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## Section 2.0: Institutional Governance

### Introduction

Section 2.0, Institutional Governance, covers the election of University System of Georgia (USG) institution presidents by the Board of Regents, the procedure to select institution presidents, performance assessments of institution presidents, presidential transitions, presidential authority and responsibilities, presidents' meetings, organizational structure and changes, and presidential compensation.

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## 2.1 Election of Presidents by the Board

The Board shall elect the presidents of institutions at the April monthly meeting. Presidents shall not hold tenure at the institution but may hold, retain, or receive academic rank. They shall be elected each year for a term of one (1) year. The Chancellor shall notify them of their appointment, but such presidents shall not be entitled to a written employment contract. All such appointments will be made expressly subject to the Policies of the Board of Regents.

Persons holding tenure in the USG who receive an initial presidential appointment shall be required to relinquish their tenure before assuming the office of the president. No person shall be awarded tenure while serving as president (BoR Minutes, 1991-92, p. 34).

A person accepting the position of acting president at a USG institution shall not be a candidate for president of that institution (BoR Minutes, Aug. 2000, p. 63).



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## 2.2 Procedure for Selection of a President for USG Institutions

The policy of the Board regarding the selection of a president for USG institutions shall be as follows.

### 2.2.1 All Presidential Searches

The Chancellor shall confer with the Search committee(s) and the Regents regarding the position description and any special qualifications that should be considered for the position. The Chancellor shall finalize the position description.

The Chancellor shall, in consultation with the Board Chair and Search Committee chair(s), determine when a search warrants the services of an executive search firm, and shall develop any necessary contractual agreement that specifies the particular role and reporting lines for such services, all on a case-by-case basis.

For each search, the committee(s) and executive search firm (if one is contracted) will advertise the position widely to reach a diverse audience of candidates, making all reasonable efforts to attract a pool of well-qualified candidates. The committee(s), advised and aided by an executive search firm to the extent that such services have been contracted, will receive nominations and applications and undertake an initial evaluation of applicants.

Insofar as is compatible with state law, all parties to the search, screen, and selection process shall maintain strict confidentiality as to the identity of applicants and any considerations of their credentials, while making efforts to keep the institution community and the public appropriately informed as to the general progress of the search (BoR Minutes, September, 2006; March, 2008).

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### 2.2.2 Research Universities

A presidential search is initiated by the Chancellor, with the agreement of the Board. For research universities, the Presidential Search Committee shall consist of Regent and non-Regent members. The Chair shall appoint seven (7) Regents as voting members to serve on the Presidential Search Committee, one of whom shall be the Board Chair and one of whom shall be the Regent residing in closest proximity to the institution. The Board Chair shall appoint a Chair of the Presidential Search Committee from among the Regents appointed to the Presidential Search Committee. Any vacancies of Regents occurring after the formation of the Presidential Search Committee may be filled by the Board Chair.

The Board Chair, in consultation with the Chancellor and the Committee Chair, shall select the non-Regent members of the Presidential Search Committee. The non-Regent voting membership of such committee shall consist of six faculty representatives from the institution, one representative of the administration and staff, one student, one representative of the institution's foundation, one representative of the institution's alumni association, and three representatives of the state-at-large, in addition to seven Regents, as provided above. For each committee position which the Board Chair requests its advice, the respective institution, foundation, or alumni association shall provide two nominations. Any vacancies of non-Regents occurring after the formation of the Presidential Search Committee may be filled by the Board Chair.

The Presidential Search Committee shall identify to the Chancellor and the Board Chair from three to five unranked candidates to be presented to the full Board of Regents for consideration. The Board of Regents may request a further search for applicants, or further consideration by the Presidential Search Committee of any applicant in addition to the candidates recommended. The Board of Regents may interview candidates and shall select the president. At the discretion of the Chancellor and the Board Chair, site visit(s) also may be undertaken prior to final selection.

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### **2.2.3 Regional Universities, State Universities, and Colleges**

A presidential search is initiated by the Chancellor, with the agreement of the Board. For regional universities, state universities, and colleges, a Special Regents' Search Committee shall be appointed by the Chair of the Board and will consist of three (3) Regents as voting members, selected as follows. The Board Chair shall, at the beginning of his/her term as Chair, identify six (6) Special Regents' Search Committees, each of which shall be chaired by one of the six most senior members of the Board of Regents. The next six most senior Regents shall be assigned to the six Special Regents' Search Committees in reverse descending order of seniority so that the most senior Regent is paired with the least senior Regent of the next six. The remaining Regents shall be assigned to one of the six Special Regents' Search Committees at the discretion of the Board Chair.

In the event of a vacancy in the presidency of a regional or state university or a college, the Board Chair shall assign one of the six Special Regents' Search Committees as the Committee with respect to that vacancy. In making such assignments, the Board Chair shall alternate the six Committees in turn so that each Committee has a relatively equal workload. The Chair of the Board and the Regent residing in closest proximity to the institution shall also serve as voting members. The Chancellor shall serve as an ex officio, nonvoting member. Seniority shall be determined by date of appointment. In the case of Regents appointed on the same date, seniority shall be determined by alphabetical order. Any vacancies occurring after the formation of the Special Regents Search Committee may be filled by the Board Chair.

The institution Presidential Search and Screen Committee shall be appointed by the Chancellor in consultation with the Board Chair. The voting membership of the campus Presidential Search and Screen Committee shall consist of three (3) faculty representatives from the institution, at least one (1) representative of the administrative staff, at least one (1) student, and at least two (2) representatives of the surrounding community (and region, as appropriate), including the institution's foundation and its alumni association and comprising up to one-third of the total voting membership of the committee. For each committee position from which the Chancellor requests its advice, the respective institution, foundation, or alumni association shall provide two (2) nominations. The Chancellor will appoint the committee's chair from among the committee's voting members. Any vacancies occurring after the formation of the institution Presidential Search and Screen Committee may be filled by the Chancellor.

The institution Presidential Search and Screen Committee shall keep the Chancellor and the Special Regents Search Committee informed as to the progress of its deliberations, and shall apprise the Special Regents Search Committee of the names of candidates removed from and retained for consideration during each phase of the screening and selection process. The institution Presidential Search and Screen Committee shall identify to the Chancellor and the Chair of the Special Regents' Search Committee from three (3) to five (5) unranked candidates to be presented to the Special Regents' Search Committee.

The Special Regents' Search Committee may request a further search for applicants, or further consideration by the institution Presidential Search and Screen Committee of any applicant in addition to the candidates recommended. The Special Regents' Search Committee and the Chancellor shall jointly make a recommendation to the full Board of Regents, which shall select the president. At the discretion of the Chancellor and the Chair of the Special Regents' Search Committee, site visit(s) also may be undertaken prior to the final selection.

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## **2.3 Performance Assessment of Presidents**

It is the intent of the Board of Regents that evaluation of the presidents shall be an ongoing process, which consists of open communication between the Chancellor or the president's supervisor and the president on both individual and institutional goals and objectives, as well as on the methods and processes used to achieve them. Evaluations will be factored into the annual appointment renewal for each president (BoR Minutes, September 2006).



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## 2.4 Presidential Transitions

### 2.4.1 Resignation or Retirement

Presidents of USG institutions shall provide the Board and the Chancellor not less than three (3) month's notice of his/her intention to resign or retire, unless such notice is waived by the Chancellor.

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### 2.4.2 Re-Appointment Declined

If the Board declines to re-appoint a president, it shall notify the president, through the Chancellor, of such decision immediately following the Board's regularly scheduled April meeting. A decision by the Board not to re-appoint a president is not subject to appeal.

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### 2.4.3 Removal for Cause

The Board may remove a president for cause at any time. A president removed for cause shall be entitled, upon written request within ten (10) days of receiving notice of the removal, to a statement of charges against him/her. Such statement of charges shall be provided to the president within ten (10) days of the president's request. A president shall, after reviewing the statement of charges, be entitled to a hearing before the Board or a committee thereof under such procedures as the Board may determine. The actions of the Board shall be final.

A president terminated for cause shall not be eligible for re-employment within the USG.

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### 2.4.4 Educational Leave and Continued Employment

Any person vacating a USG presidency that he/she has held for not less than five (5) years may, at the discretion of the Chancellor, be:

1. Granted twelve (12) months educational leave with pay. Such educational leave may be extended by the Chancellor for an additional twelve (12) months. In no event shall the duration of such educational leave exceed twenty-four (24) months. Any paid educational leave granted under this policy shall terminate immediately upon acceptance by the leave recipient of full-time employment during the period of leave.
2. Employed in a professional or administrative position within the USG. Employment beyond the second year, if any, shall be under such terms and conditions as determined by the Chancellor or the employing institution.
3. Awarded an academic appointment at the rank of professor at a USG institution. Such appointment may, consistent with accreditation requirements and the needs of the institution, include an award of tenure by the Chancellor. Compensation and other terms of employment beyond the second year of appointment shall be as determined by the institution.

Except as otherwise provided in this section, the terms and conditions of such employment in items 2 and 3 above shall be as provided in [Section 8.0](#) of this Policy Manual.

The compensation during any period of leave, employment, or appointment granted under this policy shall be as determined by the Chancellor. In making such determination, the Chancellor shall take into consideration the base salary and other compensation of the outgoing president prior to his/her vacating the presidency.

Nothing in this section shall prohibit any cooperative organization of the USG from supplementing the compensation of a former president during any period of leave, employment, or appointment granted under this section.

Nothing contained in this section shall govern any terms or conditions of educational leave or employment beyond two (2) years from the date a person leaves the presidency of a USG institution (BoR Minutes, 1991-92, pp. 33-34).

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## 2.5 Presidential Authority and Responsibilities

### 2.5.1 Executive Head of Institution

The president of each USG institution shall be the executive head of the institution and of all its departments, and shall exercise such supervision and direction as will promote the efficient operation of the institution. The president shall be responsible to the Chancellor for the operation and management of the institution, and for the execution of all directives of the Board and the Chancellor. The president's discretionary powers shall be broad enough to enable him/her to discharge these responsibilities (BoR Minutes, 1972-74, pp. 69-71; 1977-78, pp. 167-168; April, 2007, pp. 76-77).

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### 2.5.2 Ex-Officio Faculty Chair

The president shall be the ex-officio chair of the faculty and may preside at meetings of the faculty. The president and/or the president's designee shall be a member of all faculties and other academic bodies within the institution. He/she shall decide all questions of jurisdiction, not otherwise defined by the Chancellor, of the several councils, faculties, and officers.

The president shall have the right to call meetings of any council, faculty, or committee at his/her institution at any time. The president shall have the power to veto any act of any council, faculty, or committee of his/her institution but, in doing so, shall transmit to the proper officer a written statement of the reason for such veto. A copy of each veto statement shall be transmitted to the Chancellor.

At those institutions that have a council, senate, assembly, or any such body, the president or the president's designee may chair such body and preside at its meetings. The president shall be the official medium of communication between the faculty and the Chancellor and between the council, senate, assembly, or any such body and the Chancellor (BoR Minutes, 1993-94, p. 239; April, 2007).

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### 2.5.3 Personnel Policies

The president shall be responsible for the initial appointment of faculty members and administrative employees of each institution, the salary and all promotions of each, and be authorized to make all reappointments of faculty members and administrative employees, except as otherwise specified in this Policy Manual. The president has the right and authority to grant leaves of absence for up to one (1) year for members of the faculty for study at other institutions or for such reasons as the president may deem proper.

He/she shall make an annual report to the Board, through the Chancellor or his/her designee, of the condition of the institution under his/her leadership (BoR Minutes, February, 2007).



The president of each institution, or his/her designee, is authorized to accept on behalf of the Board the resignation of any employee of his/her institution (BoR Minutes, 1977-78, p. 123; 1982-83, p. 225).

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## 2.5.4 Agreements

The president of each institution, or the president's designee, shall have the authority to execute, accept, or deliver, on behalf of the Board, the following types of research agreements, settlement agreements, service agreements, and reciprocal emergency law enforcement agreements affecting his/her institution:

1. Research or service agreements whereby the institution concerned, for monetary compensation or other good and valuable consideration, agrees to perform certain institution-oriented research or other personal services within a time period of one (1) year or less.
2. Agreements between USG institutions and hospitals or other organized medical facilities, both public and private, located within the State of Georgia, whereby the hospital or medical facility concerned agrees to provide clinical services to nursing and other students enrolled in nursing and allied health programs at the institution concerned. Said agreements shall be effective for one year with the option of annual renewal as specified therein and shall be subject to cancellation by either party.
3. Reciprocal emergency law enforcement agreements between USG institutions and county and municipal authorities, as authorized by the Georgia Mutual Aid Act, as amended (BoR Minutes, 1993-94, pp. 63-64).
4. Settlements of grievances and complaints, including those filed by state and federal agencies, that do not include a monetary commitment of more than \$100,000. Notice of settlements shall be filed with the University System Office of Legal Affairs (BoR Minutes, May 2006; April, 2007).
5. Any agreements necessary for the day-to-day operation of the institution (BoR Minutes, April, 2007).

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## 2.6 Presidents' Meetings

When directed by the Chancellor, the presidents of the USG institutions shall convene in order to make recommendations to the Chancellor and through the Chancellor to the Board of Regents regarding all educational and administrative matters of concern to the USG as a whole.



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## 2.7 Organization Structure and Changes

Presidents are authorized to develop the organizational structure required to effectively manage their institution. Changes involving the addition, deletion, or substantive name change of a unit reporting directly to the president will be reported to the Chancellor at least two (2) weeks prior to the effective date of the change. The presidents are authorized to approve all other organizational changes (BoR Minutes, January, 2004; February, 2007).

At the beginning of each fiscal year, each president shall submit to the Chancellor a list of all academic institutes and centers that are authorized to operate on each campus highlighting those which have been added or deleted since the prior year's submission. The addition or elimination of academic centers and institutes located at an institution does not require the Chancellor's or Regents' approval (BoR Minutes, February, 2007).



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## 2.8 Compensation of Presidents

The salaries and associated fringe benefits for USG presidents and the Chancellor, as approved annually by the Board of Regents, shall be paid exclusively from state appropriations allocated to each institution. State appropriations shall be used to pay salary, housing allowance, subsistence allowance, and, where applicable, salary supplement, supplemental fringe benefits, deferred compensation, and any other items as approved by the Board. State appropriations will also pay for fringe benefits for presidents that are available to all USG employees.

The annual merit salary increase paid from state funds shall be based upon the approved salary, exclusive of any allowance, supplement, or deferred compensation (BoR Minutes, August 2004).

Non-state funds may pay for expenses and allowances such as civic memberships, business-related entertainment, automobile, auto allowance, maintenance and insurance for automobiles, and relocation expenses.