

BOARD OF GOVERNORS MEETING

The University of North Carolina

May 13, 2005

The Board of Governors met in regular session on May 13, 2005, in the Board Room of the General Administration Building, Chapel Hill. Mr. Souza, the vice chairman, called the meeting to order at 9:30 a.m.

INVOCATION

Mr. Bell gave the invocation:

All mighty God, you give us many blessings this special spring time, this month of May. We enjoyed the beauty of our President's garden last evening. This time of the year is a time of passage, as thousands of students graduate this spring fulfilling the real mission of our University. It is also a time of passage or a changing of the guard as Chancellor Jim Woodward of UNC Charlotte retires and a new chancellor, Phillip Dubois arrives; Chancellor Jim Mullen of UNC Asheville is on to a new opportunity as new chancellor Anne Ponder arrives. We are blessed this spring with wonderful new chancellors in Chancellor Oblinger at North Carolina State, Chancellor Ballard at East Carolina, and Chancellor Peacock at Appalachian. It is indeed such a great blessing that our system is blessed with all fine chancellors and with great leaders on every campus. We thank you for the wonderful excellence you have given us in the service of President Molly Broad and the staff she has built one by one over the years, the finest staff in the world. This spring is a time of passage as some of us as board members retire, others will continue, and new members will soon arrive. You have blessed us with the support of our state legislature who graciously elect us to this board and with whom this board has and will continue to work with in a positive and cooperative manner for the betterment of the University. We ask your blessings today on the recent passing of Oliver Max Gardner IV whom we have a special ceremony each year to celebrate his family. We thank you for the greatest single blessing to all of us as members of this great University of North Carolina Board of Governors, what we all have in common, our great love of this University. Amen.

ROLL CALL

Secretary Perry called the roll and the following members were present:

Bradley T. Adcock
G. Irvin Aldridge
James G. Babb
Brent D. Barringer
J. Addison Bell
R. Steve Bowden
F. Edward Broadwell, Jr.
William L. Burns, Jr.
Anne W. Cates
John F.A.V. Cecil
John W. Davis III
Amanda M. Devore
Ray S. Farris
Dudley E. Flood
Hannah D. Gage
Willie J. Gilchrist

H. Frank Grainger
Peter D. Hans
James E. Holshouser, Jr.
Peter Keber
Adelaide D. Key
G. Leroy Lail
Charles S. Norwood
Cary C. Owen
Patsy B. Perry
Jim W. Phillips, Jr.
Gladys Ashe Robinson
Benjamin S. Ruffin
Estelle W. Sanders
J. Craig Souza
Priscilla P. Taylor
Robert F. Warwick

The following members were absent:

J. Bradley Wilson
Bert Collins

Charles H. Mercer, Jr.

MINUTES

Mr. Grainger moved, seconded by Dr. Gilchrist, that the minutes of the meetings of March 18, 2005, and April 21, 2005, be approved. The motion carried.

PRESENTATION OF THE OLIVER MAX GARDNER AWARD

Vice Chairman Souza noted that the next item on the agenda, the presentation of the Oliver Max Gardner Award, is one of the highlights of the university year. Established by the will of the late Governor Gardner, this annual award recognizes a University of North Carolina

faculty member's contributions to the welfare of the human race. He called upon President Broad to make this year's presentation.

President Broad stated that in light of the tragic death of O. Max Gardner IV, it was a special honor to have Mrs. Janet Huffstetler, mother of O. Max Gardner IV, her son Webb Gardner, Cathy Gardner, wife of Judge John Mull Gardner, and her son Bill with us today. President Broad noted that contributions in memory of Max are being made to the O. Max Gardner Award Trust. She also expressed gratitude to the Gardner Family and the Gardner Foundation for their continuing support of the Oliver Max Gardner Award and of the University. She then called upon Mrs. Gladys Ashe Robinson, Chair of the 2005 Oliver Max Gardner Award Committee, to present the award.

Mrs. Robinson recognized the other members of the committee, Mr. Ray Farris, Dr. Dudley Flood, Mr. Peter Keber, and Mrs. Cary Owen. She stated that the Board of Governors honors Dr. Kenneth Bruce Adler, Professor in the Department of Molecular Biomedical Sciences in the College of Veterinary Medicine at North Carolina State University, as the recipient of the 2005 Oliver Max Gardner Award. Mrs. Robinson introduced Dr. Adler's family members and friends who had come to share in the occasion.

Following a short introductory video highlighting the contributions of Dr. Adler, Mrs. Robinson asked Dr. Adler to join her at the podium. Mrs. Robinson read the citation honoring Dr. Adler and President Broad presented him with a check in the amount of \$20,000 and a framed copy of the citation.

Dr. Adler responded. (For Dr. Adler's citation and response, see Appendix A.)

PRESIDENT'S REPORT

President Broad introduced the chancellors and representatives of affiliated organizations in attendance at the meeting and gave the board an update of the good news and accolades afforded many of the campuses.

In her report President Broad presented an update on budget deliberations, discussed University graduation and retention rates, the upcoming student graduations and faculty retirements, and the celebration of teaching excellence.

For the President's full report, see Appendix B.

ADMINISTRATIVE ACTION ITEMS

Vice Chairman Souza called attention to the Administrative Action Items listed on the agenda. Mr. Davis moved, seconded by Dr. Gilchrist, that the following Administrative Action Items be approved by consent:

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|-----------|---|------------|
| a. (B&F) | Authorization of Capital Improvements Project, Center for Design Innovation | Appendix C |
| b. (B&F) | Authorization of New Capital Improvements Projects, ECU | Appendix D |
| c. (B&F) | Authorization of New Capital Improvements Projects, NCA&T | Appendix E |
| d. (B&F) | Authorization of New Capital Improvements Projects, UNCC | Appendix F |
| e. (B&F) | Authorization of New Capital Improvements Projects, UNCG | Appendix G |
| f. (B&F) | Authorization to Enter Into a Swap Agreement, NCSU | Appendix H |
| g. (B&F) | Approval of Disposition of Property by Lease, NCSU | Appendix I |
| h. (B&F) | Approval of Disposition of Property by Lease, UNCW | Appendix J |
| i. (B&F) | Approval of Equal Value Exchange of Property, UNCC | Appendix K |
| j. (EPPP) | Authorization to Establish the Bachelor of Arts in Women's Studies, UNCA | Appendix L |
| k. (EPPP) | Authorization to Establish the Bachelor of Science in Sports Studies, ECU | Appendix M |
| l. (EPPP) | Authorization to Establish the Bachelor of Arts in German Studies, UNCW | Appendix N |
| m. (EPPP) | Authorization to Plan the Doctor of Philosophy in Geography and Urban Regional Analysis, UNCC | Appendix O |
| n. (EPPP) | Authorization to Plan the Doctor of Philosophy in Communication Sciences and Disorders, UNCG | Appendix P |

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r. (EPPP)	Approval of Licensure of the Art Institute of Charlotte to offer Bachelor of Arts degrees in Charlotte: Graphic Design, Interactive Media Design, and Culinary Arts Management	Appendix T
s. (EPPP)	Approval of the Center for Design Innovation, WSSU and NCSA	Appendix U
t. (EPPP)	Approval to Change the Belk College of Business Administration to the Belk College of Business	Appendix V
u. (PA)	Approval of the 2005 Board of Governors Non-Budget Legislative Initiatives	Appendix W
v. (BOG)	Approval of the Resolution Honoring James H. Mullen, Jr.	Appendix X
w. (BOG)	Approval of the Resolution Honoring James H. Woodward	Appendix Y
x. (BOG)	Approval of the Resolution Honoring G. Irvin Aldridge	Appendix Z
y. (BOG)	Approval of the Resolution Honoring James G. Babb	Appendix AA
z. (BOG)	Approval of the Resolution Honoring J. Addison Bell	Appendix BB
aa. (BOG)	Approval of the Resolution Honoring C. Clifford Cameron	Appendix CC
bb. (BOG)	Approval of the Resolution Honoring Anne W. Cates	Appendix DD
cc. (BOG)	Approval of the Resolution Honoring John F.A.V. Cecil	Appendix EE
dd. (BOG)	Approval of the Resolution Honoring Bert Collins	Appendix FF
ee. (BOG)	Approval of the Resolution Honoring Amanda M. Devore	Appendix GG

RECOGNITION OF DEPARTING CHANCELLORS

Vice Chairman Souza stated that it was an honor to recognize the many outstanding contributions of the two departing chancellors, Chancellor James H. Woodward and Chancellor James H. Mullen, Jr.

Vice Chairman Souza called attention to the resolution just approved honoring Chancellor Woodward and stated that it does not begin to list the chancellor's many accomplishments. He added that the board is extremely proud of all Chancellor Woodward has done for the University of North Carolina at Charlotte. He then invited Chancellor Woodward to the podium for his remarks.

Vice Chairman Souza thanked Chancellor Woodward and then recognized Chancellor Mullen of the University of North Carolina at Asheville. He stated that although Chancellor Mullen's tenure has been shorter than the board would have preferred, his impact on the University has been mighty. He added that the board recognizes the love and passion he has brought to higher education in our state. He then invited Chancellor Mullen to the podium for his remarks.

REPORT OF COMMITTEE ON BUDGET AND FINANCE

Mr. Phillips, chair of the Committee on Budget and Finance, presented the committee's report. He stated that at its meeting on the previous day, the committee approved a resolution regarding the legislative special provision that would authorize the Boards of Trustees at North Carolina State University and the University of North Carolina at Chapel Hill to set tuition rates.

Mr. Phillips read the resolution, and moved on behalf of the committee that the Resolution in Support of Preserving Tuition-Setting Authorities of the UNC Board of Governors be approved. The motion carried. (Appendix HH)

Mr. Phillips reported that both the Committee on Budget and Finance and the Committee on Public Affairs approved a motion in opposition to the special provision in the proposed Senate budget that provides for nonresident undergraduate students that receive full scholarships to be treated as resident students. He stated that the impact of this provision would place an additional financial burden on the University that would be in excess of \$32 million annually.

On behalf of the committee, Mr. Phillips moved that the Board of Governors oppose this special provision. The motion carried.

Mr. Phillips moved, on behalf of the committee, that the board delegate to the Committee on Budget and Finance the authority to allocate funds made available by the General Assembly if the state budget is ratified prior to the August meeting of the Board of Governors. The motion carried. (Appendix II)

REPORT OF THE COMMITTEE ON EDUCATIONAL PLANNING, POLICIES, AND PROGRAMS

Dr. Gilchrist, chair of the Committee on Educational Planning, Policies, and Programs, presented the committee's report.

The Transfer Assured Admissions Policy

Dr. Gilchrist reported that a revised version of the Transfer Assured Admissions Policy is at the end of the Educational Planning section in the board notebooks. He reported that among the recommendations of the consultant who studied the articulation agreement between the University and the North Carolina Community Colleges System was one to guarantee admission to UNC for students with an Associate of Arts or Associate of Science degree. The committee, appointed by the Transfer Advisory Committee and composed of representatives from the community colleges and the University, reviewed this issue and arrived at a policy proposal to assure admission to a UNC campus for community college AA and AS graduates who meet a set of criteria. This policy will require a 2.00 GPA and at least a "C" in all Comprehensive Articulation Agreement courses. This policy will not ensure admission to a specific campus nor to a specific major, and students will have to meet the judicial requirement of the campus.

On behalf of the committee, Dr. Gilchrist moved approval of the Transfer Assured Admissions Policy. The motion passed. (Appendix JJ)

Interim Report of Preliminary Findings for House Bill 1264

Dr. Gilchrist stated that the consultants' interim report of Preliminary Findings for House Bill 1264 was provided electronically to members of the board on Wednesday and is available in hard copy today. This report is due to the General Assembly on May 15, 2005. The report contains information and findings but no recommendations. Dr. Gilchrist stated that recommendations will come in a later report.

On behalf of the committee, Dr. Gilchrist moved that the Interim Report of Preliminary Findings for House Bill 1264 be approved and conveyed to the General Assembly by the due date. The motion carried. (Appendix KK)

Dr. Gilchrist stated that Lt. Governor Beverly Perdue made a presentation to the committee on the Business and Technology Alliance Project. This project provides information about the changing economy and recommendations regarding the need for technology-enhanced education in all our schools. In particular she asked the committee to endorse and recommend to the board that the Education Cabinet add a sixth strategic initiative to address the infusion of information and technology literacy skills in all learning environments.

On behalf of the committee, Dr. Gilchrist moved that the board endorse the proposal that the Education Cabinet add a sixth strategic initiative to address the infusion of information and technology literacy skills in all learning environments. The motion carried.

REPORT OF THE COMMITTEE ON UNIVERSITY GOVERNANCE

Mr. Adcock, chair of the Committee on University Governance, presented the committee's report.

Reappointments to the Board of Governors – University of North Carolina Press

On behalf of the committee, Mr. Adcock moved that J. Haywood Davis of New York City, Joy S. Kasson of Chapel Hill, and John P. Evans of Chapel Hill be reappointed to the Board of Governors of the University of North Carolina Press, for terms ending June 30, 2010. The motion carried.

Appointments to the Board of Governors – University of North Carolina Press

On behalf of the committee, Mr. Adcock moved that Hiroshi Motomura, Professor of Law at UNC Chapel Hill, be appointed to the Board of Governors of the University of North Carolina Press, for a partial term ending June 30, 2006. The motion carried.

On behalf of the committee, Mr. Adcock moved that Fitzhugh Brundage, Professor of History and Director of Graduate Studies at UNC Chapel Hill, and Sherman James, Professor of Public Policy Studies at Duke University, be appointed to the Board of Governors of the University of North Carolina Press, for partial terms ending June 30, 2008. The motion carried.

Appointments to the Board of Directors – North Carolina Arboretum

On behalf of the committee, Mr. Adcock moved the reappointment of Anne Copenhaver of Winston-Salem, and the appointment of William C. “Bill” Sword of Asheville, and Robert S. Hayter of Pinehurst, to serve on the North Carolina Arboretum Board of Directors for terms ending June 30, 2009. The motion carried.

2005 Trustee Selection Process

Mr. Adcock reported the committee brings to the board for its consideration the 2005 slate of trustees for the 16 institutional campus Boards of Trustees. Terms for these trustees will begin July 1, 2005, and conclude June 30, 2009. He noted that there are five provisionally elected trustees who have not yet completed orientation and plans are underway to remedy that situation.

On behalf of the committee, Mr. Adcock moved approval of those provisionally elected trustees who have completed their required Board of Governors orientation. The motion carried.

Petition to Serve in Public Office - Dr. Paul Luebke

On behalf of the committee, Mr. Adcock presented and moved approval of a petition from Dr. Paul Luebke, a faculty member of the University of North Carolina at Greensboro, to maintain full-time University employment during the Fall Semester 2005 while serving as a member of the NC House of Representatives. The motion carried. Mr. Phillips and Mr. Souza abstained from the vote.

National Industrial Security Program Operations Manual

Mr. Adcock stated that as part of the accreditation process for the UNC Charlotte Closed Facility and to meet the requirements of the National Industrial Security Program Operations Manual under which the campus will be conducting research involving Department of Defense classified information, the Board of Governors must pass a resolution naming those members of the board who will not have access to the information and therefore will not be required to have personal security clearances. At the March meeting, the board approved a resolution that listed the Chairman of the Board of Governors, the President of the University, and the Vice President for Research and Sponsored Programs as those required to have the security clearance. The resolution excluded the remaining members of the Board of Governors from this requirement. A modification of the resolution eliminating the Vice President for Research and Sponsored Programs from this requirement is in the board folders.

On behalf of the committee, Mr. Adcock moved the approval of the modified resolution, thus meeting the requirements of the National Industrial Security Program Operations Manual. The motion carried.

UNC Health Care System Board of Directors

Mr. Adcock reported that the committee received the recommendation from President Broad appointing Dr. Frank M. Longo of the UNC Department of Neurology to the faculty position on the UNC Health Care System Board of Directors. He added that Dr. Longo's vitae is in the board folders.

On behalf of the committee, Mr. Adcock recommended the ratification of the President's appointment. The motion carried.

Mr. Adcock stated that Chairman Wilson asked the staff to propose an amendment to *The Code* that would make the Committee on Public Affairs a standing committee and that Leslie Winner drafted changes to Chapter III of *The Code* to comply. He reported that the committee received and approved a modified amendment at its meeting on the previous day and the committee will bring this proposed amendment to the board for consideration at the August meeting.

REPORT OF THE COMMITTEE ON ECONOMIC DEVELOPMENT AND THE UNIVERSITY

Mr. Cecil, chair of the Committee on Economic Development and the University, presented the committee's report. He stated that the committee met on May 12, 2005, to review the first draft of *The Role of the University in Community and Economic Development*. The highlights of the draft were how to place the University in context of the global challenges around North Carolina and NC's responses to that, how do we place the UNC System in the forefront of this discussion and ultimately, how were we going to define success or some measurements for this. The basic four goals or strategies that are outlined in the draft are:

- Deliver learning that meets the needs of the 21st century economy.
- Develop effective and responsive public institutions that provide economic development and public policy analysis.
- Build competitive businesses.
- Grow high-quality, healthy and attractive communities.

REPORT OF THE COMMITTEE ON PUBLIC AFFAIRS

Mr. Babb, chair of the Committee on Public Affairs, presented the committee's report.

Board of Governors 2005 Non-Budget Legislative Initiatives

Mr. Babb stated that the 2005 Non-Budget Legislative Initiatives have been included in the board folders and that the committee met and approved additional campus project changes to item number one, the *Bond Project Modifications*, along with the addition of two items at the request of UNC Health Care. He stated that these items were approved by the board on the consent agenda.

Mr. Babb reported that the committee heard state legislative updates at its meeting and that the Senate has released its budget. The committee reviewed the budget and discussed several special provisions. Mr. Babb noted that the committee also approved the resolution in Support of Preserving Tuition-Setting Authorities of the UNC Board of Governors and opposed the provision in the Senate budget authorizing nonresident undergraduate students that receive full scholarships to be treated as resident students.

Mr. Babb stated that the House has already begun its budget process and that the subcommittees will receive their spending targets on Monday, May 16, 2005. He added that the staff will continue to keep the board updated as the budget proceeds.

REPORT OF THE TASK FORCE ON BEST FINANCIAL PRACTICES

Mr. Warwick, chair of the Task Force on Best Financial Practices, presented the committee's report. He stated that the committee discussed a report on the required elements of university associated entity relationships.

RECOGNITION OF DEPARTING BOARD MEMBERS

Vice Chairman Souza stated that it was his honor to recognize the members of the board who are retiring this year. He called upon Mr. Cecil, Mr. Farris, and Dr. Taylor to pay tribute to Chairman *Emeritus* C. Clifford Cameron. Mr. Farris and Mr. Cecil recapped the long career and many contributions Mr. Cameron has made to the University and the state of North Carolina. Dr. Taylor read the resolution honoring Mr. Cameron passed by the board on the consent agenda. Mr. Cameron was then invited to the podium to give his remarks.

Vice Chairman Souza asked Secretary Corgnati to present the remaining six retiring members with their resolutions as he offered each of them the opportunity to make brief departing remarks. Mr. Aldridge, Mr. Babb, Mr. Bell, Mrs. Cates, Mr. Cecil, and Ms. Devore each made brief remarks before being honored with a standing ovation.

As he thanked each retiring member for their valued service to the University, Vice Chairman Souza noted that there were approximately 65 years of University service stepping down from the board today. He added that it has been an honor serving with them.

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On motion of Dr. Perry, seconded by Mr. Grainger, the board voted to convene in closed session pursuant to North Carolina General Statutes 143-318.11(a)(5), and 143-318.11(a)(6). The motion carried.

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The Board of Governors went into closed session at 10:15 a.m. and returned to open session at 11:00 a.m.

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REPORT OF THE COMMITTEE ON PERSONNEL AND TENURE

Mr. Davis, chair of the Committee on Personnel and Tenure, presented the committee's report.

Summary Personnel Report

On behalf of the committee, Mr. Davis moved approval of the committee's summary personnel report as presented in closed session. The motion carried. (Appendix LL)

Mr. Davis reported the committee reviewed the amendments to Policy 300.2.2, *Conflicts of Interest and Commitment Affecting Faculty and Non-Faculty EPA Employees* and the rescinding of Policy 300.6.1, *External Professional Activities of Faculty and Other Professional Staff*. He stated that these changes, along with amended and new regulations, will combine the intent of both policies into the newly amended Policy 300.2.2. He advised the board members to spend a few minutes reading the regulations, as the amended policies will be on the consent agenda at the August meeting.

Mr. Davis stated that the members were sent a revised agenda to reflect the addition of the proposed Policy 300.1.6.2, *Administrative Separation of the President and Chancellors*, which provides the terms for retreat rights and separation from the University for the president and

the chancellors. He added that this policy will also be on the consent agenda at the August meeting.

Mr. Davis reported that the committee also asks the board's approval of the *Resolution Honoring Retiring Faculty*, a copy of which has been placed in the board folders. The motion carried. (Appendix MM)

Mr. Davis asked the board to delegate to the committee the authority to approve appointments and set the compensation of EPA non-faculty and faculty whose appointments are to take effect before the next scheduled meeting of the Board of Governors. Such appointments would be approved at a special meeting of the Committee on Personnel and Tenure. In addition, he asked the board to delegate to this committee the authority to act on a *Salary Resolution*, if necessary, to carry out the academic salary policies for 2005 – 2006, and to delegate to the President, the authority to implement the Resolution. The motion carried.

CHAIRMAN'S REMARKS

Vice Chairman Souza made the following announcements:

- The Presidential Search Committee Public Forums were held at UNC Charlotte, NCA&T State University, and UNC Chapel Hill. The fourth and final public forum will be held at East Carolina University on Monday, March 16 from 11:00 a.m. until 1:00 p.m. at the Murphy Center Athletic Complex.
- The Presidential Search Committee will meet next Tuesday, May 31 at 9:00 a.m. in the General Administration Building.
- The Board of Governors is not scheduled to meet in June or July. The next regular meeting of the board is scheduled for August 12, 2005, in the General

Administration Building and the newly elected members of the board will be sworn in at that time.

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There being no further business, the meeting adjourned at 12:00 p.m.

Secretary

APPENDICES

(All appendices are a part of the official record of the meeting.)

Appendix A	Dr. Adler's Citation and Response	Attached
Appendix B	President's Report	Attached
Appendix C	Authorization of Capital Improvements Project, Center for Design Innovation	Attached
Appendix D	Authorization of New Capital Improvements Projects, ECU	Attached
Appendix E	Authorization of New Capital Improvements Projects, NCA&T	Attached
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Appendix GG	Approval of the Resolution Honoring Amanda M. Devore	Attached
Appendix HH	Resolution in Support of Preserving Tuition-Setting Authorities of the UNC Board of Governors	Attached
Appendix II	Authorization of Delegated Authority	Attached
Appendix JJ	Transfer Assured Admissions Policy	Attached
Appendix KK	Interim Report of Preliminary Findings for House Bill 1264	Omitted here
Appendix LL	Summary Personnel Report	Attached
Appendix MM	Resolution Honoring Retiring Faculty	Attached