



The University of North Carolina

GENERAL ADMINISTRATION

POST OFFICE BOX 2688, CHAPEL HILL, NC 27515-2688

STEVEN LEATH, Ph.D., *Vice President for Research*

Telephone: (919) 962-4619 • Fax: (919) 843-4942 • E-mail: sleath@northcarolina.edu

Constituent Universities
Appalachian State
University

East Carolina
University

Elizabeth City
State University

Fayetteville State
University

North Carolina
Agricultural and
Technical State
University

North Carolina
Central University

North Carolina
School of
the Arts

North Carolina
State University
at Raleigh

University of
North Carolina
at Asheville

University of
North Carolina
at Chapel Hill

University of
North Carolina
at Charlotte

University of
North Carolina
at Greensboro

University of
North Carolina
at Pembroke

University of
North Carolina
at Wilmington

Western Carolina
University

Winston-Salem
State University


Constituent High School
North Carolina
School of Science
and Mathematics

An Equal Opportunity/
Affirmative Action
Employer

MEMORANDUM

September 29, 2009

TO: Members, Committee on Educational Planning, Policies, and Programs

FROM: Steven Leath 

SUBJECT: Consultation on Revised Regulations for Centers and Institutes

Background: Discussions of revising UNC Regulation 400.5 began in the spring, in response to insights gained through the UNC Tomorrow process. Specifically, we learned that center and institute directors need clearer and more specific procedural information regarding establishment, review, and management. Additionally, parameters for what should and should not be considered inter-institutional under the existing guidelines were either unclear or inconsistently followed, and UNC General Administration seemed to add limited value to the oversight of inter-institutional centers, particularly beyond their formative periods. Movement on the revision was tabled for several months in order to focus on budget issues during the legislative session. Both inter-institutional center directors and campus research administrators have reviewed and offered comments on the proposed revisions.

The proposed revisions place greater focus on strengthening campus-based management of centers/institutes (of which there are 270+), whereas the current version of 400.5 is focused on the management of UNC inter-institutional centers and institutes (of which there are 18). The new regulation would require campuses to create or update their policies and processes to include clear guidelines on authority, planning, establishment, management, and discontinuation. The revisions also return more oversight of and responsibility for inter-institutional endeavors to the Chancellors of the administrative and partnering institutions. UNC GA will remain involved in two types of multi-institutional centers and institutes: 1) participants in federal matching programs (such as SBTDC and NC Sea Grant), and 2) those centers or institutes that are legislatively sanctioned and with requirements to involve multiple campuses (such as the Institute for Transportation Research and Education (ITRE); any such new centers or institutes will cycle to administrative campus oversight once operational).

Jurisdictional Authority: UNC Policy Manual: 100.2, 3a. Regulations and guidelines pertaining to board policy, or other matters not addressed by a policy, will be promulgated by the president and distributed to the campuses.

UNC Policy Manual: 100.2[G], B.4. Regulations and Guidelines are not approved by the Board of Governors.

Issues Involved: Upon approval by President Bowles, the UNC Office of Research and Sponsored Programs will work closely with campuses to ensure policies are updated and with existing UNC inter-institutional centers and institutes to ensure that any needed transitions are accomplished in a satisfactory manner. A set of companion guidelines that helps directors address boards, bylaws, MOUs, and other policy or collaborative issues, will also be created to accompany this regulation.

Recommended Action: No action recommended other than advice regarding the revised regulations.

**Planning, Establishing, and Reviewing Centers and Institutes in
The University of North Carolina
DRAFT**

A. Introduction and Scope

The University of North Carolina (UNC) encourages partnerships - within, across, and beyond its constituent institutions - that maximize the capacities of UNC to address complex problems of importance to North Carolina, the nation, and the world. Such partnerships may take the form of centers and institutes. Centers and institutes are particularly effective structures when efforts require cross-disciplinary or cross-unit coordination. Centers and institutes, when formed, should result in strengthened and enriched programs around the core missions of research, service, and instruction; enhanced opportunities for faculty, staff and student; heightened economic impact in the state; and a reduction in duplication within UNC.

For purposes of classification, there is no technical distinction between the terms *center* and *institute*. In practice, an institute frequently refers to an entity having a broader scope of activity than a center. For example, an institute may create centers as separate units within its administrative structure. Centers and institutes may require new infrastructures to facilitate administration, fiscal management, and on-going activities. Many centers and institutes report to or involve only a single UNC campus. Some involve more than one UNC campus and require significant, sustained, and necessary multi-campus collaboration in one or more aspects including leadership, governance, mission, core activities, funding, and other resources. A center or institute within UNC may, under appropriate circumstances, include the participation of other institutions, agencies, or organizations, such as other colleges and universities, schools, hospitals, industry, foundations, or governmental bodies. Centers and institutes do not have jurisdiction over academic curricula, although they may offer courses in cooperation with academic units.

This regulation has three purposes:

- 1) provide a framework upon which campuses can build detailed policies and protocols that guide the establishment and management of institutional centers and institutes (Section B);
- 2) define University System Multi-Campus Centers or Institutes and the oversight role of UNC General Administration (UNC-GA) in these (Section C); and,
- 3) outline expectations for reporting on centers and institutes (Section D).

B. Regulations for Centers and Institutes

The following regulations generally apply to centers and institutes that involve only a single UNC institution. Additional considerations are included for institutions that serve as administrative campuses

for centers and institutes that require significant and sustained involvement of more than one UNC institution.

1. Authority. Campuses should adopt the following authoritative roles in their own policies and procedures.

a. Administrative Campus. Each center or institute must designate an administrative campus. For centers and institutes situated on a single campus, this designation is straightforward. Full authority for the oversight of institutional centers and institutes rests at the campus level, including establishment, management, and discontinuation. For centers and institutes involving more than one UNC campus, agreement on an administrative campus must be reached. Administrative campuses are responsible for the general and fiscal oversight and management of their institutional centers and institutes, in accordance with this regulation and campus level policies and procedures.

b. Board of Trustees. The Board of Trustees of each administrative campus has the authority to approve campus level policies on centers and institutes and to authorize establishment and discontinuation of institutional centers and institutes. The Board of Trustees may, upon official action, delegate authorization for establishment or discontinuation to the Chancellor.

c. Directors. Each center or institute must identify a director. Center and institute directors are responsible for the day-to-day programmatic, fiscal and personnel decisions associated with the center and institute mission and core personnel.

d. Center or Institute Boards or Committees. A center or institute may determine that an advisory or policy board is needed. Boards or committees are particularly useful when the center or institute must coordinate efforts across departments, units, or institutions. Such boards do not have the authority to make hiring offers to directors or other staff. While boards may make recommendations regarding the use of center and institute funds, such entities do not have the authority to access, use, or otherwise control funds associated with the centers and institutes.

e. Authority through Bylaws, Memoranda of Understanding, or other Governing Documents. Centers and institutes, particularly those requiring sustained involvement across multiple campuses or partner institutions, may address certain aspects of their management through bylaws, Memoranda of Understanding (MOUs), or other governing documents. Examples of decisions that can be localized at the center or institute level include processes for appointing and staggering terms of board members, requirements for adding new partners or partner campuses, or agreements on leadership and logistics for specified collaborative initiatives. Centers and institutes that involve multiple campuses, but without such documents, are considered under the full authority of the administrative campus as defined above, in sections 1a thru 1d.

2. Planning. A planning period can serve many purposes for a conceptualized center or institute, including time to demonstrate the validity of the concept, define partner relationships and roles, or

identify fiscal and other resources required for sustainability. Administrative campuses must have policies that address the following aspects of the planning of institutional centers and institutes:

- a) Clear process for requesting authorization to plan a center or institute. Minimum required documentation should include:
 - i. Relevance of the proposed center or institute to the mission of administrative campus and UNC;
 - ii. Objectives of the proposed center or institute and why the objectives cannot be achieved within existing institutional or University structures;
 - iii. Discussion of differentiation from similar centers, institutes, or units within the campus, UNC and the State, and proposed relationships with them;
 - iv. Potential sources and estimated funding to initiate and sustain the proposed center or institute, presented as a five-year projection;
 - v. When relevant, statements on the inter-institutional nature of the proposed center or institute, whether it be mission, leadership, activities, funding, or other aspects;
- b) Milestones, timelines, and responsible parties associated with center and institute planning periods;
- c) Clear process for granting and notification of authorization to plan a center or institute.

3. Establishment. When a center or institute approved for planning is ready and able to demonstrate its viability, a formal request for authorization to establish is prepared. Administrative campuses must have policies that address the following aspects of the establishment of institutional centers and institutes:

- a) Clear process for requesting authorization to establish a center or institute. Minimum required documentation should include the items listed in the authorization to plan documentation (Section 2a) as well as:
 - i. Name of the proposed center or institute, which appropriately reflects the center or institute mission and scope;
 - ii. Identification of proposed center or institute as either a research, public service, or instructional unit, in accordance with its primary mission and core activities, with the understanding that the center or institute may also conduct complementary activities outside of its primary designated mission;
 - iii. Organizational structure of the proposed center or institute, including name of a proposed director, description of the membership and function of any proposed advisory or policy boards, and proposed responsibility structure;
 - iv. Statement on the anticipated effects of the proposed unit on the instructional, research and/or public service programs of the administrative campus; and, when inter-institutional arrangements are involved, a statement on the anticipated effects of the proposed collaboration on the instructional, research and/or public service programs of all participating campuses;

- v. Statement on immediate operating needs, such as equipment, library resources, and space needs, and 5-year projections of future space needs;
 - vi. When relevant, evidence that inter-institutional arrangements regarding leadership, governance, activities, funding, or other aspects have been reached by the cooperating Chancellors or designees;
 - vii. An accountability plan that complies with policy of the administrative campus, noting specific dates for the initial director and center reviews.
- b) Milestones, timelines, and responsible parties associated with establishment;
 - c) Clear process for granting and notification of the establishment of a center or institute, which includes notification to the UNC Office of Research and Sponsored Programs.

4. Management. Active centers and institutes must undergo regular review to ensure ongoing alignment with departmental, college and/or institutional missions and resources, success in accomplishing stated objectives, and sound fiscal status and practices. Administrative campuses must have policies that address the following aspects of the management of centers and institutes:

- a) Process for director searches, including steps of the process, participants and responsible parties, and appropriate decision-making procedures;
- b) Cycle(s) for annual and external reviews of center and institute activities, including designation of the responsible office or offices;
- c) Criteria for center and institute reviews, to include at minimum:
 - i. Performance against objectives and goals;
 - ii. Quality and quantity of scholarly activity (as appropriate per mission);
 - iii. Sufficient budget to continue operation;
 - iv. Responsible fiscal oversight;
 - v. Assurance that the entity does not duplicate other institutional, UNC or State entities;
 - vi. Client feedback (client defined as appropriate per the unit's mission).
- d) Listing of other considerations, outside of the above performance review criteria, to be discussed during review periods, including facilities, personnel, or other operational needs.
- e) Cycle(s) for review of center and institute directors, including designation of the responsible office or offices;
- f) Criteria for director review, to include at minimum:
 - i. Performance against individual objectives and goals;
 - ii. Feedback on leadership and communication from center/institute staff, partners and/or clients;
 - iii. Management of fiscal and human resources;
- g) Standard practices and procedures for involving other UNC campuses in review processes, when relevant;
- h) Articulation of the type of unsatisfactory performance that could merit conditions for discontinuation of a center, institute, director, or others;

- i) Clear plans for occasions when centers, institutes or directors do not meet minimum review expectations, including process, milestones, and responsible parties.

5. Discontinuation. A center or entity may be discontinued for a variety of reasons, including lack of fiscal resources for sustainability, termination of a supporting grant or award, lack of fit with departmental, college or institutional missions or objectives, or cases of extraordinary circumstances. Campus level policies must provide a clear process for the discontinuation of centers and institutes, whether on probationary status, performing satisfactorily, or in other extraordinary circumstances. For those entities that involve only a single campus, the process should include approval by the Board of Trustees and notification to the UNC Office of Research and Sponsored Programs. For those centers and institutes that require significant and sustained cooperation among more than one UNC campus, agreement must be reached and documented by the partner Chancellors or designee before the recommendation to discontinue goes before the Board of Trustees at the administrative campus. If such an agreement cannot be reached by partner Chancellors or designees, then UNC General Administration, through the Office of Research and Sponsored Programs, will convene partners and determine an acceptable solution.

The “phase-out” period for centers and institutes that are to be discontinued shall be sufficient to permit an orderly termination or transfer of contractual obligations and to allow an effort to find alternative employment for full-time staff. Normally, the “phase-out” period shall be no more than one year after the end of the academic year in which final approval is given to discontinue the center or institute.

6. Other Entities. Other coordinating entities, such as partnerships, consortia, collaboratives, or centers that form within existing centers or single departments, may be considered exempt from these regulations. For example, faculty within a department may decide to form a collaborative in order to more intentionally connect their research projects and professional networks. While such a group may prove a valuable resource to external partners or other disciplinary contacts, it would likely require little to no structure, funds, or management to function. A final determination will be left to the discretion of each constituent institution as to whether such entities will be governed under institution level processes. Campuses should make appropriate provisions in their policies and procedures to ensure they remain knowledgeable of the existence and viability of such entities.

B. University System Multi-Campus Centers and Institutes

Some centers and institutes are established either to represent North Carolina in a federally funded and formula-based program, many of which require state matching funds, or through legislative action with requirements of multiple campus engagement. These entities, known as University System Multi-Campus Centers and Institutes, will maintain varying levels of involvement from UNC General Administration throughout their life cycle, as described below.

1. Participants in a Federal Program. Centers and institutes that are established via a federally funded and formula-based program must, with guidance from UNC General Administration, identify an administrative campus in UNC. The administrative campus will retain responsibility for general and fiscal oversight with exception of the budget expansion request process, in which UNC General Administration will assist. A reporting line to UNC General Administration through the UNC Office of Research and Sponsored Programs will be maintained throughout the existence of these centers and institutes to ensure appropriate system level involvement in the center mission and the federal review processes for these centers, institutes, and their directors. These entities shall reach agreements with their administrative campuses to have any regularly occurring and extensive federal review meet the requirement for periodic external review. A center or institute participating in a federally-funded and formula-based matching program may be discontinued if the sponsoring unit of the federal government terminates funding for the program. Otherwise, when it becomes necessary for UNC to discontinue one of these centers and institutes, the chancellor of the administrative campus should, in consultation with the other participating constituent institutions, prepare and forward a written request to the UNC President, with copy to the Vice President for Research. The President will then make such recommendations as are necessary to the Board of Governors for approval of the discontinuation. The “phase out” period considerations noted in Section B.5 also apply to these centers and institutes.

2. Legislatively Sanctioned Multi-Campus Centers and Institutes. Centers and institutes that are established via legislative action of the North Carolina General Assembly and that require multiple campus engagement must, with guidance from UNC General Administration, identify an administrative campus in UNC. At the time of the enactment of the legislation, UNC General Administration will assist these entities and the administrative campus in the creation of planning, establishment, and other governing documentation (e.g., bylaws, memoranda of understanding). After these governing documents are effective, the entity will come fully under the auspices of the administrative campus for general and fiscal oversight. Discontinuation provisions should be noted in the governing documents and should involve the counsel of UNC General Administration in the discontinuation process, through the Office of Research and Sponsored Programs.

3. Other multi-campus centers and institutes. The provisions of this regulation are intended to enable campuses to effectively manage centers and institutes, whether institutional or involving multiple campuses. Inter-institutional centers and institutes are hence not singled out as exceptional circumstances requiring system-level oversight but rather to be considered as a customary practice that may require some additional considerations. UNC General Administration, through the Office of Research and Sponsored Programs, can offer assistance during the planning phase of complex multi-campus efforts. Upon the need to discontinue one of these entities, the provisions in Section B. 5 of this regulation will apply.

C. Other

1. **Reporting.** The Office of Research and Sponsored Programs at UNC General Administration will compile an updated listing of all UNC centers and institutes every two years, in accordance with the long-range planning process. This information will be posted on the UNC website and categorized by mission. Each center or institute must be designated as a *research, public service, or instructional* unit in accordance with its primary mission and core activities, with the understanding that many centers and institutes will also conduct complementary activities outside of their primary designated mission. Administrative campuses must also designate when a center or institute that they administer is a UNC System Multi-Campus Center or Institute.

2. **Exceptions.**

This Regulation does not apply to Affiliated or Associated Entities, as defined in University Policy. Any other exceptions or modifications to these regulations must be approved by the President.