

# **STATUTES**

## **The University of West Georgia**

Approved by the Board of Regents on October 10, 2003

Mission Statement Approved by Board of Regents on August 20, 2014

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## **ARTICLE I. The University**

### ***SECTION 1. Mission of the University***

**(Approved by Faculty Senate on April 17, 2014; Approved by BOR on August 20, 2014)**

The mission of the University of West Georgia (UWG) is to enable students, faculty, and staff to realize their full potential through academic engagement, supportive services, professional development, and a caring, student-centered community. UWG is committed to academic excellence and to community engagement, offering high-quality undergraduate, graduate, and community programs on-campus, off-campus, and online.

UWG, a charter member of the University System of Georgia (USG), is a comprehensive, SACSCOC level VI, public university, based in West Georgia with multiple instructional sites and a strong virtual presence. UWG supports students in their efforts to complete degrees in relevant programs, valuing liberal arts and professional preparation. Through effective and innovative teaching, experiential learning, scholarship, research, creative endeavor, and public service, UWG equips graduates to engage with and discover knowledge. UWG is dedicated to building on existing strengths and developing distinctive academic, research, and co-curricular programs and services that respond to economic development and identified regional, state and global needs, thus empowering alumni to contribute responsibly and creatively to a complex 21<sup>st</sup> Century global society.

## **SECTION 2. Administrative Organization**

### **A. University System of Georgia**

(1) The Board of Regents of the University System of Georgia is a State Constitutional Board responsible for the government, control, and management of the University System of Georgia and all of its institutions. Members of the Board of Regents, one from each congressional district in the State and five from the State-at-large, are appointed by the Governor, confirmed by the Senate, and hold office until their successors are appointed.

(2) The Chancellor and the Central Office Staff are responsible for administering the affairs of the University System of Georgia under the general direction of the Board of Regents.

### **B. Office of the President**

The President shall be elected by the Board of Regents upon the recommendation of the Chancellor, and he or she shall hold office at the pleasure of the Board. He or she shall have general responsibility for the operation of all aspects of the University as described in Article II of these Statutes.

### **C. Faculties of the University**

(1) The General Faculty shall consist of those persons holding the academic rank of lecturer, senior lecturer, instructor, assistant professor, associate professor, or professor, duly certified librarians, and research and extension personnel included in the corps of instruction on the basis of comparable training, who are employed on a calendar or academic year basis; together with the President, Provost and Vice President for Academic Affairs, the academic and administrative deans, the directors of activities relating to instruction, the Registrar, the Director of Admissions and the Vice President for Business and Finance. Visiting professors, part-time faculty members and those holding *emeritus* rank shall be non-voting members of the General Faculty. (Policies, Board of Regents, Section # 302.02)

(2) The Graduate Faculty shall consist of the Dean of the Graduate School, those members of the General Faculty with the rank of assistant professor, associate professor and professor, who have been recommended for membership by the Committee on Graduate Studies and whose membership has been approved by the President. Requisites for membership shall normally be as follows: regular faculty status in a department offering graduate course work, earned doctorate or equivalent, rank of at least assistant professor, published works and/or recognized accomplishments in research and/or teaching, and approval of membership by the appropriate department chair, the Committee on the Graduate Studies and the President.

(3) The faculties of the College of Arts and Sciences, the College of Education, and the Richards College of Business shall each consist of the members of the General Faculty, as defined above, who are assigned to that particular school.

#### **D. Staff Advisory Council**

(1) The Staff Advisory Council shall act as an advisory body to the President and shall act on behalf of the staff of the University where there is a need for uniform policy throughout the University. The Council shall endeavor to enhance the flow of communication among all sectors of the University and to make recommendations concerning actions of the University which have an impact on classified staff. All actions of the Council which affect the operation of the University are subject to the approval of the President.

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

## **ARTICLE II. THE OFFICE OF THE PRESIDENT**

### ***SECTION 1. The President***

- A. The President shall be the executive head of the University and of all its departments, and shall exercise such supervision and direction as will promote efficient operation of the institution. The President shall be elected by the Board of Regents upon the recommendation of the Chancellor and shall hold office at the pleasure of the Board of Regents. He or she shall be responsible to the Chancellor for the operation and management of the University, for the execution of all directives of the Board of Regents and the Chancellor and to exercise such additional powers as may be assigned or set forth by the Board of Regents. (See Policies, Board of Regents, University System of Georgia.)
- B. The President shall be a person of professional rank. He or she shall be a member of the General Faculty, Chair of the President's Advisory Committee, and Chair of the General Faculty.
- C. In the absence of the President, his or her functions shall be exercised by his or her designee as approved by the Chancellor of the University System of Georgia.

## **ARTICLE III. OFFICERS OF ADMINISTRATION**

### ***SECTION 1. Appointment and Tenure of Officers of Administration***

- A. The Officers of Administration shall be appointed by the President in accordance with Policies, Board of Regents, University System of Georgia and any subsequent directives from the Board of Regents.

- B. These officers shall hold their administrative positions at the pleasure of the President. They retain tenure only in their academic rank as members of the General Faculty and in accordance with the provisions for tenure as prescribed by the Board of Regents.

## **ARTICLE IV. FACULTIES OF THE UNIVERSITY**

### ***SECTION 1. General***

A requirement for the successful functioning of the university is the existence of competent faculty members committed to the development of a sound program of instruction, the educational development of students, and their own continued development, collectively and individually, as effective teachers and scholars. Faculty participation in academic government is a necessary corollary to the responsibility to teach conscientiously and to investigate freely. Since members of the instructional corps are professionals, many of them highly specialized, it is imperative that judgments about how scholarship and instruction should be conducted be made by the community of professionals. The development of effective teachers and scholars, and of an effective educational process occurs best in an atmosphere in which the faculty is given authority and accepts responsibility and where there are clearly recognized, specific and effective procedures for its participation in the government of the University.

### ***SECTION 2. Faculty Senate, Purpose and Powers***

The Faculty Senate shall serve as the legislative body and executive agency of the General Faculty. As such, it shall serve as the official faculty advisory body to the President and the Provost and Vice President for Academic Affairs. Within the policy framework of the Board of Regents of the University System of Georgia and with the approval of the President, the recommendations of the Senate shall be the academic policy to be implemented by the administration, and, where appropriate, shall be incorporated into the University of West Georgia *Statutes, Organizational Policies and Procedures, or Faculty Handbook*. The academic affairs of the University which concern the Senate and for which it shall be responsible in formulating policies and reviewing procedures include, but are not limited to, those enumerated powers of the General Faculty specified in the regulations of the institution.

## **ARTICLE V. GENERAL PERSONNEL POLICIES OF THE FACULTIES**

### ***SECTION 1. Academic Freedom, Responsibility and Professional Ethics***

#### **A. Academic Freedom**

- (1) 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.

(2) 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.

## **B. Academic Responsibility**

The concept of freedom should be accompanied by an equally demanding concept of responsibility. The university 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, her 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 profession 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.

## **C. Professional Ethics**

(1) 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 is 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.

(2) As a 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.

(3) As a colleague, the professor has obligations that derive from common membership in the community of scholars. He or she respects and defends the 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.

(4) 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.

(5) 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 subjects, 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.

## **SECTION 2. Promotion and Tenure of Faculty Members**

### **A. Promotion**

Promotion in academic rank shall be in accordance with policies and procedures as adopted by the General Faculty and included in the *Faculty Handbook*, and in accordance with the policies of the Board of Regents.

### **B. Tenure**

The awarding of tenure shall be in accordance with policies and procedures as adopted by the General Faculty and included in the *Faculty Handbook*, and in accordance with policies of the Board of Regents.

## **SECTION 3. Removal of a Faculty Member**

- A. 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.
- B. The Board of Regents Policy Manual 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:
  - 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 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, 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.

C. Refer to *Faculty Handbook* for procedures regarding dismissal.

## **ARTICLE VI. RATIFICATION, INTERPRETATION AND AMENDMENT**

### ***SECTION 1. Ratification (Statutes ratified 1973)***

- A. These *Statutes* shall be submitted to the General Faculty at least two weeks prior to the General Faculty meeting in which they shall be considered. Adoption shall require a simple majority vote provided that at least fifty (50) percent of the General Faculty are present at the meeting and vote. Voting shall be by secret written ballot and shall occur immediately after the meeting in which they are considered and within the succeeding one and one-half days.
- B. These *Statutes* shall be in full force after they have been approved by the General Faculty, the President of the University, the Chancellor and the Board of Regents of the University System of Georgia.
- C. The Board of Regents has the power to modify, amend, or repeal these *Statutes*, or any part thereof, in any respect at any time.
- D. Upon approval of these *Statutes* by the Board of Regents, all rules, regulations and *Statutes* heretofore adopted, and inconsistent with these *Statutes*, are repealed.

### ***SECTION 2. Interpretation***

All questions of interpretation of these *Statutes* and questions of the nature and extent of the jurisdiction of the Faculties, of the Faculty Senate and of the various administrative officers under these *Statutes* shall be determined by the President. If after the decision of the President on such questions, an appeal is considered necessary, it may be made to the Board of Regents in the manner prescribed in Article VIII, By-Laws of the Board of Regents.

### **SECTION 3. Amendment**

- A. Proposals for amending these *Statutes* shall be submitted in writing to the President and the Executive Secretary of the Faculty Senate. Proposals may be submitted by any administrative officer, or by any Faculty Senate Member, or by a majority of any Senate standing committee or by petition of any fifteen members of the General Faculty and/or professional staff of the University.
- B. Upon approval by a majority of the membership of the Senate, the proposed amendment shall then be submitted for consideration to the General Faculty, having been submitted to the General Faculty in writing at least two weeks prior to the meeting in which it shall be considered. If the proposed amendment fails to receive approval by the Senate, the proposal may be referred to the General Faculty upon petition of twenty-five percent of the General Faculty. Voting on amendments shall occur at the meeting in which the proposal is considered. Adoption by the General Faculty shall require a simple majority vote.
- C. Amendments shall be in full force as a part of these *Statutes* when approved by the General Faculty, the President of the University, the Chancellor, and the Board of Regents of the University System of Georgia.