

September 27, 2021

Dear Senators,

As you may know, resolutions to BOR policies governing dismissals and tenure appeared on the agenda of the Board's September 9, 2009 meeting. There were several [proposed changes](#), but this proposed wording was particularly alarming because it suggested that a tenured faculty member could be terminated "other than for cause."

**8.3.9 Discipline and Removal of Faculty Members (Proposed**

**Language)** The President of a University System of Georgia (USG) institution or his or her designee may at any time remove any faculty member or other employee of an institution for cause. Cause shall include willful or intentional violation of the Board of Regents' policies or the approved statutes or bylaws of an institution or as otherwise set forth in the Board of Regents' policies and the approved statutes or bylaws of an institution. **Such removals for cause shall be governed by the following policies on Grounds for Removal and Procedures for Dismissal. A faculty member may also be separated from employment prior to the end of the contract term other than for cause as outlined here, pursuant to other policies of the Board of Regents. Such other policies shall not be governed by or subject to the following policies on Grounds for Removal and Procedures for Dismissal.**

Not surprisingly, several faculty committees and the AAUP responded. The University Council's Faculty Affairs Committee and the Faculty Conference (the faculty members who serve on the University Council), passed [four resolutions in response](#). Your Faculty Senate officers revised those resolutions and drafted a cover letter to vote on today (more on this later), and Matt Boedy of the AAUP, the press, and presumably others asked the USG for clarification. However, those inquiries produced a lot of new information, which may have rendered our letter and resolutions obsolete.

First, the proposed language that was most concerning has been [modified](#). Here, for example, is the wording that replaces the quote in red above. As you can see, the bit about removing people "other than for cause" is gone.

***Policy 8.3.9***

*The President of a University System of Georgia (USG) institution or his or her designee may at any time remove any faculty member or other employee of an institution for cause. Cause shall include willful or intentional violation of the Board of Regents' policies or the approved statutes or bylaws of an institution or as otherwise set forth in the Board of Regents' policies and the approved statutes or bylaws of an institution. Such removals for cause shall be governed by the following policies on Grounds for Removal and Procedures for Dismissal. Remedial actions*

*taken as part of the post-tenure review process shall not be governed by these policies on Grounds for Removal and Procedures for Dismissal, but rather shall be governed by the Board Policy on Post-Tenure Review.*

(This language is from a 9/24/2021 email from the Provost of Columbus State University)

So what's new? From what we can tell, the [revised proposed language](#):

1. Makes it easier to fire someone who has gone through a post-tenure review and who, after the one-year remediation period, has not improved their performance.
2. Creates a trigger (two unsatisfactory annual reviews) for a post-tenure review in between the every five year reviews.
3. Adds that an unfavorable post-tenure review would result in a “performance improvement plan” that would need to be completed within a year “to avoid corresponding disciplinary action.” (The disciplinary action--pay reduction, removal of tenure, dismissal--is already spelled out in the existing policy).
4. States that annual reviews need to be included in the post-tenure review materials.
5. Adds to the criteria on which we are judged a new one they are calling “student success.” Tristan Denley, the USG’s Executive Vice Chancellor for Academic Affairs and Chief Academic Officer, explains it [here](#). It is not explained in the proposed regulations.
6. There is also mysterious new language like: “While a faculty member’s performance evaluation may be deemed as “Not Meeting Expectations” for other reasons, they must be so assessed if a majority of their work responsibilities are assessed as “Not Meeting Expectations.”

We also received a [FAQ page](#), which suggests that the BOR received a lot of questions. It says that the review process would stay the same and that each institution will continue to establish its own criteria for tenure and post-tenure review. It also says that a working group of USG faculty, “campus leaders,” Regents, and system administrators began working on these changes in September 2020.

Finally, it says that feedback can be sent to Dr. Denley at [tristan.denley@usg.edu](mailto:tristan.denley@usg.edu).

So, the question now is whether to respond to these proposals.