



THE UNIVERSITY OF NORTH CAROLINA SYSTEM

TRANSMITTAL LETTER

Transmittal Number 120

June 5, 2018

THIS LETTER TRANSMITS CHANGES TO THE UNC POLICY MANUAL

200.2	<i>Election Procedures (Amended)*</i>
1000.4.1	<i>Policy on Auditing Courses for Persons Who are At Least 65 Years Old (Adopted)</i>
1400.1	<i>Information Technology Governance (This supersedes Policy 1400.1 originally entitled The Use of Information Technology)</i>
1400.3	<i>User Identity and Access Control (Adopted)</i>
<i>The Code</i>	Section 302 B. (Amended)*

The above policies and *Code* Section 302 B. were adopted or amended by the Board of Governors at its May 24, 2018 meeting.

A copy of the above policies is attached herein and is accessible on the website at:
<http://www.northcarolina.edu/apps/policy/index.php>.

*A redline version reflecting the changes to the amended document(s) is attached to this letter.

Election Procedures

I. Officers. In accordance with Section 201 of *The Code*, a chair, a vice chair, and a secretary (Board offices) shall be elected. Nominations and elections for Board offices shall be conducted pursuant to the schedule set forth in this policy, in the following order: chair, vice chair, and secretary.

II. General Provisions for Board Office Elections

A. Nominations and elections for regular full terms of Board offices shall take place during the Board's last regular meeting before July 1 in each even-numbered year. Alternatively, the Board may schedule a special meeting for the purpose of conducting nominations and election of Board officers before July 1 of an even-numbered year. Nominations and elections for partial terms shall occur only in the event of a vacancy and will be conducted consistent with Section 201 of *The Code*.

B. Only voting members of the Board may make nominations for Board offices, be nominated for Board offices, vote for Board offices, or be elected to Board offices.

C. A voting member may hold only one Board office at a time.

III. Nominations

A. Subject to the requirements of section II., of this policy, any voting member of the Board may be nominated for any office unless prohibited from serving by *The Code*. Self-nominations are permitted.

B. Any voting member of the Board may orally nominate any voting Board member for any office. No "second" to the nomination will be permitted or required. The Board member making the nomination may offer remarks in support of the nomination that do not exceed five minutes. Nominations may be declined by the nominated voting member. Once a Board member is nominated for an office, no additional nominations for the Board member with respect to that office will be received or registered.

C. Nominations shall be made in open session. Every voting member so nominated shall be a candidate for that office, unless the voting member has declined the nomination.

D. Nominees for the offices of chair, vice chair, and secretary may offer remarks in support of their candidacies. Nominees for each office who choose to offer remarks shall be recognized in alphabetical order by last name and may speak for no more than 10 minutes.

IV. Election

A. Written ballots for each office shall be distributed by the Office of the Secretary to each member of the Board who shall cast one vote from the list of candidates for that office. Voting shall be completed for each office separately and in succession, in the order of chair, vice chair, and secretary.

B. After the first and each succeeding ballot, if no candidate receives the requisite majority and when votes are received for three or more candidates, the name of the candidate receiving the smallest number of votes shall be dropped from the list of nominated members and shall cease to be a candidate.

C. All written ballots for each office shall be signed by the member casting the ballot. A committee consisting of no fewer than two chancellors appointed by the chair shall tally the ballots for each office and announce the results to the Board. The ballots shall be collected and retained by the assistant secretary of the Board of Governors for disposition under G.S. 143-318.13(b).

D. If the chair is a candidate for re-election, the vice chair shall preside over the election portion of the meeting. If the chair and the vice chair are both candidates for re-election, the chair shall designate another individual to preside over the election portion of the meeting.

V. Procedures. Except as above modified, the procedure shall be under Section 202 C(4) of *The Code* and *Robert's Rules of Order*.

VI. Other Matters

A. Effective Date. The requirements of this policy shall be effective on July 1, 2018.

B. Relation to Federal and State Laws. The foregoing policy as adopted by the Board of Governors is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern or relate to the subject matter of this policy.

200.2

Adopted 07/27/84

Amended 06/14/13

Amended / /18

Election Procedures

1. Officers

In accordance with Section 201 of *The Code*, a chair, a vice chair, and a secretary (Board offices) shall be elected. ~~Candidacy, n~~Nominations, and elections for Board offices shall be conducted pursuant to the schedule set forth in this policy, in the following order: chair, vice chair, and secretary.

2. ~~Candidates~~

II. General Provisions for Board Full Terms Office Elections

A. Nominations and elections of for regular full terms of Board Offices shall take place be scheduled to occur during the Board's last regular meeting before July 1 in each even-numbered year. Alternatively, the Board may schedule a special meeting for the purpose of conducting nominations and election of Board officers before July 1 of an even-numbered year. Nominations and elections for partial terms shall occur only in the event of a vacancy and will be conducted consistent with Section 201 of The Code.

~~a. Board~~

A. ~~B.~~ Only voting members should avoid discussions of potential nominees and candidates the Board may make nominations for full terms of any board office until the February Board meeting of the year in which the election for full terms of that board office will take place.

~~b. Any board member who wishes to offices, be nominated for a full term of any board office shall notify the secretary of the board member's candidacy prior to the April meeting of the Board of Governors offices, vote for Board offices, or be elected to a Board offices.~~

~~c. The secretary shall announce the names of candidates for nomination to full terms of each board office during the new business portion of the agenda at the April board meeting.~~

~~d. Candidates for full terms of the offices of chair and vice chair shall, by the end of the April meeting, submit a brief written statement to the secretary describing their vision and goals for the office. The secretary shall distribute copies of the statement to board members immediately following the April board meeting.~~

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C. A voting member may hold only one Board office at a timesimultaneously.

III. Nominations

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A. Subject to the requirements of section 2II, of this policy, any voting member of the boardBoard may be nominated for any office unless prohibited from serving by The Code. Self-nominations are permitted by voting members.

~~b~~

B. Any voting member of the boardBoard may orally nominate any boardvoting Board member for any office. No "second" to the nomination will be permitted or required. The boardBoard member making the nomination may offer remarks in support of the nomination that do not exceed five minutes. Nominations may be declined by the nominated voting member. Once a boardBoard member is nominated for an office, no additional nominations for the

~~board~~Board member with respect to that office will be received or registered.

~~c. Each nomination for a full term of the offices of chair, vice chair, and secretary shall be made at the June board meeting, from the slate of candidates for that office as announced by the secretary at the April board meeting.~~

~~d.~~

~~C.~~ Nominations shall be made in open session.

~~e.~~ Every ~~person~~voting member so nominated shall be a candidate for that office, unless the voting member has declined the nomination.

~~f.~~

~~D.~~ ~~Nominees~~Candidates for the offices of chair, vice chair, and secretary may offer remarks in support of their candidacies. ~~Candidates~~Nominees for each office who choose to offer remarks shall be recognized in alphabetical order by last name and may speak for no more than ~~ten~~ (10) minutes.

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IV. Election

a

~~A.~~ Written ballots for each office shall be distributed by the Office of the Secretary to each member of the ~~board~~Board who shall cast one vote from the list of candidates for that office. ~~Voting Nominations and vVoting~~ shall be completed for each office separately and in succession, in the order of chair, vice chair, and secretary.

~~bB.~~ After the first and each succeeding ballot, if no candidate receives the requisite majority and when votes are received for three or more candidates, the name of the candidate receiving the smallest number of votes shall be dropped from the list of nominated members and shall cease to be a candidate.

~~c.~~

~~C.~~ All written ballots for each office shall be signed by the member casting the ballot. A committee consisting of no fewer than two chancellors appointed by the chair shall tally the ballots for each office and announce the results to the ~~board~~Board. The ballots shall be collected and retained by the assistant secretary of the Board of Governors for disposition under ~~North Carolina General Statutes §G.S.~~ 143-318.13(b).

~~d.~~

~~D.~~ If the chair is a candidate for re-election, the vice chair shall preside over the election portion of the meeting. If the chair and the vice chair are both candidates for re-election, the chair shall designate another individual to preside over the election portion of the meeting.

~~e. A sample ballot is attached.~~

5. Procedure

V. Procedures. Except as above modified, the procedure shall be under Section ~~202C~~202 C(4) of *The Code* and *Robert's Rules of Order*.

VI. Other Matters

A. Effective Date. The requirements of this policy shall be effective on ~~the date of adoption of this policy by the Board of Governors~~July 1, 2018.

B. Relation to Federal and State Laws. The foregoing policy as adopted by the Board of Governors is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern or relate to the subject matter of this policy.

Board of Governors

Election Ballot

1. ~~Officer~~

~~[] Chairman~~

~~[] Vice Chairman~~

~~[] Secretary~~

2. ~~I vote for:~~

~~Signature~~

~~Date~~

Policy on Auditing Courses for Persons Who are At Least 65 Years Old

I. Purpose. N.C. Gen. Stat. § 115B-2.2 (hereinafter G.S.), requires that the University of North Carolina Board of Governors adopt a policy permitting any person who is at least 65 years old to audit courses offered without payment of any required registration fee or tuition.

II. Eligibility Requirements

A. A senior auditor is any person who is:

1. At least 65 years old as of the start of the applicable term; and
2. A North Carolina resident, as determined by the institution, may audit courses at any University of North Carolina constituent institution.

B. Senior auditors must be in good standing with the institution of higher education¹ and must not have any financial holds on any institutional accounts.

C. The constituent institutions may require senior auditors to provide documentation necessary to prove eligibility, for example, proof of age and residence through a driver's license, state identification card, or other government-issued document. While senior auditors must have domicile in North Carolina, they do not need to be "residents for tuition purposes" as defined in G.S. 116-143.1(b), and do not need to seek a determination through the Residency Determination Service (RDS).

D. A constituent institution may prohibit a senior auditor from auditing courses if it determines that the auditor poses a threat to the health and safety of the campus community. In making such a determination, constituent institutions may make reasonable and appropriate inquiries into the senior auditor's criminal and school disciplinary background. Such inquiries may include a criminal background check, with the senior auditor's consent.

III. Course Availability. Senior auditors shall be allowed to audit courses only if there is space available after regularly enrolled students are placed. Audit requests will be accepted according to the institutional calendar of registration dates and will be processed after the institution can confirm space will be available in the requested course. Registration will be held until such time as space available can be determined by the institution.

IV. Course Standards. Senior auditors must comply with all current constituent institution course audit policies. Senior auditors shall be held to the same performance standards set by the institution and instructor for similarly classified students, including meeting course prerequisites and other applicable course restrictions.

¹ This policy does not apply to courses offered at the North Carolina School of Science and Mathematics or through the high school program at the University of North Carolina School of the Arts.

V. Types of Courses Covered and Exempted. Auditing of courses under this policy is permitted only in lecture-based courses and not in courses that require laboratories, studios, or performances. Auditing is not permitted in online distance education courses, independent studies courses, internships, special topics, or other special courses as outlined in institutional policies.

VI. Academic and Conduct Requirements. Senior auditors are expected to comply with the institution's academic and student conduct policies, rules and regulations. Failure to adhere to these rules and regulations may lead to dismissal from the audited course(s) or other sanctions, including prohibition from campus.

VII. Fees. Constituent institutions may not charge senior auditors application or registration fees. Senior auditors will be required to pay for all associated course material fees and books. Several student-fee generated services, such as use of an institution's student recreation center, could be limited or require an additional cost.

VIII. Funding. Senior auditors shall not be counted in the calculation of enrollment for funding purposes.

IX. North Carolina Immunization Requirements. Senior auditors will need to comply with the immunization requirements required under G.S. 130A-155.1, as well as any applicable institutional immunization policy requirements.

X. Other Matters

A. Effective Date. The requirements of this policy shall be effective on the date of its adoption by the Board of Governors.

B. Relation to Federal and State Laws. The foregoing policy as adopted by the Board of Governors is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern or relate to the subject matter of this policy.

C. Regulations and Guidelines. This policy shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.

Information Technology Governance

I. Purpose. The University of North Carolina and each of the constituent institutions depend on strategic and coordinated governance and management of information technology to fulfill the University's mission. The University's information technology and information resource needs continually evolve as new challenges, opportunities, and technologies emerge. Consistent with the governance and oversight responsibilities of the Board of Governors, the executive and administrative responsibilities of the president and the chancellors of the constituent institutions, and the role of the boards of trustees, as described in *The Code of The University of North Carolina*, the Board adopts this policy delegating and allocating authorities and responsibilities concerning information technology governance within the University of North Carolina System.¹

The purpose of this policy is to foster the efficient development and maintenance of strategically aligned information technology within known and acceptable levels of risk; to ensure an effective and consistent governance and management of information technology at each of the constituent institutions; and to encourage collaboration and shared service arrangements in areas of information technology management, where appropriate, among and between the constituent institutions and the University of North Carolina System Office (UNC System Office).

II. Definitions

A. "Board of Governors" or "Board" means the Board of Governors of the University of North Carolina.

B. "Board of trustees" means a board of trustees of a constituent institution of the University of North Carolina System.

B. "Chancellor" means the administrative and executive head of a constituent institution of the University of North Carolina, as described in Section 502 of *The Code*.

C. "Constituent institution" means one of the 17-degree/diploma-granting institutions that comprise the University of North Carolina.

D. "Information resources" means information owned or possessed by the University, or related to business of the University, regardless of form or location, and the hardware and software resources used to electronically store, process, or transmit that information.

*Supersedes Section 1400.1 originally entitled, "The Use of Information Technology," adopted November 12, 2004.

¹ G.S. 116-11(13); Section 203 A(9) of *The Code*.

E. “Information technology (IT)” means the hardware and software resources owned, leased, or used by the University and its partners to store, process, or transmit University information. Information technology is a subset of the University’s information resources.

F. “Information technology governance” within the UNC System refers to the framework, policies, rules, standards, structures, and processes established to ensure that the University’s information technology supports the missions, goals, and objectives of the UNC System and each constituent institution; that information technology and information resources are managed in accordance with rules and policies; and that risks and threats to information technology and information resources are appropriately and effectively identified and addressed. IT governance encompasses the planning, prioritization, funding, evaluation, auditing, and security of information technology and information resources at each constituent institution and across the UNC System.

G. “Periodic” means occurring at a frequency deemed appropriate based on an on-going assessment of associated risks.

H. “President” means the chief administrative and executive officer of the University of North Carolina, as described in Section 501 of *The Code*, who reports to the Board of Governors. The president is responsible for executing the board’s policies directly, through the chancellors, and through the staff who report to the president.

I. “University” or “University of North Carolina System” or “UNC System” means the University of North Carolina, a body politic and corporate defined as a single public multi-campus University composed of 17 constituent institutions, the UNC System Office, and other educational, research, and public service organizations.

III. UNC System IT Governance Program Development; Principles and Guidelines

A. The president shall oversee the information technology governance program applicable to the UNC System and the constituent institutions.

B. The UNC System information technology governance program shall be developed, implemented, and maintained, subject to the president’s approval, by the UNC System’s chief information officer, who shall establish and update the program principles and guidelines on a regular basis in consultation with the UNC Chief Information Officer Council. The details of the information technology governance program shall be confidential and not considered a public record to the extent permitted by North Carolina law.

C. The information technology governance programs shall follow the UNC System requirements, which will include:

1. A defined framework or frameworks to guide the development and implementation of the governance programs; and
2. A set of principles and guidelines addressing planning, prioritization, funding, evaluation, auditing, disaster recovery, privacy, and security of information technology and information resources, risk assessments, risk management, oversight of distributed

IT resources, organizational and staffing models, reporting and lines of authority, and such other areas as may be appropriate for the UNC System and the constituent institutions.

D. The chief information officer, in consultation with leadership at the UNC System Office and the constituent institutions, shall make recommendations to the president at least annually concerning collaborations, shared services arrangements, staffing structures, and additional resources needed to assure that constituent institutions are able to achieve and maintain consistent and effective information technology governance programs.

IV. Information Technology Governance Program. Each constituent institution and the UNC System Office shall establish an information technology governance program consistent with the UNC System's information technology governance program framework and principles.

A. The chancellor, or the president in the case of the UNC System Office, shall designate the institution's chief information officer or other member of the chancellor's senior staff, who will be responsible to the chancellor for oversight of information technology governance at the institution and implementation of the information technology governance framework and program as required by this policy.

B. The institution's chief information officer shall be vested with such authority as is necessary to successfully oversee the information technology governance program and ensure the establishment and proper implementation and operation of the information technology governance program framework and principles.

V. Oversight of Information Technology Governance

A. The UNC System Office chief information officer shall work with the UNC System Office finance, audit, and legal staff, and the Chief Information Officers Council, to establish the process and criteria by which each constituent institution and the UNC System Office shall demonstrate that it is operating in accordance with the UNC System's information technology governance program. The minimum criteria will include:

1. Demonstration of a comprehensive information technology governance program that encompasses both centralized IT and distributed IT consistent with the framework, principles, and guidelines established in accordance with Part III of this policy and include:

a. A set of principles and guidelines concerning information technology matters necessary to the teaching, research, and service missions of the UNC System and the constituent institutions, including but not limited to: security and encryption standards; software standards; hardware standards; acquisition of information technology consulting and contract services; disaster recovery standards; risk management and compliance; networking; wireless technologies; and personal devices; and

b. Guidelines and priorities for decision-making for information technology that align with the University's strategic objectives.

2. Periodic self-monitoring and external monitoring of the institution's compliance with all principles, standards, and guidelines;
3. Periodic audits of information technology and information resource issues by qualified auditors with specialized expertise;
4. Regular information technology risk assessments;
5. Periodic consideration of information technology matters by the audit/compliance/risk management committee of the institution's board; and
6. Effective systems of accountability to identify and correct deficiencies.

B. The Board of Governors and the board of trustees of each constituent institution shall assign responsibility for oversight of IT governance to a standing committee of the board with audit responsibility.

1. Annual audit plan. The annual audit plans of the constituent institutions shall consider, as appropriate, audit activity focused on information technology matters, based on annual risk assessments.
2. Audits. The assigned committee with responsibility for IT governance shall review and discuss audit activity relating to information technology matters, and address issues of importance in information technology governance on a regular basis at its scheduled meetings.
3. Reporting. The assigned committee with responsibility for IT governance may request information and reporting related to the institution's IT governance program. All audit reports involving information technology governance matters will be shared with the Committee on Audit, Risk Management, and Compliance (CARMC).

VI. Other Matters

- A. Effective Date. The requirements of this policy shall be effective on the date of adoption by the Board of Governors.
- B. Relation to State Laws. The foregoing policies as adopted by the Board of Governors are meant to supplement, and do not purport to supplant or modify, those statutory enactments which may govern the activities of public officials.
- C. Regulations and Guidelines. These policies shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.

User Identity and Access Control

I. Purpose. The security, privacy, and integrity of data and information systems is an operational priority for the University of North Carolina. Identity confirmation and access control techniques help mitigate the risk of unauthorized access to University data and information systems. This policy directs all University of North Carolina System constituent institutions to evaluate and conduct risk-based implementation of appropriate identity confirmation and access control techniques, such as multi-factor authentication, to control access to University data.

II. Risk-Based Implementation of Identity Confirmation and Access Control Measures. The UNC System chief information officer shall, in consultation with the Chief Information Officers Council, develop, maintain, and update standards for risk-informed identity confirmation and access control, such as multi-factor authentication, for use by constituent institutions and the UNC System Office. In the absence of multi-factor authentication, constituent institutions shall identify, implement, and document other appropriate measures to control access to sensitive data. Based on evaluation of the constituent institutions' identity confirmation and access control techniques, the University chief information officer may identify constituent institutions that require additional resources or consultation to implement and maintain adequate measures and meet the requirements of this policy.

A. Each constituent institution and the UNC System Office shall, implement and maintain risk-informed techniques to confirm user identity and control access to University information systems and resources, in accordance with the standards developed and maintained by the UNC System chief information officer.

B. The chancellor, or the president in the case of the UNC System Office, shall designate the institution's chief information officer or other member of the senior staff, who will be responsible for the oversight of the implementation and maintenance of user identity confirmation and access control techniques as required by this policy. The institution's chief information officer shall be vested such authority as is necessary to successfully oversee all aspects of the user identity confirmation and access control program as it applies to staff, faculty, students, and other individuals with access to the institution's information technology systems and information resources.

C. Each institution's user identification and access control measures must sufficiently control access to sensitive University data such as personally identifiable information, personal health information, and information subject to state or federal laws or regulations.

D. The timing and application of user identification and access control measures, such as multi-factor authentication and other techniques, shall be conducted in accordance with the standards maintained by the UNC System chief information officer, and guided by a risk-based evaluation of university data and information systems.

E. The standards developed and maintained by the UNC System chief information officer and the standards and measures established by the constituent institutions in accordance with

those policies shall be confidential and not considered a public record to the extent permitted by North Carolina law.

F. The UNC System Office chief information officer shall work with the UNC System Office finance, audit, and legal staff, and the Chief Information Officers Council, to establish the process and criteria by which each constituent institution and the UNC System Office shall demonstrate that it is operating in accordance with the requirements of this policy.

IV. Other Matters

A. Effective Date. The requirements of this policy shall be effective on the date of adoption of this policy by the Board of Governors.

B. Relation to State Laws. The foregoing policies as adopted by the Board of Governors are meant to supplement, and do not purport to supplant or modify, those statutory enactments which may govern the activities of public officials.

C. Regulations and Guidelines. These policies shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.

CHAPTER III- COMMITTEES OF THE BOARD OF GOVERNORS

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SECTION 302. GENERAL PROVISIONS CONCERNING STANDING COMMITTEES.

302 B. Officers of Standing Committees.

A chair, vice chair, and secretary of each standing committee shall be designated by the chair of the Board of Governors for a one-year term starting at the first meeting after July 1 of the year and continuing until their successors are appointed. No standing committee chair or vice chair may concurrently serve as chair or vice chair of another standing committee. No person may serve more than four successive terms as chair of the same standing committee.

CHAPTER III- COMMITTEES OF THE BOARD OF GOVERNORS

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SECTION 302. GENERAL PROVISIONS CONCERNING STANDING COMMITTEES.

302 B. Officers of Standing Committees.

A chair, vice chair, and secretary of each standing committee shall be designated by the chair of the Board of Governors for a one-year term starting at the first meeting after July 1 of the year and continuing until their successors are appointed. No standing committee chair or vice chair may concurrently serve as chair or vice chair of another standing committee. No person may serve more than four successive terms as chair of the same standing committee.