) working days of receiving the Grievance Complaint File, the Provost/Vice President must notify the Respondent(s) that an Appeal has been filed and provide the Respondent(s) with a copy of the Appeal. Within five (5) working days of this notification, the Respondent(s) must provide a written response to the Provost/Vice President. Upon receipt of the written response, the Provost/Vice President will place it in the Grievance Complaint File and will forward a copy to the Complainant.

- C. Within fifteen (15) working days of receiving the appeals response the Provost/Vice President will:
- a. Review the entire Grievance Complaint File, including the Appeal and Response,
  - b. Meet with both parties to understand their views,
  - c. Consult with any appropriate resource persons for clarification,
  - d. Review appropriate written policies and procedures,
  - e. Provide a written decision to the parties and place a copy in the Grievance Complaint File.
- D. Upon receipt of the Provost/Vice President's decision, the Complainant may, within ten (10) working days after notification, petition the Chair of the Faculty Development Committee for a full Grievance Hearing by a Faculty Grievance Committee. Within three (3) working days of receiving an appeal, the Chair of the Faculty Development Committee will request, and the Provost/Vice President shall forward to the Chair of the Faculty Development Committee, the entire Grievance Complaint File.

### **107.0305 The Formation and Work of a Select Committee on Faculty Grievances**

- A. A Petition for a full Grievance Hearing by a Faculty Grievance Committee occurs when a formal request is submitted to the Chair of the Faculty Development Committee. A copy of the Petition must be sent to the Respondent. The Petition must include:
- a. Name and department or administrative unit of the Complainant,
  - b. Name(s) and department or administrative unit of the Respondent(s),
  - c. Brief description of the nature and effect of actions or decisions being complained of,
  - d. Reasons for disagreement with prior administrators' judgments in the matter,
  - e. Evidence supporting the complaint,
  - f. Statement of desired outcome,
  - g. Signature of Complainant and date.

While the exact wording need not be replicated, the grievance appeal may not significantly diverge from the original complaint. A Complainant may request representation on the committee of specific categories of people such as veterans, women, disabled people or ethnic and racial minorities. When forming a Faculty Grievance Committee, the Faculty Development Committee will make a good faith effort to honor such requests.

- B. Within ten (10) working days of receiving a petition for a grievance hearing and the Grievance Complaint File, the Faculty Development Committee will determine by majority vote whether the issue[s] fall within the definition of a grievable complaint. As soon as is practicably possible, again by majority vote, the Faculty Development Committee will select from among UWG Teaching Faculty individuals suitable to serve as members for this Faculty Grievance Committee. A new Faculty Grievance Committee will be formed each time a grievance petition is submitted. The Chair of the Faculty Development Committee may not be a member of a Faculty Grievance Committee.

- a. In most cases, a seven-member committee of faculty members will be selected to hear a given grievance: one from the College of Arts and Humanities, one from the College of Science and Mathematics, one from the College of Social Sciences, one from the Richards College of Business, one from the College of Education, one from the School of Nursing, and one from the Library. Committee member selection shall aim to assure that the Complainant receives a fair and impartial hearing.
- b. Once the list of members has been identified, the Chair of the Faculty Development Committee will disclose the list of proposed Grievance Committee members to the Parties. Parties to the dispute may challenge the fitness of an individual member to serve on the committee by providing evidence of bias, partiality, or conflict of interest. The Faculty Development Committee will decide the merits of such challenges by majority vote and recuse a member found to be unacceptable.

**C. Organizational Meeting.** Within ten (10) working days after determining the Grievance Committee's membership, the Chair of the Faculty Development Committee will convene a closed organizational meeting of the full committee. The Chair of the Faculty Development Committee will briefly specify the allegations in the complaint and summarize University policy including rules governing the committee's work and convey the Grievance Complaint File, including the appeal petition, to the Faculty Grievance Committee. The Faculty Grievance Committee will select a Chair of the committee from among its members.

The chair of a Faculty Grievance Committee is required to convene meetings to hear the grievance petition, ensure that all parties to the dispute and members of the committee receive all relevant documents and communications and will work collaboratively with other Committee members to produce the Final Grievance Report and Recommendations.

**D. Authority of the Committee.** A Faculty Grievance Committee has the authority to conduct inquiries into faculty grievances, to provide to all parties a meaningful opportunity to be heard before a neutral panel of faculty members and to present its findings and recommendations to the President of the University. A Faculty Grievance Committee may consult with or seek clarification from any University resource officers or other persons knowledgeable about university processes or policies. All Committee business is confidential and Committee members will hold no *ex parte* meetings with the parties nor conduct outside discussions regarding the grievance.

**E. Grievance Hearing.**

- a. A Grievance Hearing should be convened within fifteen (15) working days after the Organizational Meeting's completion.
- b. Due to its confidential nature, the hearing will be closed.
- c. Parties must attend the Grievance Hearing.
- d. An audio recording or complete transcript of the proceedings will be kept and made available to the parties on request. Recordings and transcripts are otherwise regarded as confidential, though they may be subject to provisions of the Georgia Open Records Act.

- e. Each Party may have present at the hearing one advisor chosen from among current University of West Georgia employees and one observer. Parties will be afforded reasonable time to consult with their advisors. Neither advisors nor observers will be allowed to represent the Parties.
- f. Parties will be given an opportunity to present necessary witnesses, documentation or other evidence including material from the Grievance Complaint File, but staff from the University Ombuds office may not serve as witnesses in a formal complaint. When witnesses cannot appear in person, and when fairness requires, a Faculty Grievance Committee may admit testimony by sworn affidavit. Witnesses will be admitted to the hearing only when their participation is required.
- g. Members of the Faculty Grievance Committee may question each witness. After members conclude their questions, Parties will have the right to question witnesses. The chair is to ensure that questions are not irrelevant to the hearing, nor asked solely to embarrass, harass or intimidate witnesses. Neither party shall be allowed to interfere with the orderly presentation of the other's case.
- h. A Faculty Grievance Committee will not be bound by formal rules of legal evidence. A Committee may admit any evidence it deems of value or exclude any evidence it deems irrelevant or beyond the scope of its authority.
- i. A Faculty Grievance Committee may, at its discretion, grant breaks to enable parties to investigate evidence when a valid claim of surprise is made or if an interruption of the proceedings would be desirable.
- j. The findings, conclusions and recommendations of a Faculty Grievance Committee will be based solely on the record of the hearing.
- k. There will be no public statements by any person involved in the Grievance Hearing before the Grievance Hearing has been concluded and Grievance Committee's Report delivered to the President of the University.
- l. Members of a Faculty Grievance Committee must be present or participate in the Grievance Hearing to vote. Within three (3) working days after the conclusion of the Grievance Hearing, the Committee must meet in closed session to decide its findings and recommendations. All recommendations of a Faculty Grievance Committee must be based on majority vote. Votes will be cast by secret written ballot and the precise tally shall be reported to the President.
- m. Within ten (10) working days after concluding its work, a Faculty Grievance Committee must submit a written report of its findings and recommendation(s) to the President of the University. The Report will follow the guidelines stated below:
  - 1. Findings of Fact: A brief summary of the facts as determined by the Faculty Grievance Committee from the evidence presented at the Grievance Hearing, including a statement as to the nature of the case. This summary will state findings of fact on each major issue raised by the parties.
  - 2. Violations: A general statement of Regents' Policies or institution rules and regulations violated, if any, and/or the stated reasons for the action.

3. Recommendation: A statement specifying the action the Faculty Grievance Committee recommends. The Grievance Committee will keep its purpose in mind and limit the scope of its recommendations to the case before it. To reduce the length of the decision without sacrificing clarity, the Faculty Grievance Committee report should include only such factual recitals as necessary to present and support its conclusions.

Copies of the Report must be provided to the Parties.

### **107.0306 Role of the President of the University**

The President of the University will review the Faculty Grievance Committee's recommendation(s) and render a written decision for the University within fifteen (15) working days. The President will send copies of the written decision to each of the Parties and place a copy in the Grievance Complaint File. Appeal from the President's decision must be made to the Board of Regents of the University System of Georgia.

### **108 Non-renewal of Non-tenured Faculty During Times of Financial Exigency**

#### **108.01 Criteria**

The following criteria are to be used in determining the comparative value of non-tenured faculty to a department or area in order to determine which faculty members will not be rehired when faculty is to be reduced because of financial exigency. The first two are clearly interrelated and most important. The others are of lesser importance.

#### **108.0101 Departmental (Area) Needs**

#### **108.0102 Teaching Effectiveness**

#### **108.0103 Service to the Department and University**

#### **108.0104 Professional Growth**

#### **108.0105 Academic Achievement**

#### **108.0106 Number of Academic Years of Service to the Institution**

#### **108.0107 Service to the Community**

Definitions of criteria 2,3,4,5, and 6 are included in the Section 103.03.

Each spring semester departmental needs are to be determined by the department chair in consultation with faculty members who shall assess the effectiveness and value of each program

or course offering to the department and university. Each spring semester the supervisor of each of the "other" areas will consult with faculty members who shall assess the effectiveness and value of each function of the area to the area and university.

## **108.02 Procedures**

**108.0201** Each department or area shall decide in the spring of each year on the consultation procedure to be used in the event that it is necessary to reduce faculty for financial reasons.

**108.0202** At the time that a department chair or supervisor is informed that a staff reduction for financial reasons is necessary, he or she shall institute the following procedures:

- A. The department chair or supervisor shall provide copies of each non-tenured faculty member's curriculum vita (defined in "Criteria for Promotion and Tenure" in this handbook) to the appropriate persons. He or she shall also provide those persons with a copy of the statement of the departmental assessment made in the preceding spring.
- B. The department chair or supervisor shall consult with members of the department or area (in the manner decided upon by the department or area) to evaluate each non-tenured member (except himself or herself) according to the criteria. The consultation shall culminate in written evaluations of each non-tenured faculty member. Each evaluation shall be signed or initialed by the department chair and the person making an individual evaluation or the persons making a collective evaluation.
- C. The department chair or supervisor shall prepare an abstract of the evaluations, noting both the strengths and weaknesses of each person evaluated and shall also prepare a ranking list of the non-tenured faculty of the department or area.
- D. The abstracts and the ranking list shall be forwarded to the dean of the college.
- E. The individual evaluations from which the abstracts were prepared shall not be destroyed until final action on the reduction of faculty has been effected.

**108.0203** Persons whose contracts are not to be renewed because of action taken under these procedures shall be notified of such nonrenewal at least ninety (90) days before date of layoff or termination. A person wishing to submit an appeal or to institute a grievance procedure must do so within twenty days of notification of nonrenewal. If a person appeals and is rejected and wishes to institute a grievance, he or she must do so within five days of the rejections.

**108.0204** When a faculty member teaches courses or serves in another department or area than that which is his or her primary responsibility or when he or she is on loan for less than a year to another department or area, he or she shall be evaluated according to these procedures by his or her home department. The department chair or supervisor, however, shall consult with the department chair or supervisor in the other area and include the latter's evaluation in his or her ranking.

**108.0205** A faculty member who no longer performs his or her primary function in the department or area in which he or she holds rank shall not be evaluated by that department or

area according to these procedures until after he or she has returned to that department or area and has served for an academic year.

### **108.03 Reappointment of Faculty Who Are Terminated For Financial Reasons**

**108.0301** The University shall maintain a list of all employees not re-appointed for financial reasons. They shall be listed by service area and function or by department and area of specialization.

**108.0302** When positions are reinstated in an area or department for which non-renewed faculty members qualify, they shall be offered the position and given a reasonable time within which to accept or decline it.

### **109 Academic Freedom, Responsibility, and Professional Ethics**

(see Article V. Section 1, UWG Statutes)

#### **109.01 Academic Freedom**

Any faculty member is entitled to full freedom in research and in the publication of results, subject to the adequate performance of his or her other academic duties, but research for pecuniary return shall depend on the approval of the President.

Any faculty member is entitled to freedom in the classroom in discussing his or her subject, but should be careful to present the various scholarly views related to the subject and avoid presenting totally unrelated material. Limitations of academic freedom because of religious or other aims of the institution should be clearly stated in writing at the time of the appointment.

#### **109.02 Academic Responsibility**

The concept of freedom should be accompanied by an equally demanding concept of responsibility. The college or university teacher is a citizen, a member of a learned profession and an officer of an educational institution. When such a person speaks or writes as a citizen, he or she should be free from institutional censorship or discipline, but his or her special position in the community imposes special obligations. As a person of learning and an educational officer, he or she should remember that the public may judge the professional and the institution by one's utterances. Hence, he or she should at all times be accurate, should exercise restraint, should show respect for the opinions of others, and should make every effort to indicate that he or she is not an institutional spokesperson.

#### **109.03 Professional Ethics**

The professor, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognizes the special responsibilities placed upon him or her. One's primary responsibility to one's subject is to seek and to state the truth as one sees it. To this end, one

should devote one's energies to developing and improving scholarly competence. He or she accepts the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. He or she practices intellectual honesty. Although one may follow subsidiary interests, these interests must never seriously hamper or compromise freedom of inquiry.

As teacher, the professor encourages the free pursuit of learning by his or her students. He or she holds before them the best scholarly standards of his or her discipline, demonstrates respect for the student as an individual, and adheres to the proper role as intellectual guide and counselor. He or she makes every reasonable effort to foster honest academic conduct and to assure that evaluation of students reflects their true merit. He or she respects the confidential nature of the relationship between professor and student, avoids any exploitation of students for private advantage and acknowledges significant assistance from them. He or she protects their academic freedom.

As a colleague, the professor has obligations that derive from common membership in the community of scholars. He or she respects and defends the free inquiry of associates. In the exchange of criticism and ideas, he or she shows due respect to associates and respect for the opinion of others. He or she acknowledges academic debts and strives to be objective in the professional judgment of colleagues. He or she accepts a share of faculty responsibilities for the governance of the institution.

As a member of the institution, the professor seeks above all to be an effective teacher and scholar. Although he or she should observe the stated regulations of the institution, provided they do not contravene academic freedom, he or she should maintain the right to criticize and seek revision. He or she determines the amount and character of work to be done outside the institution with due regard to his or her paramount responsibilities within it. When considering the interruption or termination of his or her service, one recognizes the effect of one's decision upon the program of the institution and gives due notice of intentions.

As a member of the community, the professor has the rights and obligations of any citizen. He or she measures the urgency of these obligations in the light of responsibilities to his or her subject, students, profession, and institution. As a citizen engaged in a profession that depends upon freedom for its health and integrity, the professor has a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

### **110 Faculty Transcripts and Verification of Degrees**

All faculty must have official transcripts on file in the Provost and Vice President for Academic Affairs office for each degree completed. The University does not officially recognize the award of the degree until the official transcript is received. A faculty member whose last degree was pending when employed should be certain that a transcript has been sent which shows the conferral of the degree. Faculty members who attain a higher degree after employment should do likewise. Catalogue listings of degrees must be strictly accurate on the date of the publication.



Verification of all degrees held by individuals being considered for positions on the faculty of University of West Georgia shall be a requirement before a definite commitment for employment becomes valid. The Provost and Vice President for Academic Affairs is responsible for obtaining certification of degrees.

## **111 Employee Benefits**

### **111.01 Vacations**

1. Effective July 1, 1983, 12-month faculty accrue vacation at the following rate ([Section 8.2.7.1, Board of Regents Policy Manual, University System of Georgia](#)):
  - 1¾ working days per month.
  - Time off for holidays is in addition to earned vacation.
2. Earned vacation may be accrued up to a maximum of 45 working days. Employees shall be compensated for all accrued vacation time upon termination of service for any reason or when converted to an academic contract.
3. Regular part-time employees on a 12-month contract shall accrue vacation time in proportion to their working hours.
4. Vacation shall be taken at times mutually acceptable to the employee and his or her supervisor.
5. All employees on a twelve-month contract are expected to be on duty during university vacations unless they choose to count this time as part of their annual vacation.
6. As used in this section, the term holiday means Thanksgiving Day, Independence Day, Christmas Day, etc., when all offices in the University are closed. The term university vacation refers to that time when students are not in attendance.

### **111.02 Leave**

#### **111.0201 Sick Leave with Pay**

Nine-month faculty will accrue nine days of sick leave each academic term (at the rate of one day per month of service) and up to three days if they teach in the summer session. Faculty working less than one-half time will accrue no sick leave. Temporary faculty members will accrue no sick leave.

Regular nine-month faculty accrue:

- day/month - September through May = 9 days
- Regular faculty teaching summer school = 10% = 1day (1 course), 20% = 2 days (2 courses), 30% = 3 days (3 courses)

### **111.0202 Sick Leave Without Pay**

Any employee unable to return to work after exhausting all accumulated sick leave and accrued vacation leave may be granted sick leave without pay for a period not to exceed one year. Furthermore, such approved sick leave shall allow the employee the right to elect to continue his or her group insurance benefits, and the institution will continue its share of the cost for such period. All other benefits are prohibited which otherwise would accrue to the employee.

### **111.0203 Reporting Sick Leave**

The following provisions for the reporting of sick leave shall apply to all full-time faculty, employed by institutions of the University System of Georgia, who serve primarily in assignments defined by faculty roles in instruction, research and scholarly activity, and service.

1. Faculty are responsible for informing their Chair of any illness that prohibits them from meeting their assigned responsibilities in instruction, research, and service.
2. In reporting sick leave, academic year faculty will report leave based on the number of whole hours sick as defined by the [Section 8.2.7, Board of Regents Policy Manual, University System of Georgia](#) and [Section 4.9.1, Academic and Student Affairs Handbook, University System of Georgia](#), with a full day being eight (8) hours, a half day being four (4) hours, and less than a half day based on whole hours missed, with a full week being the equivalent of a forty-hour workweek.
3. Nothing in this policy shall be interpreted to indicate that faculty work on a standardized schedule.

### **111.0203 Family Leave**

In accordance with the federal Family and Medical Leave Act (FMLA) of 1993, an eligible employee may be entitled to up to 12 work weeks of leave during any 12-month period for one or more of the following reasons:

1. the birth and care of a newborn of the employee;
2. the legal placement of a child with the employee for adoption or foster care;
3. the care of an immediate family member (defined as the employee's spouse, child, or parent) with a serious health condition; or
4. a serious health condition of the employee himself/herself, with renders the employee unable to perform the duties of his/her job.

To be eligible for FMLA leave, the employee must have worked for the University System of Georgia:

- a. for at least 12 months total; and
- b. for at least 1,250 hours during the 12-month period immediately preceding the commencement of such leave.

(BOR Minutes, August 2004, page 27 and [Section 8.2.7.6, Board of Regents Policy Manual, University System of Georgia](#))

Section 585 of the National Defense Authorization Act (NDAA) amends FMLA to permit certain relatives of military personnel to take up to twenty-six (26) work weeks of leave to care for a member of the Armed Forces in various situations. NDAA also permits an employee to take FMLA leave for a qualifying exigency arising out of the fact that an immediate family member, as defined by the FMLA, is on active duty in support of a contingency operation. 111.0204 Military Leave with Pay

**Ordered Military Duty.** For the purpose of this policy, ordered military duty shall mean any military duty performed in the service of the State or the United States, including but not limited to service schools conducted by the Armed Forces of the United States. Such duty, shall be deemed “ordered military duty” regardless of whether the orders are issued with the consent of the employee. ([Section 8.2.7.5, Board of Regents Policy Manual, University System of Georgia](#) and BOR Minutes, 1990-91, p. 173).

**Leave of Absence.** An employee who receives orders for active military duty shall be entitled to absent himself or herself from his or her duties and shall be deemed to have a leave of absence with pay for the period of such ordered military duty and while going to and returning from such duty, not to exceed a total of eighteen (18) work days in any one federal fiscal year (October 1 – September 30) as authorized by Georgia Law O.C.G. A. §38-2-279[e]). At the expiration of the maximum paid leave time, continued absence by the employee shall be considered as military leave without pay. The employee shall be required to submit a copy of his or her orders to active duty (BOR Minutes, 1990-91, pp. 173-174).

**Emergency Leave of Absence.** Notwithstanding the foregoing leave limitation of eighteen (18) days, in the event the Governor declares an emergency and orders an employee to State active duty as a member of the National Guard, such employee while performing such duty shall be paid his or her salary or other compensation as an employee for a period not exceeding thirty (30) days in any one federal fiscal year.

**Payment of Annual Leave.** After an employee has exhausted his or her paid military leave, an institution may pay the employee for his or her accumulated annual leave (BOR Minutes, 1990-91, p. 174).

### **111.03 Retirement**

It is the policy of the Board of Regents to provide for the retirement of all eligible employees either through the Teachers Retirement System of Georgia or the Regents’ Retirement Plan ([Section 8.2.8, Board of Regents Policy Manual, University System of Georgia](#)). Employees eligible for the Regents’ Retirement Plan shall be those employees identified in Sections [3.2.1](#), [3.2.1.1](#) and [3.2.1.2](#) of the Policy Manual and persons who serve on the Chancellor’s

Administrative Staff whose appointment is subject to approval by the Board of Regents (BOR Minutes, 1990-91, p. 39).

### **111.0301 Employment Beyond Retirement**

When a person has been retired from the University System and is receiving supplemental benefits from the Board of Regents, the Teachers' Retirement System, the Employees' Retirement System, or the Regents Retirement Plan, he or she cannot thereafter be employed or offered employment in the university System in any capacity without prior approval of the Board of Regents ([Section 8.2.8.3, Board of Regents Policy Manual, University System of Georgia](#) and BOR Minutes, 1978-79, pp. 183-184).

### **111.04 Insurance**

The Board of Regents of the University System of Georgia is solely responsible for the solicitation, selection, contracting and implementation of employee benefits to include health insurance, basic life insurance, accidental death and dismemberment and all other group insurance plans. Institutions may not contract for employee health or voluntary benefits. Institutions may select, if desired, to contract for supplemental employee insurance coverage that is not in conflict with those offered by the Board of Regents. ([Section 8.2.9, Board of Regents Policy Manual, University System of Georgia](#) and BOR minutes, Sept. 2013, Oct. 2016)

#### **111.0401 Group Health Insurance**

Hospitalization, surgical, medical and major medical benefits shall be made available to regular USG employees, with a work commitment of three-quarters time (30 hours per week) or more. A regular employee's work commitment may be comprised of multiple job assignments to achieve benefits eligibility if the work assignments are six (6) months or longer. These benefits shall also be made available to dependents of the same employees. The USG shall pay that portion of the cost of such insurance as shall be designated from time to time by the Board. (BOR minutes, Jan. 2012, Sept. 2013, Oct. 2016)

#### **111.0402 Group Life Insurance**

Group life insurance, with accidental death and dismemberment coverage, shall be made available to regular USG employees with the same benefits eligibility definitions as that of Group Health Insurance ([Section 8.2.9.1, Board of Regents Policy Manual, University System of Georgia](#)). Group life benefits become effective upon hire. The USG, as employer, shall pay the premium on the basic amount of life insurance, which shall be \$25,000. This amount of insurance is designated "basic life insurance" and the maximum premium therefore shall be established by the Board.

In addition, "supplemental life insurance", with the same benefits eligibility definitions as that of Group Health Insurance ([Section 8.2.9.1 Board of Regents Policy Manual, University System of Georgia](#)), may be offered to these same employees with no employer participation in the

premiums. If elected, these benefits become effective on the first day of the month following enrollment unless enrollment is on the first day of the month in which case it becomes effective upon enrollment. For those employees covered under an academic contract, benefits will begin on the first day of the contract if enrolled on or before that day, or on the first day of the month following enrollment if they enroll after the contract start. Group life insurance for dependents of these employees shall be made available to them in amounts which shall be established from time to time by the Board. There shall be no employer contribution to the dependent life insurance premiums. (BOR minutes, 1987-88, pp. 63-64; Nov. 2011; Jan. 2012)

### **111.05 Other Benefits**

The Board of Regents provides a variety of other fringe benefits for faculty and staff, such as Worker's Compensation Insurance, Social Security Insurance and tax sheltered annuities. Interested persons should contact Human Resources (6403) for details concerning these benefits.

### **112 Educational and Professional Leave**

Leaves of absence of one year or less with or without pay may be granted by the institution's president and reported to the Chancellor. Extensions of such leaves, or the initial granting of leaves of more than one year, require the approval of the Chancellor or his/her designee ([Section 8.2.7.4, Board of Regents Policy Manual, University System of Georgia](#)). (For paid leave, see 112.01. For unpaid leave, see 112.02). When funds are available, leaves with pay may be granted for the purpose of scholarly work and encouraging professional development. Such leaves are for a calendar year or less and are subject to renewal.

#### **112.01 Faculty Paid Educational and Professional Leave**

Faculty paid leave is one mechanism for encouraging professional growth and development. Paid leave shall be granted only for the purposes of promoting scholarly work and encouraging professional development. The University of West Georgia shares with other universities the traditional responsibilities to discover, develop, preserve and disseminate knowledge. Much of this mission is realized through the professional, scholarly and creative activities of faculty members and through their interactions with students. Therefore, faculty development is a critical element in reaching West Georgia's goal of achieving educational excellence within a personal environment.

##### **112.0101 Eligibility and Application Procedures**

- A. Tenured faculty may apply for paid leave during or after their sixth year of full-time service at the University of West Georgia. Faculty members who are being reviewed for tenure are not eligible to apply for paid leave during that year.

Applications are due on or before December 1st for the following academic year. Exceptions to the application deadline or the period of leave are subject to individual review.

Applications are submitted to the department chair/director for department recommendation. Applications must include a current curriculum vita and a proposal for activities to be accomplished should the leave be granted. The proposal should include a clear statement of the nature, significance and objectives of the project, specific plans for completing it, the tangible results expected, and a statement of how this project will benefit the faculty member's department, College or the University as a whole. Proposal activities would ordinarily focus on research and/or creative endeavors, although proposals for specific activities aimed at significant improvements in pedagogical practices and student learning will be considered. The department chair or library unit head will forward all applications submitted, accompanied by his/her recommendation, to the Dean of the College/Dean of Libraries for a decision.

- B. At the time of application, the faculty member will be asked to sign an agreement indicating that:
1. For a leave with pay of less than one year, the faculty member agrees to return to the institution at the end of the leave for a period of at least one year.
  2. For a one-year leave with pay, the faculty member agrees to return to the institution at the end of the leave for a period of at least two years.
  3. In the event that the faculty member does not return to the institution for the full amount of time specified in the agreement, he or she agrees to reimburse the University for the amount of compensation while on leave, as well as any other expenses paid by the University during the leave, including all benefit costs.
- C. Faculty may be granted an award of paid leave no more often than every seventh year.

### **112.0102 Awards**

Granting of leave will depend upon availability of resources to fund the hiring of part-time or replacement faculty and upon the merit of the proposal. The most common award options would be one year (two semesters) off with 1/2 pay or 1/2 year (one semester) off with full pay; however, other arrangements which better meet the needs of the individual faculty member's project may be considered. Leaves with pay will require that the appropriate Dean certify that during the leave, the unit will be able to:

1. Satisfactorily carry on its instructional, research and administrative activities.
2. Fulfill obligations to graduate students or honors students whose programs or theses are being directed by the faculty member.

Faculty members granted leave on the basis of the activities included in the proposal must file a report with the department chair/library unit head and Dean indicating what was accomplished during paid leave. A public presentation is also required when the faculty member returns to teaching and/or other duties.

### **112.02 Faculty Unpaid Educational and Professional Leave**

Leaves of absence of one year or less without pay may be granted by the institution's president and reported to the Chancellor. Such a request must be approved by the department chair, dean, and the Provost. Extensions of such leaves, or the initial granting of leaves of more than one year, require the approval of the Chancellor or his/her designee.

### **113 Faculty Compensation for Summer School Teaching**

*(Section 8.3.12.3, Board of Regents Policy Manual, University System of Georgia)*

Payment of compensation to faculty members for teaching during the summer semester shall be at a rate not to exceed 33 1/3 percent of their base faculty salary for the previous academic year. The summer pay to perform administrative duties may not exceed 33 1/3 percent of total salary.

Summer teaching is optional, depends on need, and is limited to no more than 9 credit hours for the summer semester (See also UWG Procedure 2.7.1 on Workload).

### **114 Outside Activities**

**114.01 Policy.** While Board of Regents emphasizes that a USG employee shall not engage in any outside endeavor which will interfere with the official duties, full-time members of the faculty, staff and administration are encouraged to engage in outside activities which enable them to use their professional expertise and to increase the quality and quantity of public services offered through the University. Such activities include consulting, teaching, speaking, and participating in business or service enterprises.

*Section 8.2.18.2.3, Board of Regents Policy Manual, University System of Georgia*, requires that all outside activities, except single-occasion activities, must be reported in writing and secure approval prior to engaging in such activities. The BOR Policy also requires USG institutions to have procedures in place for approving outside activities of faculty members and ensuring that such activity does not constitute a conflict of commitment or conflict of interest. For ongoing outside activities, approval must be requested each academic year.

#### **114.01.01 Types of BOR-endorsed Outside Activities**

**Occupational:** Professional activity that does not interfere with the regular and punctual discharge of official duties provided the activity meets one of the following criteria:

1. It is a means of personal professional development;
2. It serves the community, state or nation; or,
3. It is consistent with the objectives of the institution.

**Consulting:** Recognizing that teaching, research, and public service are the primary responsibilities of USG faculty members, it shall be considered reasonable and desirable for faculty members to engage in consulting activities, which are defined for purposes of this policy as any additional activity beyond duties assigned by the institution, professional in nature and

based in the appropriate discipline for which the individual receives additional compensation during the contract year.

**\*eCore and outside teaching** (e.g. Kaplan, eMajor): Teaching beyond the official duties must be reported and obtain an approval through the same procedure for Outside Activities.

**Political:** As responsible and interested citizens in a democratic society, USG employees are encouraged to fulfill their civic obligations and otherwise engage in the normal political processes of society.

**114.02 Approval Procedure.** The disclosure/request form in **UWG Procedure 6.4.2** must be filled and submitted to the department chair, the dean, and the Provost for approval. If a faculty member consults for/with another USG institution, he or she is to consult with Human Resources as additional procedure is required.

### **114.03 Operational Definitions**

**A. Conflicts of Commitment** – occurs when the aggregate time devoted to external activities (including paid and unpaid activities) adversely affects an employee’s appropriate use of leave and/or institutional resources, or the completion of duties and responsibilities during your assigned work schedule. In general, time spent in outside employment should not average more than one day a week during regular semesters.

**B. Conflicts of Interest** – exists whenever personal, professional, commercial, or financial interests or activities outside of the University have the possibility (either in actuality or in appearance) of influencing a University employee’s decision or behavior with respect to work related activities, including but not limited to: teaching and student affairs, appointments and promotions, greater than incidental use of University resources, procurement and business transactions, or the design, conduct or reporting of University research.

**C. Reimbursement:** Any member of the faculty, staff, or administration who uses institutional personnel, facilities, equipment and/or materials in any of the approved outside activities not related to duties assigned to or expected of him or her by University of West Georgia is required to reimburse the institution.

### **115 Communications with the Board of Regents and/or the Central Office of the University System of Georgia**

Policies of the Board Regents (#204) and the University of West Georgia Statutes state that the President "shall be the official medium of communication between the faculty and the Chancellor, and between the Faculty Senate, . . . or any such body and the Chancellor." (BR Minutes, 1993-94, p. 239).

### **116 Legal Matters**



### **116.01 Requests for Legal Opinions from the Attorney General.**

The State Law Department has ruled that all requests for opinions of the Attorney General, drafting of legal instruments, lawsuits, garnishments, and similar matters concerning institutions of the University System come to that office only upon request of the Chancellor. Therefore, any inquiry or request to be made of the State Law Department should be directed initially to the President of the institution for endorsement to the Chancellor.

### **116.02 Inquiries from Attorneys on University Matters**

On occasion, attorneys representing students or employees sometimes contact faculty members or supervisors directly. Requests from attorneys should be referred to counsel for the University System of Georgia, who should also be provided with copies of any correspondence. Upon receipt of an inquiry from an attorney on a university matter, please contact the President's Office. When such requests come by telephone, it is advisable to limit a response to the basic facts and to refer calling parties to University System legal counsel for anything more than that. It is not advisable to talk with students or employees through their attorneys. Internal procedures are in place for dealing with complaints.

Only the President may speak for the institution, unless the President has explicitly delegated that responsibility for specific purposes.

### **116.03 Requests for Campus Records**

Requests for information are made under the Open Records Act. Virtually all records pertaining to employees and the conduct of university business are considered public records (student records are protected, however, under Federal law). This institution is obliged to provide access to such records upon request through the Office of Institutional Effectiveness and Assessment, charging for any time and copying involved.

### **117 Legal Holidays**

This holiday schedule applies specifically to employees on fiscal year contracts. Holiday periods for others on academic year contracts are covered by other provisions. The University normally observes the following holidays:

Independence Day  
Labor Day  
Thanksgiving Day  
Christmas Day  
New Year's Day  
Martin Luther King's Birthday

Information concerning these holidays can be on the Human Resources web page at <https://www.westga.edu/hr/holiday-schedules.php> .

## **118 Admission to Student Activities**

Faculty and staff members may obtain I.D. cards for themselves and their immediate family members at a nominal charge. Faculty and staff and their immediate family members are admitted without charge to campus athletic events and other selected student activities with a valid University of West Georgia I.D.

## **119 Enrollment of Faculty and Staff in Courses and Instructional Programs**

Since it is to the advantage of the University to encourage self-development of employees, opportunity is provided for participation in training courses and instructional programs on and off the campus.

### **119.01 Training Courses**

As the need is recognized, the University periodically conducts on-the-job training workshops for groups of employees in such broad interests as safety, purchasing procedures, and budgetary control. Department chairs may obtain further information on workshops or request a workshop offering for groups of four or more employees by telephoning the Personnel Officer in the Office of the Vice President for Business and Finance.

### **119.02 Instructional Programs**

Non-administrative personnel are paid for actual hours worked, and any time off to attend classes on campus will be without pay unless a program is sponsored by the University.

Administrative personnel may be allowed time off to attend classes on campus; however, the plan must not be used by the individual employee merely to work on a degree. Any course must be approved by the employee's department chair and dean, who must certify that the course will benefit the employee in the performance of his duties at the University. All employees are expected to pay regular fees.

Employees of any rank may take courses for credit or work toward a degree provided two conditions are met: first, the state requirement of a forty-hour week (for full-time employees) must be fulfilled; secondly, required fees must be paid.

## **120 Disruptive and Obstructive Behavior**

[\(Section 6.8, Board of Regents Policy Manual, University System of Georgia\)](#)

Any student, faculty member, administrator, or employee, acting individually or in concert with others, who clearly obstructs or disrupts, or attempts to obstruct or disrupt any teaching, research, administrative, disciplinary, or public service activity, or any other activity authorized

to be discharged or held on any campus of the University System is considered by the Board to have committed an act of gross irresponsibility and shall be subject to disciplinary procedures, possibly resulting in dismissal or termination of employment. (BOR Minutes, 1968-69, pp. 166168; 1970-71, p. 98)

## **121 Sexual Harassment Policy**

### **121.01 Policy Statement**

The University of West Georgia (the University) is committed to maintaining a fair and respectful environment for living, working, and studying. To that end, and in accordance with federal and state law and Board of Regents' policy, the University prohibits any member of the faculty, staff, administration, student body, or visitors to campus, whether they be guests, patrons, independent contractors or clients, regardless of the sex of the other party, from sexually harassing any other member of the University community. Reports of sexual harassment will be met with appropriate disciplinary action, up to and including dismissal from the University.

### **121.02 Definition of Sexual Harassment**

Pursuant to Title VII of the Civil Rights Act of 1964 and Title IX of the Educational Amendments of 1972, "sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual's employment or status in a course, program or activity.
2. Submission or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual.
3. Such conduct has the purpose or effect of interfering with the individual's work or educational performance; of creating an intimidating, hostile, or offensive working and/or learning environment; or of interfering with one's ability to participate in or benefit from an educational program or activity.

### **121.03 Examples of Sexual Harassment**

1. Threats to make an adverse employment or academic decision if another person refuses to engage in sexual activities.
2. Demands that another person engage in sexual activities in order to obtain or retain employment or academic benefits.
3. Promises, implied or direct, to give employment or academic benefits if another person engages in sexual activities.
4. Unwelcome and unnecessary touching or other sexually suggestive physical contact, or threats to engage in such conduct.
5. Indecent exposure.
6. Invasion of sexual privacy.

7. Sexual advances, requests for sexual favors, sexual comments and questions, and other sexually oriented conduct that is directed against a specific individual and persists despite its rejection.
8. Conduct, even that not specifically directed at the complainant, which is sufficiently pervasive, severe or persistent to alter the conditions of the complainant's employment or status as a student and create a hostile working or learning environment, when viewed from the perspective of a reasonable person of the complainant's gender.

#### **121.04 Other Violations of the Sexual Harassment Policy**

Other violations of this policy may include, but are not limited to the following:

1. Retaliations against a person who has made a report or filed a complaint alleging sexual harassment, or participated as a witness in a sexual harassment investigation.
2. Disregarding, failing to investigate adequately, or delaying investigation of allegations of sexual harassment, when responsibility for reporting and/or investigating sexual harassment charges comprises part of one's supervisory duties.

#### **121.05 Supervisory Relationships**

No individual who is in a position of authority over another, either in the employment or educational context, has the authority to sexually harass others by virtue of his or her supervisory role. The University does not in any way, expressly or implied, condone the harassment of a student or employee by the supervisor.

#### **121.06 Consensual Relationships**

When one party has a professional relationship towards the other, or stands in a position of authority over the other, even an apparently consensual sexual relationship may lead to sexual harassment or other breaches of professional obligations.

#### **121.07 Reporting Sexual Harassment**

All students and employees are encouraged to report any sexual harassment that they experience, observe, hear about, or believe may be occurring, to any faculty or staff member with whom they feel comfortable. Any person to whom sexual harassment has been reported is responsible for notifying the Title IX officer (X6403). Administrators, directors, and supervisors, in charge of staff members, have a legal obligation to report incidents of sexual harassment to the Affirmative Action officer. From that point forward, the Affirmative Action officer will advise the aggrieved regarding additional steps in the grievance process.

The following offices should be understood to be safe places where students and employees can go to report sexual harassment or receive counseling on how to deal with a sexual harassment issue.

Executive Director of Human Resources Affirmative Action Officer (678) 839-6403	Dean of Students or the Associate Vice President of Student Life (678) 839-6423	Director of Health Services Health Center (678) 839-6452	Title IX Coordinator Human Resources Aycock Hall 678-839-2981
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### **121.08 Violations of the Sexual Harassment Policy**

The University will not tolerate sexual harassment of its students and will promptly investigate all allegations of sexual harassment. Where sexual harassment is found, steps will be taken to end it immediately. In those instances where it is determined that an individual has sexually harassed another, that individual will be subject to appropriate discipline. The level of discipline will depend on the severity of the harassment. If the investigation reveals a pattern of harassing behavior, or the conduct is aggravated, probation or termination may be appropriate.

To make deliberate false accusations of sexual harassment violates this policy. In such instances, the complainant will be subject to disciplinary action. However, failure to prove a claim of sexual harassment does not constitute proof of a false and/or malicious accusation. Non university visitors, guests, patrons, independent contractors or clients who fail to address sexual harassment of which they know or should have known (by their personnel or on premises under their control) of students or employees may be subjected to whatever sanctions the relationship with the organization permits.

### **121.09 Prohibition Against Retaliation**

Students and employees who, in good faith, report what they believe to be sexual harassment, or who cooperate in any investigation, will not be subjected to retaliation. Any student or employee who believes he/she has been the victim of retaliation for reporting sexual harassment or cooperating in an investigation should immediately contact the affirmative Action/Title IX Officer.

### **121.10 Processing Sexual Harassment Reports and Complaints**

All reports and complaints of sexual harassment will be promptly investigated and appropriate actions will be taken as expeditiously as possible. Complaints and reports of sexual harassment should be reported as soon as possible after the incident(s) in order to be most effectively investigated. The University will make reasonable efforts to protect the rights of both the complainant and the respondent. The University will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses in a manner consistent with the University's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations required by law.

Definitions:

Affirmative Action/Title IX Officer – The Affirmative Action Officer is the individual or individuals designated by the President to be primarily responsible for coordinating education and training about sexual harassment to the University community and for investigating reports and complaints of sexual harassment in accordance with this procedure. Name, telephone number and location in the annual notice will identify the Affirmative Action Officer. The Affirmative Action Officer is authorized to designate other appropriately trained individuals to investigate sexual harassment complaints and reports as deemed appropriate.

Decision-making Authority – the Decision-making Authority in cases involving an employee of the University, is the individual to review investigative reports, to make findings whether the sexual harassment policy has been violated based upon the investigation, and to determine the appropriate action for the University to take based upon the findings. The Decision-making Authority will be the appropriate Vice President or his/her designee who has supervisory authority over the Respondent(s) of the sexual harassment complaint or report. If the complaint Respondent is a Vice President, the Authority will be the President. If the complaint Respondent is the President, the Authority will be the Board of Regents.

- A. Sexual harassment between students should be treated as a disciplinary matter and will be processed by the Division of Student Affairs and Enrollment Management.
- B. Investigation and Resolution. The university's complaint process, outlined herein, is the procedure to be used to end inappropriate behavior, investigate for the purpose of fact finding; and facilitate resolution of complaints involving allegations of sexual harassment. The University reserves the right to investigate and resolve a complaint or report of sexual harassment regardless of whether the complainant pursues the complaint. In such cases, the respondent shall be informed of the status of the investigation at reasonable times up until the University's final disposition of the complaint as well as ensuring that the respondent is able to respond to the substance of the complaint during meetings convened by the Decision-making Authority to consider discipline based upon the substance of the investigation report. These procedures do not replace the right of complainants to pursue other options or remedies available under the law.
- C. Informal Process  
The following procedures for informal resolution are optional. The Affirmative Action/Title IX officer shall determine whether and/or how to proceed. The goal of informal resolution is to stop inappropriate behavior, investigate, and facilitate resolutions, if possible.

If a complainant is able and feels safe, he or she should clearly explain to the alleged offender that the behavior is objectionable and request that it cease. The complainant should do so as soon as possible after the incident occurs. The complainant may utilize the assistance of the Affirmative Action/Title IX officer. Communication with the alleged offender may be in person, on the telephone, or in writing.

If a complainant does not feel safe, or if the behavior does not stop, or if the complainant believes some adverse employment or educational consequences may result from the discussion, he or she should go to any member of staff or faculty who is at a higher level of supervision. The supervisor should report the complaint to the Affirmative Action/Title IX officer. The Affirmative Action/Title IX officer will work with the supervisor to facilitate a resolution of sexual harassment complaints at the local level when deemed appropriate.

## **122 Sexual Misconduct**

### **122.01 Coverage**

As a matter of policy, the faculty, staff and students of the University community will not tolerate sexual misconduct.

### **122.02 Definition**

Sexual misconduct is defined as sexual contact without consent by an acquaintance or a stranger and includes, but is not limited to: intentional touching without consent, either of the victim or when the victim is forced to touch, directly or through clothing, another person's genitals, breasts, groin, thighs, buttocks; rape (sexual intercourse without consent whether by an acquaintance or a stranger); aggravated assault; aggravated sodomy (sexual penetration with an object without consent); sodomy (anal or oral intercourse without consent); non-consensual kissing; statutory rape; child molestation; aggravated child molestation; voyeurism; and public indecency. It is a violation of this policy to engage in any form of sexual activity or conduct without the consent of the other person. Such consent may be withdrawn at any time, without regard to activity preceding the withdrawal of consent.

Consent may be found in two forms: actual consent (words, acts, or silence) or apparent consent. Apparent consent must be informed and freely given. The person must act voluntarily and with knowledge of what is occurring. Intoxication, drug use, or other reasons for incapacity are obstacles to consent. A person cannot freely, voluntarily, and with knowledge of the act, be deemed to have consent if she or he is intoxicated, in a drug-induced state, or otherwise incapacitated. The perpetrator's honest but unreasonable belief that the victim has consented does not constitute apparent consent.

### **122.03 Enforcement Procedures**

Any violation of this policy needs to be reported to:

1. University Police at (678) 839-6600
2. Student Health Services (678) 839-6452
3. Title IX Coordinators [http://www.westga.edu/titlenine/index\\_136.php](http://www.westga.edu/titlenine/index_136.php)
4. Carroll Rape Crisis Center (770) 834-7273

## **123 Personal Relationships**

While close working relationships are encouraged among faculty, staff, and students, the University strictly prohibits all faculty and staff, including graduate research assistants, from pursuing sexual relationships with undergraduates who they are currently supervising or teaching. It is misconduct, subject to disciplinary action, for an individual to exercise direct supervisory, evaluation, instructional, and/or advising responsibilities, or participate in hiring, retention, promotion, or award decisions, for someone with whom there exists an amorous relationship or to whom they are related by blood, law, or marriage. Both the fact and semblance of any exploitation must be avoided. The relative difference in power – actual or perceived – in working relationships must be recognized by faculty and staff and not be employed to anyone’s advantage or disadvantage. Even in relationships that appear consensual, both the power and the trust embedded in the role of teacher renders dubious that student’s purported consent.

It is misconduct, subject to disciplinary action for a University employee to engage in sexual activity with any enrolled student of the institution, other than his or her spouse, who is a minor below the age of 18 years.

The University strongly discourages sexual relationships between faculty or administrators and graduate students, as well as between staff members and any subordinates whose work they supervise. Anyone involved in a sexual relationship with someone over whom he or she has supervisory power must recuse himself or herself from decisions that affect the evaluation, employment conditions, instruction, and /or academic status of the subordinate involved.

## **124 Political Activity**

### **124.01 Employees**

As responsible and interested citizens in a democratic society, employees of the University System are encouraged to fulfill their civic obligations and otherwise engage in the normal political processes of society. Nevertheless, it is inappropriate for System personnel to manage or enter political campaigns while on duty to perform services for the System or to hold state or federal office while employed by the System. Therefore, the following policies governing political activities are hereby adopted:

1. Employees may not manage or take an active part in a political campaign while on duty to perform services for which he or she receives compensation from the System.
2. Employees may not hold public or political office at the state or federal level.
3. Employees seeking political office at the state or federal level must first request a leave of absence without pay beginning prior to announcement of candidacy or campaigning and ending after the general or final election. If elected to state or federal office, such persons must resign prior to assuming office.
4. Employees may seek and hold elective or appointive office at other than the state or federal level when authorized to do so by the president of an institution and when



candidacy for or holding of the office does not conflict or interfere with the employees' duties and responsibilities to the institution or System.

## **124.02 Use of Property in Political Campaigns**

The president of each institution may authorize the use of institution facilities for political speeches. However, such use shall be limited to meetings sponsored by recognized organizations of the institution and shall be held only at places designated by the president.

The use of System material, supplies, equipment, machinery, or vehicles in political campaigns is forbidden.

## **125 Emeritus Status for Faculty and Administrative Officers**

### **125.01 Eligibility**

The President may confer, at his discretion, the title of "Emeritus" on any retired professor, associate professor, assistant professor, lecturer, senior lecturer or administrative officer who, at the time of his or her retirement, had ten (10) years or more of honorable and distinguished service at West Georgia. This title may be conferred upon the recommendation of the President of the University of West Georgia ([Section 2.11, Board of Regents Policy Manual, University System of Georgia](#)).

### **125.02 Criteria**

In considering persons from the University of West Georgia for recommendation for the "Emeritus" title, the President shall, in addition to the Board of Regents criteria, base the recommendation upon:

1. Meritorious service.
2. Notable career performance at University of West Georgia.
3. Nomination and recommendation by the appropriate administrative officers in the case of administrative personnel, or by the department, department chair, dean, and the Provost and Vice President for Academic Affairs in the case of faculty members.

Nominations may be submitted only after the employee has retired.

## **126 Drug-Free Workplace Policy**

As a recipient of Federal funds, University of West Georgia supports and complies with the provisions of the Drug-Free Workplace Act of 1988. University of West Georgia expects faculty and staff to meet appropriate standards of performance, to observe basic rules of good conduct and to comply with Institutional Policies and Procedures. In the discharge of its responsibilities as an employer, University of West Georgia aggressively promotes and requires a drug free

workplace among its faculty and staff. The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs by employees of University of West Georgia is prohibited by Institutional Policy.

Each employee convicted for felony and/or misdemeanor drug violations of a criminal drug statute will be subject to strong disciplinary action, up to and including termination of employment, or may be required, at the discretion of the University, to participate satisfactorily in a drug abuse or rehabilitation program.

In accordance with the Drug-Free Workplace Act of 1988, all University employees must as a condition of employment (i) abide by the University's policy on controlled substances, and (ii) inform the University of any conviction for violating a criminal drug statute in the workplace within 5 days after such conviction.

A current list of available drug counseling, rehabilitation, or treatment centers is maintained by Human Resources for employees who desire information regarding such programs or facilities.

## **127 Faculty Workload**

**127.01** Faculty are expected to teach a minimum of four 3-hour courses or the equivalent per semester unless a portion of that time is reassigned by the dean for administrative, research, or other purposes

**127.02** Faculty are expected to assume their fair share of academic advising, and program, departmental, school, college, and university committee work.

**127.03** Faculty are expected to accept a reasonable share of institution-wide service activities, including institutional governance when selected. However, faculty are also expected to exercise prudence in accepting such service, so that they are not taking on a disproportionate or unduly burdensome load that interferes with teaching and research.

**127.04** Faculty are expected to have an on-going research and professional development agenda, to share the agenda with their department chair or equivalent, and to make progress annually in addressing the agenda.

**127.05** Faculty are expected to engage in public and professional service activities as time and opportunity allow.

**127.06** Faculty are expected to average no more than one day a week in any approved outside employment.

**127.07** Faculty may not be paid for teaching overloads during the regular academic year and will not be assigned overloads unless they are agreeable and compensatory time is provided within the subsequent two-semesters. Please refer to the BOR Faculty Overloads and Instructional Staff

Responsibilities ([Section 4.10, Academic and Student Affairs Handbook, University System of Georgia](#)).

**127.08** Summer teaching is optional, depends on need, and is limited to no more than 9 credit hours for the summer semester.

### **128 Resignation/Retirement Letters**

Faculty members intending to resign or retire should apprise the department chair of their intention as early as possible. The chair should apprise the dean.

At the point that plans are certain, faculty should write to the President, stating their decision and the effective date of their retirement/resignation. They should send copies to the chair, dean, and Provost and Vice President for Academic Affairs.

The chair, dean, or Provost and Vice President for Academic Affairs should immediately inform the President of any concerns related to a faculty member's retirement/resignation letter.

## **Section 200 POLICIES AND PROCEDURES RELATED TO TEACHING RESPONSIBILITIES**

### **201 Classroom Procedures**

201.01 All syllabi at the University of West Georgia must include the following information: Course title, course learning outcomes, course description, course number and section, term, number of credit hours earned for successful completion, method and mode of delivery (e.g., percentage online versus face-to-face instruction), instructor information (name, office location, contact information, and office hours), required reading(s), software, hardware, and other materials (if applicable), and the system of evaluation and grading.

Each instructor must make the syllabus available to each student on or before the first day of class, and provide access to all course syllabi to the appropriate department office. Each syllabus must include a link to the online University of West Georgia document titled “Common Language for Course Syllabi”

(<https://www.westga.edu/administration/vpaa/common-language-course-syllabi.php>). The following paragraph provides suggested language for insertion in all course syllabi. Faculty may wish to adjust the language, but the link to required information must be in each syllabus.

Students, please carefully review the following information at this link

[<https://www.westga.edu/administration/vpaa/common-language-course-syllabi.php>]. It contains important material pertaining to your rights and responsibilities in this class. Because these statements are updated as federal, state, and accreditation standards change, you should review the information each semester.

201.02 Syllabi for courses that are part of the Core Curriculum must include a statement of the learning outcomes of the relevant section of the Core Curriculum, and the content in each of these courses must adhere to these Core Curriculum learning outcomes.

201.03 Faculty shall include in their syllabi a link to the university's statement on academic dishonesty and the honor code: <https://www.westga.edu/administration/vpaa/common-language-course-syllabi.php>. It is the student's responsibility to comply with the university guidelines on academic honesty regardless of whether or not an instructor reminds students of these policies in class or on a course syllabus. However, faculty members are encouraged to define for their students, either in a course syllabus or in written guidelines presented in class or in electronic form, the standards of proper academic conduct, and what assistance is permissible in the preparation of reports, term or research papers, and outside projects, including policies for the use of materials prepared by the student for other courses and standards of academic honesty on tests.

201.04 Faculty members should promptly return all students' graded academic work. In the case of final exams and other end-of-term work that cannot easily be returned to students, faculty members should keep this work on file for at least one semester and allow each student to review his or her work upon request, in accordance with the USG policy on records retention (USG Records Management and Archives policy 0472-06-012: [http://www.usg.edu/records\\_management/schedules/934](http://www.usg.edu/records_management/schedules/934)).

201.05 Faculty members with instructional responsibility must allow students to evaluate the course and quality of instruction in the final two weeks of classes. For more detail on the evaluation form and procedures, see Section 103.06.

201.06 In the case of student absences, instructors have full discretion over all makeup work assignments. Short-term excused absences: Students who will miss class while officially representing the University in sanctioned events or for religious holidays must consult with their instructors about anticipated absences. Students shall be accommodated, as the professor deems reasonable.

Instructors must grant excused absences to students who must miss class in order to vote in a national, state, or local election ([Section 4.1.3, Board of Regents Policy Manual, University System of Georgia](#)).

Long-term absences: Students who are absent for more than a week of class are required to do all of the following if they want to request accommodation or the opportunity for make-up work must notify the instructor. Regardless of the reason for the absence, each student is responsible for the material covered in class, for completing any assignments, and for making specific arrangements with the instructor for any work missed. The degree to which missed work can be made up will depend upon the nature of the work and its intended purpose.

Any student who is unable to continue attendance in class should examine available options (i.e. make appropriate arrangements with the instructor, drop the course (during the Drop/Add Period

only), withdraw from the course, hardship withdrawal for the semester, or withdraw from the University).

201.07 If a faculty member is absent for a prolonged period, he or she shall, with the approval of the department chair or dean, provide for alternative means of delivery of course material.

In the event of emergency situations (such as weather-related closings) in which classes are cancelled due to university policy, faculty are responsible for communicating with students regarding alternative means of meeting the course learning outcomes.

## **202 Record of Student Absences/Attendance**

All faculty (teaching face-to-face and/or online courses) shall state their attendance expectations and requirements in the syllabus. Instructors of online courses should define attendance based upon students accessing the course via the online platform or by other action as specified by the instructor.

Faculty must accurately identify students who never attended the course prior to the deadline for roster verification. Faculty wishing to drop a student during the Drop/Add period must contact the Registrar's Office.

Per the Class Roster (203) policy, faculty must indicate on each class roster the attendance of all students. Accurate attendance information is important for a variety of stakeholders, including Financial Aid (accuracy of aid issued and Title IV regulations), Student Affairs (housing, health services, etc.), and Business and Finance (withdraw refunds).

Verification of attendance is also important because grades of I, U, or F require entering a last date of attendance per the Registrar's Office. Faculty will not be able to submit grades until this field is populated for these grades (I, U, or F). All other grades (A-D or S) do not require a last date of attendance.

Excused absences: Students are encouraged to vote in all federal, state, and local elections. Board of Regents' policy states: "A student whose class schedule would otherwise prevent him or her from voting will be permitted an excused absence for the interval reasonably required for voting" (BOR Minutes, 1977-78, p. 245) ([Section 4.1.3, Board of Regents Policy Manual, University System of Georgia](#)).

## **203 Class Rolls**

On the first day of class and during the Drop/Add Period, the instructor should check the BanWeb class roll for students officially enrolled in his/her courses.

An email announcement is sent to all faculty when official class roll verification must be done. Faculty indicate on each class roll those students who have never attended and those students who have attended.

Under no circumstances should a student be permitted to remain in class unless his or her name appears on the official class roll. The student should be sent to the Registrar's Office to determine why his/her name is not on the roll.

Certain courses such as colloquia, special topics, and directed readings provide for a varying number of hours of credit and a specific title. If such a course is being created for an individual student, the student must obtain an independent study form from the instructor, have it approved by the department chairperson and submit it to the Registrar's Office during registrations or the Drop/Add Period. Faculty members teaching these courses should check their rolls carefully and report to the Registrar's Office any discrepancy in number of hours, names of students working with the professor and specific titles of the course. This information must be reported to the Registrar at the time designated by the Registrar. Some of the information is required to bill the student for the proper amount of fees.

## **204 Reporting Grades and Withdrawal Policy**

### **Reporting Grades Procedure:**

The University of West Georgia follows the uniform grading system of the University System of Georgia ([Section 3.5, Board of Regents Policy Manual, University System of Georgia](#)). Final grades should never be posted publicly, as this is prohibited under Family Educational Rights and Privacy Act of 1974.

Final grades are entered on BanWeb at the end of each term. Detailed instructions for reporting grades on BanWeb can be found on the [Registrar's Faculty and Staff Resources web page](#). Faculty members are expected to meet the announced deadlines for entering final grades. For each course, faculty members will receive an email that confirms all grades have been successfully submitted or an email that indicates grades are missing.

### **Change Grade Procedure:**

Grade Changes can be done in BanWeb until time listed by Registrar's office on the official due date each term. ALL Grades Changes after the deadline will require a Grade Change Form. The instructor, department chair, and the Registrar's Office must approve the grade change.

### **Incomplete Work Procedure:**

A grade of "I" may be given in lieu of a final grade when a student with work of an acceptable quality (at least a D) is unable to complete the course requirements or take the final examination for non-academic reasons beyond his or her control. Please contact your department chair, program director, or college/school dean for specifics regarding the Incomplete Grade Form. It is the responsibility of the student receiving an "I" to arrange with the instructor (or the department chair/program director if the instructor is not available) to complete the required work. An undergraduate student must coordinate with the faculty member to resolve an "I" during the succeeding semester of enrollment or within one year, whichever comes first; otherwise, the grade will be changed to "F." Graduate students must coordinate with the faculty member to resolve an "I" within one calendar year or the "I" becomes an "F." A student

completing the work for a course in which an “I” was received should never re-enroll in the course in a subsequent semester.

### **204.01 Hardship Withdrawal Policy**

Students may request a hardship withdrawal after the official withdrawal Drop/Add deadline published in the UWG semester term calendar until the Friday immediately prior to the final week of the term.

#### **What warrants a Hardship Withdrawal?**

A hardship withdrawal is an exception based on unusual or emergency circumstances beyond the student's control. Categories of hardship include physical, psychological, and personal.

Documentation for a hardship withdrawal is based upon the category of hardship claimed by the student. Examples of documentation might include the following:

- Physical: Physician's report, including name, address, phone number, nature of illness or accidents, dates of treatment, prognosis, and recommendation.
- Psychological: Memo from the Counseling Center counselor or letter from private psychological or psychiatric service, illness, and dates.
- Personal/Familial: Copy of divorce papers, police reports, obituaries, other as relevant.

A list of invalid reasons for a hardship withdrawal is provided in the Hardship Withdrawal Policy, located in the [University of West Georgia Student Handbook](#).

#### **What is the process for receiving a hardship withdrawal?**

University of West Georgia undergraduate and graduate students may request a hardship withdrawal or may be administratively withdrawn from the university. Please see the University of West Georgia [Registrar's Office website](#) and [University of West Georgia Student Handbook](#) for details. Students must initiate a hardship withdrawal using the [Request for Hardship Withdrawal form](#) found on the [website of the Provost and Vice President of Academic Affairs](#).

### **204.02 Limited Course Withdrawals**

Undergraduate students may withdraw from courses with a grade of “W” a maximum of six times during their entire undergraduate enrollment at the University of West Georgia. After the limit of six withdrawals is reached, students are permitted to request exceptions only for circumstances beyond their control. Please see the University of West Georgia [Registrar's Office Website](#) for details.

Students must withdraw from courses during the Withdrawal “W” Period, as noted on the Registrar’s Calendar. Retroactive withdrawals for prior terms are not permitted. The Withdrawal “W” Period typically begins after Drop/Add and closes at mid-term. Grades of “W” do not count toward the grade point average.

See the Registrar's Limited Course Withdrawals website for examples of the different types of allowable withdrawals and the financial or academic consequences that may result from these withdrawals.

## **205 Final Examinations**

Final examinations are held at the end of each term in accordance with a published schedule. No final examinations may be given in advance of the date scheduled unless authorized by the dean of the appropriate college. If a student has more than two final exams scheduled in a single day, he or she may reschedule all but two of them through the cooperation of faculty members, department chairs, college deans, and if necessary, the Office of the VPAA.

## **206 Academic Honesty/Dishonesty**

### **Academic Honor at West Georgia**

Academic honesty is essential in preserving one's own integrity, the integrity of the institution, and in gaining a true education. The UWG Honor Code states that "we believe that academic and personal integrity are based upon honesty, trust, fairness, respect and responsibility." The code further states that UWG students assume responsibility for upholding the honor code and that they "pledge to refrain from engaging in acts that do not maintain academic and personal integrity. These include, but are not limited to, plagiarism, cheating, fabrication, aid of academic dishonesty, lying, bribery or threats, and stealing."

Just as complete honesty should be the instructor's standard in his or her presentation of material, this same standard should be demanded from students when they complete assignments. (For example, tests, reports, projects, and term papers.) Every instructor has the responsibility to inculcate in students the ideal of academic honesty and to take all practical precautions against its violation. The instructor or advisor should communicate with the student whom he or she suspects of violating the Honor Code. The instructor/advisor should inform the student of the academic penalty he or she intends to institute per the syllabus ([UWG Student Handbook](#)).

Academic dishonesty on the part of the student shall be interpreted to mean cheating, i.e., the obtaining and using of information during an examination by means other than those permitted by the instructor, including the supplying of such information to other students. Academic dishonesty shall also include plagiarism, i.e., the purchase and use of ghost-written papers and reports, or excessive collaboration (incorporating into a report, term theme, research paper, or project, ideas and information obtained from another resource or person without giving credit to resource or the person from whom such information was obtained). Further, inclusion of the published or unpublished writings of another person without duly noting these sources according to normal scholarly procedures shall be considered plagiarism. No material prepared to meet the requirements in one course may be used to fulfill the requirements in another without permission of the instructor.



All faculty members should promote academic honesty, not only through their own standards of scholarly conduct, but also by anticipating conditions which may lead to dishonesty on the student's part. Suspicion is not a sound basis for a healthy educational environment, and the instructor must judge those instances where his or her trust will encourage responsibility rather than cheating.

Each college or school should utilize best practices to discourage academic dishonesty.

In cases of suspected academic dishonesty, the instructor will communicate the concerns with the student. After communicating with the student, the instructor should send a brief report of the case, including the breach of academic integrity and supporting documentation to the Office of Community Standards. The case then becomes part of the student's conduct record at UWG. The submitted report will be automatically forwarded to the Associate or Assistant Dean of the College/School or Library in which the alleged incident took place ([UWG Student Handbook](#)). The student may appeal this action to the department chair and through regular administration channels to the Grade Appeals Subcommittee of the Academic Policies and Procedures Committee ([please see Section 207 of the Faculty Handbook](#)).

## **207 Academic Appeals**

### **207.01 Confidentiality**

Due to the sensitive nature of any appeals hearing, confidentiality will be respected in a manner consistent with relevant state law and University System of Georgia policy.

### **207.02 Categories of Academic-Based Appeals**

There are three categories of academic-based appeals. All three are initiated by the student.

- Admission to the University (Section 207.03)
- Grade Appeals (Section 207.04), of which there are two kinds: Academic Dishonesty Grade Appeals and Grade Determination Appeals
- Academic Suspension or Academic Dismissal from the University (Section 207.05). Academic suspension (term or one year) or academic dismissal may only be reviewed through a grade appeal (207.04) or hardship withdrawal (204.01).

Sections 207.03 and 207.04 identify the two university committees established to hear admission appeals and grade appeals and include the general processes and procedures that should be followed. Given the variability and uniqueness of individual circumstances, the chairperson of a respective committee may, in consultation with respective parties, suggest alternative actions/processes as issues present themselves.

- Committee for Admission Appeals
- Committee for Grade Appeals

### 207.03 Appeals of Admission to the University

- A. **Applicants.** Undergraduate applicants to the university who have been denied admission or readmission may appeal that decision by submitting an appeal to the Admission Appeals committee. Applicants are advised to communicate with the Office of Undergraduate Admissions for instructions. Graduate applicants who are denied admission to a graduate program may appeal that decision by submitting an appeal to the relevant College or School.
- B. **The committee for Admission Appeals.** The Admission Appeals committee hears appeals made by undergraduate applicants for admission or readmission to the university.
1. **Summary.** After a student has petitioned the appropriate administrative officials in the Office of Undergraduate Admissions, he or she has the right to appeal an adverse decision by such officials in cases of admission or related matters. Appeals must be made in writing with supporting evidence, as determined by the Admissions Appeals committee.
  2. **Responsibilities of the Admission Appeals Subcommittee.** The Admission Appeals committee hears appeals made by undergraduate applicants for admission or readmission to the university.
    - a. **Appeal(s) Hearing.** Appeal(s) hearings may be scheduled regularly or as needed.
      - i. The Director of Admissions (or designee) will be responsible for distributing appropriate materials to committee members and for scheduling each appeal(s) hearing.
      - ii. The Admissions Appeals committee chairperson will be responsible for chairing the hearing and for conveying recommendations of the committee in writing to the Director of Admissions.
    - b. **Electronic Polling.** At the discretion of the chairperson, an electronic poll of the committee will suffice in lieu of an appeal(s) hearing.
  3. **Admission Appeals committee Membership.** The committee shall consist of seven faculty members (one from each college, the School of Nursing, and the Library) and four university officials. The university officials are: the Associate Vice President for Enrollment Management (voting), the Registrar (voting), the Director of The Center for Academic Success (voting), and the Director of Admissions (non-voting).
    - a. **Chairperson.** The Associate Vice President for Enrollment Management shall serve as the chairperson of the Admission Appeals committee.
    - b. **Faculty Members.** Each Dean, in consultation with the chairperson of the Admission Appeals committee, will appoint a faculty member to the committee. Appointments shall be made in May to replace faculty members whose terms have expired. An appointment to fill a vacancy should be made when the vacancy occurs.
      - i. **Length of Service.** Faculty members serve two-year (staggered) terms starting with the summer semester.
      - ii.

- ii. **Timing of Appointment.** Deans shall make appointments in May to replace faculty members whose terms have expired. An appointment to fill a vacancy shall be made when the vacancy occurs.
    - c. **Quorum.** Any five members of the committee, at least three of whom must be faculty, shall constitute a quorum. In the case where a quorum is not available and the appeal(s) hearing cannot be delayed, the chairperson may request that the Provost or Associate Vice President for Enrollment Management appoint substitutes to serve on a temporary basis.
- C. Ultimately, final authority for all student appeals rests with the president of the institution. ([See Section 4.7.1. Board of Regents Policy Manual, University System of Georgia](#)).

## 207.04 Grade Appeal

### A. Summary.

1. **The Committee for Grade Appeals.** The Grade Appeals committee hears both Academic Dishonesty Grade Appeals and Grade Determination Appeals. The grade appeal procedure is explained in Section 207.04(F). Fairness and procedural safeguards are listed in Section 207.04(G).
2. **Student's Right to Appeal.** Students have the right to appeal a grade by initiating an Academic Dishonesty Grade Appeal or Grade Determination Appeal with the chair of the department, or the associate dean if a chair of the department does not exist, that offers the course.
3. **Timetable for Grade Appeals.** Grade appeals shall be initiated by the student no later than the end of the semester following the assignment of the grade and concluded no later than one year (12 calendar months) after the assignment of the grade

### B. Definitions. There are two kinds of grade appeals.

1. **Academic Dishonesty Grade Appeal.** If the faculty member assigned the grade due to an allegation of cheating, plagiarism, or some other act of academic dishonesty and the student wishes to pursue the appeal, his or her case should be considered an Academic Dishonesty Grade Appeal.
2. **Grade Determination Appeal.** If the reasons underlying the appeal are based on policy disagreements or alleged charges of arbitrary or unfair treatment by the involved faculty member, the appeal should be considered a Grade Determination Appeal.

### C. Responsibilities of the Grade Appeals committee. The Grade Appeals committee hears both Academic Dishonesty Grade Appeals and Grade Determination Appeals. The chairperson of the committee will be responsible, in conjunction with the Office of the Provost and Vice President for Academic Affairs, for distributing appropriate materials to committee members, for announcing in advance the time and place of each scheduled

appeal(s) hearing, and for conveying recommendations of the committee in writing to the Provost (or Provost's designee).

1. **Academic Dishonesty Grade Appeals.** In cases where there are allegations of academic improprieties, it is assumed that these cases will be related to the course. It would be expected that a faculty member who has noted improprieties would have taken some form of corrective action (see Section 206).
  - a. The purpose of the Grade Appeals committee in hearing this type of student complaint is (1) to determine if academic improprieties did take place and (2) to review the appropriateness of the faculty member's corrective action as it relates to final grade assignment.
  - b. Fairness and procedural safeguards for Academic Dishonesty Grade Appeals, Section 207.04(G)(1)(c), state that the burden of demonstrating a preponderance of evidence shall rest upon the officials or faculty member who originated an action against a student or assigned for cause a particular grade.
2. **Grade Determination Appeals.** Educational institutions have the responsibility for evaluating students by standards and using a grading system that is publicized and known to faculty and students. The responsibility for determining the grade of each student rests on the faculty member who has responsibility for teaching the course in which the student is enrolled. If a student feels unfairly treated by a faculty member in terms of the assignment of the final course grade, the student can initiate a Grade Determination Appeal.
  - a. The purpose of the Grade Appeals committee hearing this type of student complaint is to review the totality of the student's performance in relationship to his or her final grade.
  - b. Fairness and procedural safeguards for Grade Determination Appeals, Section 207.04(G)(2)(c), state that the burden of demonstrating a preponderance of evidence of arbitrary or unfair grading rests on the student. The student should realize such a charge is a serious one and refrain from taking capricious action.

**D. Membership of the Grade Appeals committee.** The committee shall consist of seven faculty members (one from each college, the School of Nursing, and the Library), one University official, and one student.

1. **Chairperson.** The University official shall serve as the chairperson of the Grade Appeals committee.
2. **Faculty Members.** Each Dean, in consultation with the chairperson of the Grade Appeals committee, will appoint a faculty member to the committee each year.
  - a. **Length of Service.** The length of service on this committee shall be for two-year (staggered) terms starting with the fall semester.
  - b. **Timing of Appointment.** Deans shall make appointments in May to fill expired terms. An appointment to fill a vacancy shall be made when the vacancy occurs.
3. **Quorum.** Any four members of the committee, not including the chair, and at least three of whom are faculty, shall constitute a quorum. In the case where a

quorum is not available and the appeal(s) hearing cannot be delayed, the chairperson may request that the Provost appoint substitutes to serve on a temporary basis.

4. **Role of the Assistant Dean of Students/Coordinator of Community Standards.** For Academic Dishonesty Grade Appeals, the Assistant Dean of Students/Coordinator of Community Standards of the University will be invited to sit on the committee to ensure that all due process requirements are met.

E. **Faculty Availability for Grade Appeal Decisions.** If a faculty member is unavailable when a grade appeal is underway, a faculty-ranked administrator may assume the faculty member's place in the decision-making process in the following circumstances.

1. **Permanently Unavailable.** If a faculty member is permanently unavailable for a grade appeals hearing because he or she is no longer employed by the University, the Department Chair or the associate dean if a chair of the department does not exist, is responsible for the grade and will attend the hearing. In such a case, the Department Chair is acting instead of the faculty member who assigned the grade.
2. **Temporarily Unavailable.**
  - a. **Decision Outcome is Not Time Sensitive.** If a faculty member is temporarily unavailable, for example, on temporary leave, out of the country, or ill, and the outcome of the hearing does not affect a student's continued enrollment, financial aid, or graduation, the grade appeal hearing will be delayed until the faculty member returns.
  - b. **Decision Outcome is Time Sensitive.** If a faculty member is temporarily unavailable and the outcome of the hearing does affect a student's continued enrollment, financial aid, or graduation, the grade appeal hearing will not be delayed. Under such circumstances, the faculty member will be represented by his or her college/school/library Dean (or Dean's Designee), rather than the Department Chair, or the associate dean if a chair of the department does not exist. The Chairperson of the Grade Appeals Committee shall schedule an appropriately timed hearing with the Dean/Designee. Given these circumstances, and in the event of finding for the involved student, the Dean/Designee is authorized to make the appropriate grade change or other remedies congruent with the appeal finding.

F. **Procedures.** The student is encouraged to present their concerns to the faculty member regarding their grade. If dissatisfied with the discussion with the faculty member the student can initiate a grade appeal in writing, using the Student Grade Appeal Form.

1. **Procedural Summary.** Grade appeals begin at the level of the Department Chair.
  - a. **Department Chair,** or the associate dean if a chair of the department does not exist. Upon receipt of the written grade appeal, the Chair (1) consults with the student, (2) determines whether the grade appeal should be considered as an Academic Dishonesty Grade Appeal or a Grade Determination Appeal, (3) shares the grade appeal with the faculty member and after review the faculty member may (but is not required to)

submit a narrative and any supporting documentation, (4) examines the available documentation and (5) grants the appeal and changes the grade, or denies the appeal. The Chair notifies the student of the decision in writing. If the Chair denies the appeal, the written notification to the student should explain the student's right to appeal to the Dean (or Dean's designee). If the appeal is denied, the student may accept the decision and end the appeal process, or request that the appeal and all associated documentation be forwarded to the Dean (or Dean's designee).

- b. **Dean (or Dean's Designee).** The Dean/designee reviews the appeal and grants or denies the appeal. The Dean/designee notifies the student of the decision in writing. If the Dean/designee denies the appeal, the written notification to the student should explain the student's right to appeal to the Office of the Provost and Vice President for Academic Affairs. If the appeal is denied, the student may accept the decision and end the appeal process, or request that the appeal and all associated documentation be forwarded to the Provost (or Provost's designee).
- c. **Provost (or Provost's Designee).** The Provost/designee submits the appeal to the chairperson of the Grade Appeals committee for a hearing.
- d. **Grade Appeals committee.** At the conclusion of the hearing of the Grade Appeals committee, the chairperson of the committee will submit in writing conclusions and recommendations to the Provost/designee for information, review, and additional action. (For example, change of grade or further judicial sanctions). The Chair shall only vote to break a tie. If a majority of the members of the Grade Appeals committee does not grant the appeal, the decision of the Dean stands. Ultimately, final authority for all student appeals rests with the president of the institution. ([See Section 4.7.1, Board of Regents Policy Manual, University System of Georgia](#)).

## 2. **Timetable of Appeals**

- a. **Academic Dishonesty Grade Appeal.** This appeal is defined in 207.04(B)(1). An Academic Dishonesty Grade Appeal may be made as soon as a grade penalty on the grounds of academic dishonesty has been levied against a student. The appeal must be concluded no later than one year (12 months) after the grade is assigned.
- b. **Grade Determination Appeal.** This appeal is defined in 207.04(B)(2). A Grade Determination Appeal shall be initiated after the final course grade is assigned, but no later than the end of the semester following the assignment of the grade, and concluded no later than one year (12 months) after the final course grade is assigned.

- 3. **Documentation Required for the Appeal.** A student must submit the Student Grade Appeal Form and any supporting paperwork to the Department Chair.

## G. Fairness and Procedural Safeguards

- 1. **Academic Dishonesty Grade Appeals.** In order to guarantee fairness and proper procedural safeguards for all concerned, the subcommittee shall be guided by the following procedures:

- a. The committee will hear a case only if the student has exhausted all administrative remedies through the appropriate department chair and his or her college/school/library dean
  - b. The committee chairperson will consult with both the faculty member and student concerning the hearing procedures, the time, date, and place of the hearing and will ensure relevant materials reach all parties in a timely fashion.
  - c. The burden of demonstrating a preponderance of evidence shall rest upon the officials or faculty member who originated an action against a student or assigned for cause a particular grade.
  - d. The student appearing before the subcommittee shall have the right to be assisted by an advisor of his or her choice.
  - e. During the hearing the student shall have the opportunity to testify and to present evidence and witnesses on his or her behalf. He or she shall have opportunity to hear and question adverse witnesses. In no case shall the committee consider statements against a student unless the student has been given an opportunity to rebut unfavorable inferences that might otherwise be drawn.
  - f. All matters upon which a decision will be based must be introduced at the proceeding before the committee. Any conclusions drawn by the committee shall be based solely upon such evidence.
  - g. In the absence of a transcript, an audio recording of the hearing shall be made.
  - h. Appellants who fail to appear after proper notice will have their cases heard in absentia. The chairperson of the committee will submit in writing conclusions and recommendations to the Provost and Vice President for Academic Affairs (or Provost's designee).
2. **Grade Determination Appeals.** In order to guarantee procedural fairness to both the student and the faculty member involved, the following procedures shall guide such hearings:
- a. The committee will hear the case only if the student has exhausted all administrative remedies through the appropriate department chair and his or her college/school/library dean.
  - b. The committee chairperson will consult with both the faculty member and student concerning the hearing procedures, the time, date, and place of the hearing and will ensure relevant materials reach all parties in a timely fashion.
  - c. The burden of demonstrating a preponderance of evidence of arbitrary or unfair grading rests on the student. The student should realize such a charge is a serious one and refrain from taking capricious action.
  - d. Both the student and faculty member shall be given an opportunity to present his or her case and to refute the case presented by the other.
  - e. All matters upon which a recommendation will be based must be introduced during the hearing before the committee. Recommendations shall be based solely upon such evidence.

- f. Appellants who fail to appear after proper notice will have their cases heard in absentia.
- g. The chairperson of the committee will submit in writing conclusions and recommendations to the Provost and Vice President for Academic Affairs (or Provost's designee).

### **207.05 Appeals of Academic Suspension or Academic Dismissal from the University**

Academic suspension (term or one year) or academic dismissal may only be reviewed through a grade appeal (207.04) or hardship withdrawal (204.01). The suspension or dismissal will not be overturned until the grade appeal or hardship withdrawal has been processed.

### **208 Faculty Office Hours**

Recognizing that courses are delivered using both online and face-to-face formats, office hours should reflect the approach used by students to communicate within a particular course. This may include setting in-office hours and/or establishing weekly virtual office hours. In accordance with [Section 2.18 Academic and Student Affairs Handbook, University System of Georgia](#), the instructor and student should make every effort to be available during instructor's office hours for discussion of the student's academic standing prior to the midpoint of the total grading period (particularly for classes that use subjective grading). Conferences at other hours should be available by appointment for the mutual conveniences of students and the faculty member. Faculty must establish office hours in accordance with their academic unit and must note them on the class syllabus. The result must lead to effective and timely communication with students.

### **209 Field Trips**

Field trips are of recognized value in the educational process, but it should be recognized that a problem arises if a student is asked to miss other classes to make the trip. Field trips should have the approval of the dean of the appropriate college, who should be provided with a list of the students who are to participate, the time of departure, expected time of return, and purpose of the trip. When field trips have been approved, the instructor should provide each student who is to participate with a notice that may be shown to those other instructors from whose class the participant will be absent.

Whenever practical, the university bus or vans should be used as the means of transportation for field trips. Drivers of personal automobiles on trips carrying University students are liable for damages for negligence, just as they would be under other circumstances. (See "Faculty Liability," and "Use of Buses and Vans" in this handbook.)

### **210 Procedures for Effecting Curriculum Changes**

The Undergraduate Academic Programs Committee of the Faculty Senate is charged with the responsibility of reviewing each proposal for a change in the undergraduate curriculum (adding,



dropping, or modifying course offerings, degree programs, or majors). The committee recommends approval of the proposed change in degree programs, certificate programs or majors to the Senate. Changes in undergraduate courses which do not impact the substance of an academic program or major do not require Senate action and, once approved by the committee, will be sent to the Provost and Vice President for Academic Affairs. These course approvals are taken to the Senate on information purposes. The Senate Committee on Graduate Studies has similar responsibilities with respect to graduate courses and programs. Courses which are cross listed as both undergraduate and graduate courses require approval of both the Undergraduate Academic Programs Committee and the Committee on Graduate Studies.

Proposals for curriculum changes are normally initiated by an approved advisory group or a department and require approval by the departmental faculty and the appropriate college dean. Undergraduate changes are sent by the dean to the Undergraduate Academic Programs Committee. Graduate curriculum changes require the approval of the graduate faculty of a college (or the advisory board authorized in the by-laws of the college) and the appropriate college dean before being sent to the Committee on Graduate Studies. Cross-listed undergraduate/graduate courses need the approval of both the undergraduate and graduate committees.

The form and content of the documentation required to obtain Senate Committee approval can be obtained from the dean of the appropriate College.

Proposals must be sent to the committee before November 1 if the proposed changes are to be printed in the next edition of the University catalog.

## **211 Policies Governing Textbook Selection and Ordering**

(Approved by Faculty Senate October 13, 2017)

Faculty may require students to purchase textbooks. All textbook orders, either required or recommended, by faculty must be sent to the University Bookstore by the designated bookstore due date, prior to the beginning of the semester. Early textbook adoptions are highly recommended to allow the University Bookstore time to locate used copies of books to sell as “used” or “rental” to reduce student costs.

Changes to bookstore orders will require approval from either the professor or department chair. The University Bookstore is responsible for accurate record keeping and for proper inventory management to ensure that the needs of the faculty and students are met.

A consideration of student costs by faculty is essential during the textbook adoption process in order to offer the best value to students. Faculty should order textbook bundles only if the supplements included in the bundle are necessary. In addition, new editions of textbooks should be required only if a substantive change in the content exists, as textbooks should be adopted for as long as possible (multiple semesters). Faculty should also consider the use of various

technological innovations to reduce overall textbook costs such as electronic textbooks (eBooks), online textbooks, open-source materials, and institutionally produced materials.

Ideally, all sections of a multi-sectioned course should use the same textbook to reduce student costs. Every department, school or college is urged to make a conscientious effort to hold to a minimum the number of different texts used in different sections of a multi-sectioned course.

Faculty may require textbooks authored by themselves and immediate family members with approval of a third-party reviewer (e.g., Dean, Associate Dean, or Department Chair). The third-party reviewer should be satisfied that the work is equivalent in quality to other texts available. Under no circumstances should a faculty member, or their immediate family, have any financial interest in the publishing company or take advantage of financial incentives such as the assignment or reselling of textbooks by publishers ([Section 2.19, Academic and Student Affairs Handbook, University System of Georgia](#)).

## **212 Faculty Absences**

If absences prevent a faculty member from providing the required minimum number of hours of instruction during a course's designated class meeting times, the faculty member must make alternative arrangements for providing this instruction. It is the responsibility of the faculty member's college or school to ensure that the required number of hours of instruction are provided (according to [Section 3.4.4, Board of Regents Policy, University System of Georgia](#), one credit hour is defined as 750 minutes of instructional time).

## **213 Faculty Liability**

The Board of Regents maintains professional liability coverage which is designed to protect employees of the University System against possible claims arising from activities associated with their employment. Although the coverage extends to general liability, it specifically *excludes* the operation of motor vehicles. University-owned motor vehicles and mobile equipment are covered by liability insurance.

The Office of the Vice President for Business and Finance should be notified when there is the slightest reason to expect legal action to be taken on the part of the injured party. (Revised May 27, 1983 by Faculty Senate)

## **214 Release of Information about Students**

(Article V. Section 1, *Policies and Procedures*)

Students of the University of West Georgia have the right to assurance that their academic records, compiled and maintained by the University, will be recorded accurately and maintained in confidence in accordance with the provisions of the privacy of information act ([Family Educational Rights and Privacy Act of 1974](#)).

Transcripts of educational records shall contain only information about academic status, except that disciplinary action shall be recorded in cases where it affects the student's eligibility to reregister.

Disciplinary and counseling files shall be maintained separately from academic records and shall not be available to an authorized persons on campus nor to any person off campus without the written consent of the student involved, except under legal compulsion or in cases where the health or welfare of persons or the safety of property are involved or when parents of dependent students execute a notarized affidavit obtained from the Registrar.

No record shall be kept which reflects the political activities or beliefs of students. Provision shall be made for periodic routine destruction of noncurrent disciplinary records when appropriate administrative authorization is granted by the university.

The University shall make every endeavor to keep the student's record confidential and out of the hands of those who would use it for other than legitimate purposes. All members of the faculty, administration, and clerical staff must respect the confidential nature of the student's record. At the same time, the University shall be flexible enough in its policies not to hinder the student, the institution, or the community in their legitimate pursuits.

## **215 Faculty-Student Relationships**

(see Section 109)

## **SECTION 300 POLICIES AND PROCEDURES RELATED TO SERVICE RESPONSIBILITIES**

### **301 Advisement**

The faculty advisor should bear in mind the extreme importance of his or her role and know the degree requirements of their individual programs.

The advisor should make every effort to assist the student and, if necessary, refer the student to the appropriate campus agency. The advisor functions in a strictly advisory capacity and should not attempt to force adherence to the advisor's wishes. Although the advisor is expected to know university policy and curricula, it is the student's responsibility to fulfill all degree requirements.

Undergraduate advisement:

University of West Georgia undergraduate students will receive information about advising and registration from the University of West Georgia Advising Center. Please see the University of West Georgia Advising Center [website](#) for details. Faculty should also consult with their individual college or school regarding academic advisement requirements.

Graduate advisement:

University of West Georgia graduate students will receive information about advising and registration directly from the college/school to which they are enrolled.

### **302 Counseling**

In addition to the counseling normally performed by the student's advisor and instructors, the university provides free counseling for students. Qualified personnel administer diagnostic tests and offer professional counseling services to deal with personal, educational, and career problems.

Any faculty member who believes that a student is in need of these services should refer the student to the Counseling Center.

### **303 Orientation**

Orientation for first year and transfer students is held three (3) times a year at the beginning of the fall, spring, and summer semesters. In addition, several two-day orientations are held during the summer for students who will be entering fall semester. During these summer orientation sessions, parent meetings are held concurrently with student meetings.

The purpose of orientation is to acquaint the student with the University of West Georgia, its services, activities, rules and regulations; to provide initial academic advisement and registration for upcoming classes; and to provide an initial social and academic niche in which the student may feel comfortable. Each student is provided the opportunity to be advised by a faculty member from the student's major field of interest or, if undecided, to be advised by a faculty member in the Advising Center. Prior to orientation, students are given the opportunity to take placement tests.

Effective orientation requires the combined efforts of faculty, staff, and students. Faculty participation is requested through the appropriate deans or supervisors.

### **304 Participation in College Affairs**

See Sections 101.02 (Minimum Criteria for Appointment), 103.03 (Time Limits and Minimum Criteria for Promotion) and 103.04 (Minimum Tenure Criteria).

### **305 Participation in Civic Affairs**

(See Section 109.)

### **306 Participation in Convocations and Commencement Services**

#### **306.01 Faculty.**

Attendance at convocation and commencement is important to the institution and faculty are expected to attend. Once committed to attend, faculty who need to be excused from convocation and commencement services should get approval from their dean.

Members of the full-time faculty are expected to attend formal academic exercises of the University. Academic regalia is required for formal participation in convocations, graduation, and at other occasions when prescribed. Each faculty member is expected to furnish his or her own regalia.

### **306.02 Faculty Marshals**

Marshals are appointed by the dean of each college or school for each academic year. Once appointed, marshals negotiate among themselves to determine which among them will lead the convocation for these events (commencement ceremonies and honors convocations) for the year.

Note:

In consultation with the Provost office, each college or school is authorized to create their own guidelines regarding who participates in convocation and commencement services.

## **SECTION 400 POLICIES AND PROCEDURES RELATED TO PROFESSIONAL GROWTH AND DEVELOPMENT ACTIVITIES**

### **401 Research, Research Grants, and Sponsored Operations Projects**

Research is one of the areas in which a faculty member is evaluated for promotion and tenure. (See Sections 103.03 and 103.04 in this Handbook.) The Office of Research and Sponsored Projects (ORSP) provides individual support to faculty and staff who seek external funding to support scholarly, creative, and institutional initiatives.

Faculty who are applying for external grants that will be administered by the university shall contact the ORSP before applying for the grants. The final grant application must be submitted to ORSP at least five business days before the sponsor deadline. Faculty who are applying for internal funds should follow the instructions set by the grant administrator.

### **402 Intellectual Property Policy**

The University of West Georgia, hereinafter referred to as the "University," or "UWG," is dedicated to teaching, research, and the extension of knowledge to the public. Members of the UWG faculty, staff, and student body recognize among UWG's major objectives the production and dissemination of knowledge. Inherent in these objectives is the need to encourage the production of creative and scholarly works and the development of new and useful materials, devices, processes, and other inventions, some of which may have potential for commercialization. Such activities contribute to the professional development of the individuals involved, enhance the reputation of the University, provide additional educational opportunities for participating students, and promote the general welfare of the public at large.

Such creative and scholarly works and inventions that have commercial potential may be protected under the laws of various countries that establish rights called "Intellectual Property" (IP), a term that includes patents, copyrights, trade secrets, trademarks, plant variety protection, and other rights. Such Intellectual Property often comes about because of activities of University Personnel who have been aided wholly or in part through use of facilities of the University. It becomes significant, therefore, to insure the use of such Intellectual Property for the public good and to expedite its development and marketing. The rights and privileges, as well as the incentive, of the authors, creators, or inventors, hereinafter referred to as the "Originators," must be preserved so that the use of their abilities and the abilities of others at the University may be further encouraged and stimulated.

In order to establish the respective rights and obligations of the University, its faculty, students, and other employees in Intellectual Property of all kinds now and hereafter existing and of all countries, regions or other political entities, the University has established the following Intellectual Property Policy.

#### **402.01 Applicability**

The University of West Georgia (UWG) Intellectual Properties (IP) Policy ([see Section 6.3, Board of Regents Policy Manual, University System of Georgia](#)), relates both to individual and University IP rights, and applies to all full-time or part-time members of the faculty, staff, or student body of the University and extends to anyone receiving compensation or funding from the University, or funds administered by the University. This UWG IP Policy is in compliance with the University System of Georgia Board of Regents' Intellectual Properties Policy.

#### **402.02 Background**

The Board of Regents of the University System of Georgia has established [Institutional Procedures Section](#), which stipulates that: "Each institution of the System is required to develop policies and procedures for the administration of this Intellectual Property Policy" ([Section 6.3, Board of Regents Policy Manual, University System of Georgia](#)). In many instances, IP may become, in whole or in part, the property of the Board of Regents. When this IP Policy speaks to ownership of IP by UWG, the Board of Regents is the owner, unless the Board of Regents has transferred ownership to an affiliated nonprofit organization of UWG.

#### **402.03 Definitions**

**"Biological Materials":** Materials that include, but are not limited to, chemical compounds of biological origin, drugs, mutants, genetically engineered organisms, antibodies, hybridomas, cell lines, sera, supernatants, vectors, antigens, cDNAs, ESTs, and SNPs, and chemical compounds including enzymes and derivatives thereof.

**"Copyrighted Materials":** Includes the following, regardless of their medium of storage or presentation: (1) books, journal articles, texts, glossaries, bibliographies, study guides, laboratory

manuals, syllabi, tests, and proposals; (2) lectures, musical, dramatic, or multimedia compositions, unpublished scripts; (3) films, charts, transparencies, electronic presentations, and other visual aids; (4) video and audio recordings in any form; (5) live video and audio broadcasts, and recordings thereof; (6) programmed instructional materials, including materials for on-line or otherwise electronically distributed instruction; (7) mask works; (8) research notes, research data reports, and research notebooks; and (9) other materials or works other than software which qualify for protection under the copyright laws of the United States (See 17 U.S.C. § 102 *et seq.*) or other protective statutes whether or not registered thereunder.

**“Originator”:** The creator, author, inventor, or similar person and that person’s executor, heirs, successors, and assigns.

**“Faculty Member, Staff Member, and Student”:** For purposes of this IP policy, students are persons who are enrolled in any course at UWG (or who were so enrolled at any time in connection with the production of the intellectual property in question). A faculty or staff member is any person who is employed on a full-time or part-time basis by UWG (or who was so employed at any time in connection with the production of the intellectual property in question).

**“Intellectual Property” (IP):** Patentable materials, biological materials, copyrighted materials, trademarks, software, and trade secrets, whether or not formal protection is sought.

**“Incidental use of University Resources”:** Use of university resources that is customary or usual given the employee’s appointment and academic assignments. For example, use of office, computer, photocopier, telephone, office supplies, library, and other assigned resources in the ordinary support of university educational, scholarly or creative responsibilities is considered to be “incidental.” University personnel may make such incidental use of university resources and devote office time in carrying out a range of professional activities. [See “Significant Use of University Resources.”]

**“Mask Work”:** A series of related images, however fixed or encoded: (1) having or representing the predetermined, three-dimensional pattern of metallic, insulating, or semiconductor material present or removed from the layers of a semiconductor chip product; and, (2) in which series the relation of the images to one another is that each image has the pattern of the surface of one form of the semiconductor chip product (See Title 17 U.S.C. § 901).

**“Net Equity”:** The value of the equity received by UWG as a result of transferring rights in the IP less UWG’s out-of-pocket expenditures (including legal fees) directly attributable to protecting, developing, and transferring that IP.

**“Net Income”:** The gross monetary payments UWG receives as a result of transferring rights in the IP less UWG’s out-of-pocket expenditures (including legal fees) directly attributable to protecting, developing, and transferring that IP.

**“Novel Plant Variety”:** A novel variety of sexually reproduced plant (See Title 7 U.S.C. § 2321 *et seq.*).

**“Patentable Inventions,” also known as “Patentable Materials”:** Items (a new, nonobvious, useful process, machine, manufacture, composition of matter or improvement thereof) which reasonably appears to qualify for protection under the patent laws of the United States or other protective statutes, including Novel Plant Varieties and Patentable Plants, whether or not patentable thereunder.

**“Patentable Plant”:** An asexually reproduced distinct and new variety of plant (See Title 35 U.S.C. § 161).

**“Scholarly Work”:** Books, articles, and other publications, artistic creations, literary manuscripts, visual and auditory creations, and musical works, irrespective of their medium of storage or presentation. These items include software, computer programs, and databases but only if they are accessory to or part of a scholarly text. Textbooks and related software developed as a *Specific University Assignment* are not considered *Scholarly Work* for the purpose of this definition.

**“Significant Use of University Resources”:** Use of university facilities, library resources, clerical help, other support services, equipment, and an employee’s paid time that is beyond incidental (or customary) as described above. Significant use of resources occurs when creation of the work or intellectual property in question requires use of university resources beyond those normally allocated to employees in support of assigned responsibilities and activities within their respective departments, colleges, or other administrative unit. Such significant usage may occur as a result of actions of the personnel involved, may occur when specific assignments are given to personnel, or may occur in situations where contracts or other obligations are involved.

**“Software”:** Includes one or more computer programs existing in any form, or any associated operational procedures, manuals or other documentation, whether or not protectable or protected by patent or copyright. The term “computer program” means a set of instructions, statements or related data that, in actual or modified form, is capable of causing a computer or computer system to perform specified functions.

**“Specific University Assignment”:** IP specifically ordered or commissioned pursuant to a written, signed, agreement between UWG and the Originator.

**“Trade Secrets”:** Information including, but not limited to, technical or nontechnical data, a formula, a pattern, a compilation, a program, a device, a method, a technique, a drawing, a process, financial data, financial plans, product plans, or a list of actual or potential customers or suppliers which: (a) derives economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by, other persons who can obtain economic value from its disclosure or use; and (b) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy (See Code of Georgia Annotated § 10-1-761).



**“Trademarks”:** Includes all trademarks, service marks, trade names, seals, symbols, designs, slogans, or logotypes developed by or associated with UWG (See Title 15 U.S. Code § 1127).

**"University Resources":** means any support administered by or through the University, including but not limited to University funds, facilities, equipment or personnel, and funds, facilities, equipment, or personnel provided by governmental, commercial, industrial, or other public or private organizations which are administered or controlled by the University. University Resources are to be used solely for University purposes and not for personal gain or personal commercial advantage, nor for any other non-University purposes. Intellectual Property that is developed with *Significant Use of University Resources* rather than *Incidental Use of University Resources* shall be considered to have been created through use of University Resources. The application and interpretation of the above terms in any particular situation rests with the Intellectual Property Officer and the IPO’s determination shall be final, subject to the review procedures set forth herein.

#### **402.04 The Policy**

- A. Subject to the limitations and qualifications enumerated in this document, all potentially patentable inventions or copyrightable material conceived or first reduced to practice in whole or in part by members of the faculty or staff (including student employees) at UWG in the course of their University responsibilities with significant use of University resources is the property of UWG.
- B. UWG shares royalties from inventions and other intellectual property assigned by UWG to the Originator.
- C. The Originators, acting collectively where there is more than one, and with the agreement of UWG, may place their inventions in the public domain if they believe that would be in the best interest of technology transfer and if doing so is not in violation of the terms of any agreements that supported or are related to the work.
- D. If any course material is developed for use at UWG, regardless of whether it involves significant use of University resources, UWG retains a non-exclusive, royalty-free license to use such material for educational purposes for up to twelve months following the termination of the Originator’s employment at UWG;

#### **402.05 Determination of Rights and Equities in Intellectual Property**

Ownership in IP is determined in accordance with the following categories:

##### A. Individual Effort/Scholarly Work

Except as required by funding agreements or by the University’s Intellectual Property Policy, the University does not claim ownership rights in the intellectual property

generated during research by its faculty, staff, or students. This policy has proven beneficial to the University, the public, and the creators of such property. Copyrightable and patentable materials produced by UWG faculty, staff, or students are the exclusive property of the Originator of such IP provided that:

1. There is no use, except in an incidental way, of University resources in the creation of such IP;
2. The IP is not prepared in accordance with the terms of an institution contract or grant;
3. The IP is not developed by faculty, staff, or students as a specific institution assignment. The general obligation to produce scholarly and creative works does not constitute a specific assignment for this purpose;
4. The IP was created by a student, not employed by the University, solely for the purpose of satisfying a course requirement. Students are subject to the requirements for participation in such a course, such as the transfer of ownership. Students will be made aware of their rights and obligations prior to course participation.

The IP is considered a *Scholarly Work*, and therefore belongs to this category unless:

- a) The *Scholarly Work* was developed by the Originator as a specific University assignment (see section B below); or
- b) The *Scholarly Work* was developed with significant use of University resources (see section C below).

#### B. Institution-Assigned Efforts

In accordance with BOR policy, ownership of IP developed as a result of *Institution-Assigned Efforts* resides with UWG, and sharing of royalty income with the Originator is authorized, subject to UWG policies and regulations, as an incentive to encourage further development of IP. The faculty's general obligation to produce scholarly and creative works does not constitute a specific assignment for the purpose of defining this category of work. Works of faculty members are assumed not to be "*Institution-Assigned Efforts*" unless written agreements with the involved faculty member(s) explicitly designate specific works as such.

#### C. Institution-Assisted Individual Effort

A work is considered to be generated by Institution-assisted individual effort if it involves ***Significant Use of University Resources*** rather than only ***Incidental Use of University Resources***.

1. ***Incidental use of University Resources*** means that use is customary or usual given the employee's appointment and academic assignments. For example, use of office, computer, photocopier, telephone, office supplies, library, and other assigned resources in the ordinary support of university educational, scholarly or creative

responsibilities is considered to be incidental. University personnel may make such incidental use of university resources and devote office time in carrying out a range of professional activities. Furthermore, the University recognizes that ownership of any intellectual property resulting from such activities rests with the Originator(s) along with the rights to any income generated, as long as university resources are used in this incidental (or customary) fashion, and the time involvement of the developer(s) of the intellectual property does not compromise the Originator's core responsibilities in teaching, research, and service.

2. ***Significant Use of University Resources*** refers to use of university facilities, equipment, personnel, and an employee's paid time that is beyond incidental (or customary) as described above. Significant use of resources occurs when creation of the work or intellectual property in question requires use of university resources beyond those allocated to individuals in support of assigned responsibilities and activities within their respective departments, colleges, or other administrative unit. Such usage may occur as a result of actions of the personnel involved, may occur when specific assignments are given to personnel, or may occur in situations where contracts or other obligations are involved. The university will retain title to all intellectual property that involves significant use of university resources subject to the conditions set forth herein.

When in support of a revenue-producing work, the following are examples of significant use:

- a) In the creation or promotion of a work, extended use of the Originator's time and energy results in a reduction in levels of teaching, scholarship, or other assigned university activities, and the developer's anticipated workload in these areas is at a level significantly lower than normal;
- b) Greater than incidental use of university facilities such as laboratories, studios, specialized equipment, production facilities, or specialized computing resources in direct support of development of the work in question;
- c) Extraordinary or specifically designated university funds to support the work's creation, publication, manufacture or production;
- d) Direct assignment or commission from the university to undertake a creative project as a part of the developer's regular appointment;
- e) Significant use of funding from gifts or grants to the university to support creation of the work(s) involved; and/or
- f) Production of the works under specific terms of a sponsored research grant or contract.

The nature and extent of Originator participation in royalty income is subject to UWG regulations. Written agreements between the employees and the University should be executed in advance of the use of University personnel, facilities, or resources. In the absence of such written agreement, the rights of ownership and royalties shall be determined by the Intellectual Property Committee subject to the UWG Intellectual Policy and the *Board of Regents Policy Manual* of the University System of Georgia.

#### D. Sponsor-Supported Efforts

The grant or contract between the Sponsor and UWG, under which IP is produced, may contain specific provisions with respect to disposition of rights or interests in the IP. When the sponsored project agreement is silent on the matter, all rights in IP rests with UWG. The Office of Research and Sponsored Projects (ORSP) is responsible for reviewing the terms and conditions of UWG's grants and contracts for compliance with UWG policies on IP rights and openness in research.

#### E. Consulting

Consulting for outside organizations as a part of UWG effort may be performed by UWG personnel pursuant to UWG policies on consulting and to this IP Policy. Any consulting agreement or contract must include a statement that the faculty member has obligations to the University as described in this Intellectual Property Policy, and this Intellectual Property Policy should be attached to the consulting agreement. In the event that there is any conflict between the consultant's obligations to this Intellectual Property Policy and their obligations to the entity for whom they consult, the language of the consulting agreement shall prevail.

#### F. Research notes, data reports, and notebooks

Copyright protection subsists in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device. Research notes, research data reports, research notebooks, and software created during research are included within the definitions of copyrighted materials and software. Their ownership is determined as with other forms of intellectual property, with ownership vested in the University if the research is supported by significant use of university resources as defined herein, or if so determined by the sponsored project agreement.

#### G. Declined Intellectual Property

Whenever UWG chooses not to administer IP or chooses to cease administering IP, such IP, subject to any obligations to a Sponsor, may be released to the Originator to dispose of as the Originator sees fit. The decision to release such IP is made by the Intellectual

Property Officer (IPO), in consultation with the IP Committee, the University General Counsel, and the President.

#### **402.06 Revenue Distribution**

Net revenue is defined as gross receipts received by UWG from license activity minus contract amounts due to Sponsors, if any, and the out-of-pocket costs incurred by UWG in protecting and licensing the IP. At UWG, net revenue is distributed as follows:

- First \$10,000 of accumulated net revenue 100% to Originator
- Over \$10,000:
  - 25% to Originator
  - 10% to Department/Unit
  - 40% to Office of Research and Sponsored Projects
  - 25% to Office of the Provost and Vice President for Academic Affairs

#### **402.07 Intellectual Property Oversight**

The chief research officer<sup>1</sup> serves as the Institution's Intellectual Property Officer (IPO) and chairs the UWG Intellectual Property Committee.

**402.0701 Intellectual Property Officer (IPO).** The IPO is responsible for and active in all matters related to copyright/patent policies and procedures of UWG. The IPO provides advice and assistance in copyright/patent related matters to the faculty, staff, and students; to the President and administration of the University; and to Sponsor and Partner agencies bound to UWG by contract or grant obligations. The IPO works with the Office of Research and Sponsored Projects (ORSP) and the UWG Intellectual Property Committee to develop and monitor institutional IP policies and procedures. The IPO maintains records, executed copyright/patent/royalty agreements, and official correspondence of the office and of the IP Committee.

**402.0702 Intellectual Property Committee (IPC).** The *Intellectual Property Committee* is a standing body and reports to the Provost through the IPO. The IP Committee consists of ex officio members and members appointed by the President: the IPO (*ex officio*, non-voting except to break ties), and the UWG General Counsel (*ex officio*, non-voting), the Vice President for Business and Finance or designee (*ex officio*, voting), and one voting member from each college and the School of Nursing. The President solicits nominations for the IP Committee from the Provost and Vice President for Academic Affairs in consultation with the Academic Deans. Members are appointed by the President, serve three-year (staggered) terms, and may serve up to two consecutive terms. The IPO serves as the Chair of the IP Committee.

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<sup>1</sup> That officer is at the time of this policy adoption the Associate Vice President for Research and Sponsored Projects. Should that position be redefined or retitled, the designation of IPO would either follow the position or become attached to different person or position designated by the President.

Should any seat on the IPC be vacated prior to the expiration of the normal term, the President appoints a successor to fill the remaining term in accordance with the procedures above.

Any appointed member may be removed at any time by the President, with or without cause.

The IPC meets as necessary and shall act in an advisory capacity to the president or his/her designee. Faculty, staff and students shall promptly report to the committee in writing, through the appropriate channels, all Intellectual Property invented or created by them that is reasonably likely to have commercial value.

## **402.08 Procedures**

### **402.0801 Disclosure of Intellectual Property**

Originators of IP shall promptly provide the IPO with a disclosure describing their creative and scholarly works and new material, devices, processes, or other inventions which they consider may have commercial potential, be they either Individual Efforts, Institution-Assigned Efforts, Institution-Assisted Individual Efforts, or Sponsor-Supported Efforts, using the *Intellectual Property Disclosure Form* provided by the IPO. University Personnel shall cooperate with the IPO and sign all papers deemed necessary to protect and commercialize Intellectual Property covered by this Intellectual Property Policy.

Disclosures are not required for works of authorship, such as articles for publication in scholarly or professional journals, or instructional or research material for internal use where there is no intent to commercially exploit the intellectual property, even though the ownership of the copyright may reside in the University as determined by this policy. In such cases of University ownership, the author is granted a license for the limited purpose of the particular noncommercial publication.

It is the responsibility of the Originator to disclose IP to the University, through the Intellectual Property Officer (IPO), and demonstrate that this classification applies, in accordance with the Disclosure section of this IP Policy.

### **402.0802 Review of Disclosure**

- A. When the IPO receives an *Intellectual Property Disclosure Form* from an Originator, UWG's interest in patenting and/or licensing the disclosed IP must be determined in a timely fashion. After preliminary evaluation of the *Disclosure* by the IPO, one or more of the following actions are initiated within forty-five business days of receiving the *Disclosure*:

1. Initiate an external evaluation of the disclosed IP;

2. Develop and manage the disclosed IP through the ORSP;
  3. Submit the disclosed IP to the IP Committee for its evaluation and recommendation;
  4. If rights in the disclosed IP are subject to the terms of a grant or contract, comply with the terms of the grant or contract; and,
  5. Assign title to the disclosed IP to the Originator, if the University chooses not to administer or to cease administering the IP.
- B. If the *Disclosure* is referred to the IPC for a recommendation, the Committee reviews the *Disclosure* and, if appropriate, hears an oral presentation by the Originator, supported by any visual material as may be required. Use may be made of appropriate *ad hoc* members, including external agencies, who can best assist in evaluating the IP. The IPC then recommends whether UWG should exert an interest in the IP, based on a determination that the disclosed IP is novel, useful, non-obvious, and/or has commercial potential.
- C. Within thirty-five business days of the *Disclosure* being submitted to the IPC, the IPC will make a recommendation to the IPO as to whether UWG should pursue development of the IP. If the IPC requires additional time, it requests such additional time from the IPO, in writing, including a justification for the request. Any additional time must be at the agreement of the involved parties and in no case will exceed an additional thirty-five business days.
- D. The IPO will consider the recommendation of the IPC and respond to the Originator, in writing, whether UWG intends to pursue development of the IP. The IPO's determination will be due to the Originator no later than thirty-five business days from the IPO's receipt of the IPC's report.
- E. If the IPO, in consultation with the University General Counsel, decides that UWG will not pursue development of the IP, or such agreed upon decisions are not made or responded to in writing during the specified time period, or a mutually agreeable extended time period, UWG waives its rights to pursue development of the IP, except that UWG will retain royalty-free license rights to the IP.

In general, the IPC is responsible for:

1. Advising the IPO regarding UWG's and the Originator's rights and equities in IP in accordance with the *Procedures* section of this policy;
2. Recommending UWG policies and procedures pertaining to copyrights and patents to the President for action;
3. Recommending changes to UWG copyright and patent policies and procedures to the President for action;

4. Reviewing all IP matters submitted to it by the IPO, sponsor agencies, and UWG officials for compliance with UWG policy, Board of Regents Policy, and contractual/grant-based obligations.

#### **402.08 Right of Appeal**

In the event of a disagreement as to the ownership of IP or to the recommended distribution of royalties, the UWG employee (faculty, staff, or student) has the right to appeal, in writing, to the IPO, who will refer the appeal to the IPC. The IPC will then make a recommendation to the IPO within thirty business days of its receipt of the appeal. The IPO will then make a final decision concerning the appeal no later than forty-five business days of receipt of the appeal. If an individual wishes to appeal the decision of the IPO, or if a decision is not made within the time specified above, the individual may appeal to the Provost, in writing, within forty-five business days of the IPO's decision. The Provost will make a decision no later than forty-five business days of receiving the appeal. If the individual wishes to appeal the decision of the Provost, or if the decision is not made within the specified time period, the individual may appeal to the President, in writing, within forty-five business days of the Provost's decision. The President will make a decision no later than forty-five business days of the President's receipt of the appeal. If the individual wishes to appeal the decision of the President, or if the decision is not made within the specified time period, then the individual may appeal to the Board of Regents in accordance with BOR Bylaws.

#### **402.09 Publication**

Nothing in this IP Policy should be construed as affecting the rights of the Originator to publish the results of scientific work, except that the Originator must agree to observe a period of delay in publication or external dissemination if UWG so requests, and such a delay is necessary to permit UWG to secure protection for IP disclosed to it by the Originator.

#### **402.10 Prevailing Policy**

In the event of a conflict between this UWG IP Policy and any policy of the Board of Regents of the University System of Georgia, the latter will prevail.

#### **402.11 Heirs and Assigns**

The provisions of this IP Policy will endure to the benefit of and be binding upon the heirs and assigns of those individuals covered by this IP Policy.

#### **402.12 Changes in Policy**

This IP Policy will be reviewed and amended, as appropriate, by the IPC at least every two (2) years. This IP Policy may be changed by the President, on the recommendation of the IPC, and the approval of the Provost.



## **402.14 Compliance**

Failure to comply with the provisions of this IP Policy is a violation of UWG policy, and may result in the discipline of the violator(s) in accordance with applicable UWG policies and procedures.

### **POLICY ADMINISTRATION**

Short Title: Intellectual Property Policy

Effective Date: May, 2013

Cancels/Supersedes: Current policy in the Faculty Handbook

Revision Dates: April, 2013

Oversight: Academic Affairs

Authority and Purpose: To establish a clear policy concerning ownership of material, compensation, copyright issues, and the use of revenue derived from the creation and production of all intellectual property. The policy will apply to students, faculty, and staff.

## **403 The Institutional Review Board**

The Institutional Review Board (IRB) shall be an advisory body to the President on the protection of human and animal subjects participating in University of West Georgia approved research projects. It shall review all research proposals involving human and animal subjects for the purpose of protecting the physical and mental well being of participants in research projects conducted by and through the University. The Institutional Review Board shall consist of at least seven (7) members. Members of the Institutional Review Board shall minimally consist of the Director of Sponsored Operations (ex-officio), the Dean of the Graduate School, four faculty members, and one member of the community. Members are appointed by the Provost and Vice President for Academic Affairs to serve terms of three years each and are replaced in rotation. Additional ad hoc members may be appointed to the IRB when necessary to comply with federal guidelines.

The University of West Georgia encourages and supports faculty's, academic staff members' and students' efforts to engage in instruction, research and public service. When research is conducted using University facilities or otherwise under its sponsorship, the individuals conducting the inquiry act as University representatives. University policy requires that all research studies, including those involving human or animal subjects, shall be under the supervision of a qualified faculty/academic staff member and shall be so designated and

executed as to safeguard the rights and welfare of the subjects in compliance with the U.S. Department of Health and Human Services regulations on the Protection of Human Subjects [stated in the Code of Federal Regulations (45 CFR 46 as amended and interpreted)] and on the Animal Welfare Act, Health Research Extension Act as per requirement of Section 495(b)(2) of the PHS Act. The committee assists investigators in insuring that the rights and welfare of subjects are adequately protected. Such research activity would include master's theses, Ed.S. research projects, doctoral dissertations, faculty research, or class-related activities, including undergraduate and graduate independent study courses.

#### **403.01 Statement of Principles**

A balance between freedom of inquiry for scholars and recognition of the ethical concerns of animal rights, peers, subjects, sponsors, government agencies, and the public at large shall be maintained by the IRB. The members of the IRB maintain that numerous issues tied to human and animal research merit much further attention by the academic community. The IRB strongly encourages faculty, academic staff members, student groups, departments, schools, and colleges to discuss the ethical responsibilities of scholars as they apply to research to ensure awareness and sensitivity of subjects' needs.

#### **403.02 Protection of Human Subjects**

##### **403.0201 Authorization**

The IRB of the University of West Georgia is authorized to exercise the following influence on proposed research involving the use of human subjects. The IRB is empowered to:

1. Approve a proposed project.
2. Disapprove a proposed project (with justification).
3. Allow rejected project researchers ample opportunity for due process.
4. Modify a project, require alternative investigative procedures, and impose precautions.
5. Design, collect, and retain informed consent forms.
6. Require continuing project reviews throughout the research period, review complaints concerning the research, and require periodic research progress reports.
7. Terminate research found to be at extreme variance with federal compliance regulations.

##### **403.0202 The Responsibilities of the Research Principal Investigator**

It is the professional responsibility of each Principal Investigator (PI) who proposes to conduct research involving human subjects to outline in detail:

1. The risks to which the human subjects will be exposed during the administration of the research procedures.
2. The significance of the proposed research to warrant exposure of subjects to the defined risk(s).

3. Description of safeguards and procedures employed to minimize the level of the subjects' exposure to risk.
4. A description of methodology involved in informing subjects of the exposure to research risk and an explanation of methodology to be employed in obtaining the subjects' informed consent to participation.

The PI must submit the required information and a full copy of the research proposal to the IRB requesting research project approval. Upon receipt of IRB approval, the researcher may initiate the project. A sample consent form is found in Section 403.0209. A consent form for use with minors is found in Section 403.0210.

#### **403.0203 Definition of Terms**

The University of West Georgia IRB adheres to the Code of Federal Regulations' definitions for the following terms used to describe research:

**Research:** A systematic investigation designed to develop or contribute to generalizable knowledge. Activities which meet this definition constitute "research" for purposes of these regulations, whether or not they are supported or funded under a program which is considered research for other purposes. For example, some "demonstration" and "service" programs may include research activities [45 CFR 46.102(e)].

**Risk:** The risks of harm anticipated in the proposed research must not be greater, considering probability and magnitude, than those ordinarily encountered in daily life or during the performance of routine physical or psychological examinations or tests [45 CFR 46.102(g)].

**Human Subject:** A live human subject about whom an investigator (whether professional or student) conducting research obtains (1) data through intervention or interaction with the individual, or (2) identifiable private information. "Intervention" includes both physical procedures by which data are gathered (for example, venipuncture) and manipulations of the subject or the subject's environment that are performed for research purposes. "Interaction" includes communication or interpersonal contact between investigator and subject. "Private information" includes information about behavior that occurs in a context in which an individual can reasonably expect that no observation or recording is taking place and *includes* information which has been provided for specific purposes by an individual and which the individual can reasonably expect will not be made public. Private information must be individually identifiable (i.e., the identity of the subject is or may be readily ascertained by the information) in order to obtain information which constitutes research involving human subjects [45 CFR 46.102(f)].

#### **403.0204 Review Procedures**

Individuals at the University of West Georgia interested in conducting research involving human subjects must follow the procedures outlined below:

1. Read Institutional Review Board application procedures at the IRB website <https://www.westga.edu/academics/research/orsp/irb.php> . Application materials are available at this site. You may also request application materials from the IRB Chair. Section 403.0209 contains the application.
2. Faculty and Staff submit three (3) completed applications to the IRB chair. Students submit four (4) completed applications to the IRB chair.

### **403.0205 Classification of Research**

Under Federal Regulation [45 CFR 46], research involving the use of human subjects is classified into three distinct categories or levels: exempt, expeditable, or nonexempt.

#### **A. Level 1: Exempt Research**

Federal Regulations mandate that very narrowly defined types of research are exempt. There are exclusive restrictions related to research involving subject populations that include prisoners, fetuses, pregnant women, children, institutionalized individuals (i.e. mentally disabled), other potentially vulnerable groups and human in vitro fertilization. An outline of specific regulations relating to restricted research populations can be obtained from the Sponsored Operations Office.

Research activities in which the only involvement of human subjects will be one or more of the following categories and which do not involve sensitive or protected populations are exempt from 45 CFR 46. (NOTE: The IRB will make the final determination as to whether a research project may be classified as "exempt").

1. Research conducted in established or commonly accepted educational settings involving normal educational practices, such as:
  - a. Research on regular and special education instructional strategies.
  - b. Research on the effectiveness of/ or the comparison among instructional techniques, curricular, or classroom management methods.
2. Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures or observation of public behavior, unless:
  - a. Information obtained is recorded in such a manner that human subjects can be identified directly or through identifiers linked to the subjects.
  - b. Any disclosure of the human subjects' responses outside the research could reasonably place the subjects at risk of criminal or civil liability or be damaging to the subjects' financial standing, employability or reputation.
3. Research involving the use of educational tests (cognitive, diagnostic, aptitude, achievement), survey procedures, interview procedures, or observation of public behavior that is not exempt under paragraph (2.b) of this section if:
  - a. The human subjects are elected or appointed public officials or candidates for public office.

- b. Federal statute(s) require(s) without exception that the confidentiality of the personally identifiable information will be maintained throughout the research and thereafter.
- 4. Research involving the collection or study of existing data, documents, records, pathological specimens, or diagnostic specimens, if these sources are publicly available or if the information is recorded by the investigator in such a manner that subjects cannot be identified directly or through identifiers linked to the subjects.
- 5. Research and demonstration projects which are conducted by/or subject to the approval of department or agency heads and which are designed to study, evaluate, or otherwise examine:
  - a. Public benefit or service programs.
  - b. Procedures for obtaining benefits or services under those programs.
  - c. Possible changes in or alternatives to those programs or procedures.
  - d. Possible changes in methods or levels of payment for benefits or services under those programs.
- 6. Taste and food quality evaluation and consumer acceptance studies:
  - a. If wholesome foods without additives are consumed.
  - b. If a food is consumed that contains a food ingredient at or below the level and for a use found to be safe or an agricultural chemical or environmental contaminant at or below the level found to be safe, by the Food and Drug Administration or approved by the Environmental Protection Agency or the Food Safety and Inspection Service of U.S. Department of Agriculture.

**B. Level 2: Research Activities Which May be Reviewed Through Expedited Review Procedures**

Federal Regulation identifies ten restricted types of research which may be reviewed by the IRB using an expedited procedure. There are exclusive restrictions related to research involving subject populations that include prisoners, fetuses, pregnant women, children, institutionalized individuals (i.e. mentally disabled), other potentially vulnerable groups and human in vitro fertilization. An outline of specific regulations relating to restricted research populations can be obtained from the Budget and Research Services Office.

Research activities involving minimal risk and in which the only involvement of human subjects will be in one or more of the following categories (carried out through standard methods) may be reviewed by the IRB through the expedited review procedure authorized in 46.110 of 45 CFR Part 46.

- 1. Collection of hair and nail clippings in a non-disfiguring manner deciduous teeth and permanent teeth if patient care indicated a need for extraction.
- 2. Collection of excreta and external secretions including sweat, uncannulated saliva, placenta removed at delivery, and amniotic fluid at the time of rupture of the membrane prior to or during labor.
- 3. Recording of data from subjects eighteen (18) years of age or older using noninvasive procedures routinely employed in clinical practice. This includes the use of physical sensors that are applied either to the surface of the body or at a distance and do not involve input of matter or significant amounts of energy into the subject or an invasion of the subject's

privacy. It also includes such procedures as weighing, testing sensory acuity, electrocardiography, electroencephalography, thermography, detection of naturally occurring radioactivity, diagnostic echography, and electroretinography. It does not include exposure to electromagnetic radiation outside the visible range (for example, x-ray, microwaves).

4. Collection of blood samples by venipuncture, in amounts not exceeding 450 milliliters in an eight-week period and no more often than two times per week, from subjects eighteen (18) years of age or older and who are in good health and not pregnant.
5. Collection of both supra- and subgingival dental plaque and calculus, provided the procedure is not more invasive than routine prophylactic scaling of the teeth and the process is accomplished in accordance with accepted prophylactic techniques.
6. Voice recordings made for research purposes such as investigations of speech defects.
7. Moderate exercise by healthy volunteers.
8. The study of existing data, documents, records, pathological specimens, or diagnostic specimens.
9. Research on individual or group behavior or characteristics of individuals, such as studies of perception, cognition, game theory, or test development, where the investigator does not manipulate subjects' behavior and the research will not involve stress to subjects.
10. Research on drugs or devices for which an investigational new drug exemption is not required.

### C. Level 3: Nonexempt Research

All other research must be reviewed in full by the IRB.

## **403.0206 Ethical Research Guidelines for Research Involving Human Participants**

From the *American Psychologist*, June 1981, pgs. 637-638.

The decision to undertake research rests upon a considered judgment by the individual researcher about how best to contribute to knowledge and human welfare. Having made the decision to conduct research, the investigator considers alternative directions in which research energies and resources might be invested. On the basis of this consideration, the researcher carries out the investigation with respect and concern for the dignity and welfare of the people who participate and with cognizance of federal and state regulations and professional standards governing the conduct of research with human participants.

- A. In planning a study, the investigator has the responsibility to make a careful evaluation of its ethical acceptability. To the extent that the weighing of scientific and human values suggests a compromise of any principle, the investigator incurs a correspondingly serious obligation to seek ethical advice and to observe stringent safeguards to protect the rights of human participants.
- B. Considering whether a participant in a planned study will be a "subject at risk," according to recognized standards, is of primary ethical concern to the investigator.
- C. The investigator always retains the responsibility for ensuring ethical practice in research. The investigator is also responsible for the ethical treatment of research participants by

collaborators, assistants, students, and employees, all of whom, however, incur similar obligations.

- D. Except in minimal-risk research, the investigator establishes a clear and fair agreement with research participants prior to their participation that clarifies the obligations and responsibilities of each. The investigator has the obligation to honor all promises and commitments included in that agreement. The investigator informs the participants of all aspects of the research that might reasonably be expected to influence willingness to participate and explains all other aspects of the research about which the participants inquire. Failure to make full disclosure prior to obtaining informed consent requires additional safeguards to protect the welfare and dignity of the research participants. Research with children or with participants who have impairments that would limit understanding and/or communications requires special safeguarding procedures.
- E. Methodological requirements of a study may make the use of concealment or deception necessary. Before conducting such a study, the investigator has a special responsibility to
  1. Determine whether the use of such techniques is justified by the study's prospective scientific, educational, or applied value.
  2. Determine whether alternative procedures are available that do not use concealment or deception.
  3. Ensure that the participants are provided with sufficient explanation as soon as possible.
- F. The investigator respects the individual's freedom to decline to participate in or to withdraw from the research at any time. The obligations to protect this freedom require careful thought and consideration when the investigator is in a position of authority or influence over the participant. Such positions of authority include, but are not limited to, situations in which research participation is required as part of employment or in which the participant is a student, client, or employee of the investigator.
- G. The investigator protects the participant from physical and mental discomfort, harm, and danger that arise from research procedures. If risks of such consequences exist, the investigator informs the participant of that fact. Research procedures likely to cause serious or lasting harm to a participant are not used unless the failure to use these procedures might expose the participant to risk of greater harm, or unless the research has great potential benefit and fully informed and voluntary consent is obtained from each participant. The participant should be informed of procedures for contacting the investigator within a reasonable time period following participation should stress, potential harm, or related questions arise.
- H. After the data are collected, the investigator provides the participant with information about the nature of the study and attempts to remove any misconceptions that may have arisen. Where scientific and human values justify delaying or withholding this information, the investigator incurs a special responsibility to monitor the research and to ensure that there are no damaging consequences for the participant.
- I. Where research procedures result in undesirable consequences for the individual participant, the investigator has the responsibility to detect and remove or correct these consequences, including long-term effects.
- J. Information obtained about a research participant during the course of an investigation is confidential unless otherwise agreed upon in advance. When the possibility exists that others may obtain access to such information, this possibility, together with the plans for protecting

confidentiality, is explained to the participant as part of this procedure for obtaining informed consent.

### **403.0207 Application Procedures**

Faculty, staff, or students who wish to conduct research must first submit application materials to the Institutional Review Board for review. The application is available in PDF format near the end of this page.

All research will be classified as either exempt, expedited, or nonexempt. If your participants are minors (under the age of 18), your research study will be classified as either expedited or nonexempt. Examples of exempt research include: case studies of individuals eighteen (18) or older, analysis of existing records, and survey research conducted on adults. Examples of expedited research include: research comparing instructional methods used by teachers or researchers in the K12 classroom, survey research conducted on minors, and experimental studies with children where there is no greater than a minimal risk to the participants.

Expedited and exempt research can be reviewed by two members of the IRB. If your research falls under one of these two categories, turnaround time for your application will typically be no greater than two weeks, provided that you have submitted all required paperwork.

Few research studies at UWG will be classified as nonexempt. Any research study that puts participants at risk (defined as greater than minimal risk) will be classified as nonexempt. An example of nonexempt research would be an exercise study in which participants were asked to run to exhaustion. Participation could result in physical harm, which places the study under the classification of nonexempt research. If your research is classified as nonexempt, all members of the IRB must meet for a full board review of your application. It may take as long as 4 weeks to convene a meeting of the full board, so please plan accordingly if you think your research may be classified as nonexempt.

Please follow these procedures when submitting an application to the IRB for review:

1. Download or request the application for IRB review.
2. Complete the application, providing ALL requested information.
3. If you are a faculty member, submit 3 copies of the completed application. If you are a student, submit 4 copies of the completed application. If you submit fewer than the required number of copies, your application will be returned to you.
4. You must collate or staple each copy of your application before sending it in. Uncollated copies will be returned to you.
5. Submit copies of your application to:  
IRB Chair  
Office of the Provost and Vice President for Academic Affairs  
University of West Georgia  
Carrollton, GA 30118



**403.0208** IRB Application <https://www.westga.edu/academics/research/orsp/irb-forms.php>

**403.0209** Informed Consent Template <https://www.westga.edu/academics/research/orsp/irb-forms.php>

**403.0210** Authorization for a School and Students to Participate in a Research Study Template (Word) <https://www.westga.edu/academics/research/orsp/irb-forms.php>

**403.0211** IRB Information for School Systems in West Georgia and Areas Surrounding Atlanta <https://www.westga.edu/academics/research/orsp/irb-forms.php>

## **403.03 ANIMAL CARE AND USE**

### **403.0301 Authorization**

The IRB of the University of West Georgia is authorized to:

1. Approve a proposed project's plan for use of animal subjects.
2. Disapprove (with justification) a proposed project's use of animal subjects.
3. Establish procedures to protect the researchers' right to due process.
4. Require alternative investigative procedures and impose precautions to insure compliance with the University of West Georgia "Assurance of Compliance with Public Health Service (PHS) Policy on Humane Care and Use of Laboratory Animals".
5. Conduct project reviews throughout the research period, review complaints concerning the research, and require periodic research progress reports.
6. Terminate research found to be at variance with federal compliance regulations.

### **403.0302 The Responsibilities of the Research Principal Investigator**

It is the professional responsibility of each Principal Investigator (PI) who proposes to conduct research involving animal subjects to outline in detail:

1. The risks to which the animal subjects will be exposed during the administration of the research procedures.
2. The significance of the proposed research to warrant the use of animal subjects.
3. A description of the space, care and food to be provided for the animal subjects.
4. A description of methodology involved for the disposal of subjects at conclusion of research and, if it involves euthanasia, the method to be used and why that method was selected.

The PI must submit the required information and a full copy of the research proposal to the IRB requesting research project approval. Upon receipt IRB approval, the researcher may initiate the project.

### **403.0303 Definition of Terms**

The University of West Georgia IRB adheres to the Code of Federal Regulations definitions for the following terms used to describe research:

Research. A systematic investigation designed to develop or contribute to generalizable knowledge. Activities which meet this definition constitute "research" for purposes of these regulations whether or not they are supported or funded under a program which is considered research for other purposes. For example, some "demonstration" and "service" programs may include research activities [45 CFR 46.102(e)].

#### **403.0304 U.S. Government Principles for the Utilization and Care of Vertebrate Animals Used in Testing, Research, and Training**

The development of knowledge necessary for the improvement of the health and well-being of humans as well as other animals requires in vivo experimentation with a wide variety of animal species. Whenever U.S. Government agencies develop requirements for testing, research, or training procedures involving the use of vertebrate animals, the following principles shall be considered; and whenever these agencies actually perform or sponsor such procedures, the responsible institution official shall ensure that these principles are adhered to:

1. The transportation, care, and use of animals should be in accordance with the Animal Welfare Act (7 U.S.C. 2131 et.seq.) and other applicable Federal laws, guidelines, and policies<sup>1</sup>.
2. Procedures involving animals should be designed and performed with due consideration of their relevance to human or animal health, the advancement of knowledge, or the good of society.
3. The animals selected for a procedure should be of an appropriate species and quality and the minimum number required to obtain valid results. Methods such as mathematical models, computer simulation, and in vitro biological systems should be considered.
4. Proper use of animals, including the avoidance or minimization of discomfort, distress, and pain when consistent with sound scientific practices, is imperative. Unless the contrary is established, investigators should consider that procedures that cause pain or distress in human beings may cause pain or distress in other animals.
5. Procedures with animals that may cause more than momentary or slight pain or distress should be performed with appropriate sedation, analgesia, or anesthesia. Surgical or other painful procedures should not be performed on unanesthetized animals paralyzed by chemical agents.
6. Animals that would otherwise suffer severe or chronic pain or distress that cannot be relieved should be painlessly killed at the end of the procedure or, if appropriate, during the procedures.
7. The living conditions of animals should be appropriate for their species and contribute to their health and comfort. Normally, the housing, feeding, and care of all animals used for biomedical purposes must be directed by a veterinarian or other scientist trained and experienced in the proper care, handling, and use of the species maintained or studied. In any case, veterinary care shall be provided as indicated.

8. Investigators and other personnel shall be appropriately qualified and experienced for conducting procedures on living animals. Adequate arrangements shall be made for their in-service training, including the proper and humane care and use of laboratory animals.
9. Where exceptions are required in relation to the provisions of these Principles, the decisions should not rest with the investigators directly concerned but should be made, with due regard to Principle B, by an appropriate review group such as the IRB. Such exceptions should not be made solely for the purposes of teaching or demonstration.

<sup>1</sup> For Guidance throughout these Principles, the reader is referred to the Guide for the Care and Use of Laboratory Animals prepared by the Institute of Laboratory Animal Resources, National Academy of Sciences.

#### **403.0305 Review Procedures**

Individuals at the University of West Georgia interested in conducting research involving animal subjects must follow the procedures outlined below:

1. Obtain an Institutional Animal Care and Use Procedures Packet from your academic department office, the Graduate School Office, or the Office of Budget and Research Services, which contains:
  - a. a research procedures manual.
  - b. a document addressing ethical practices when conducting research with animal subjects,
  - c. a research proposal form.
2. Submit the original and four copies of the research proposal form to the Office of the VPAA for review by the IRB.