

COMMITTEE ON PERSONNEL AND TENURE

Thursday August 10, 2006 at 2:00 p.m. in Board Room 2, in the General Administration Building,
910 Raleigh Road, Chapel Hill, NC

Minutes of Meeting August 10, 2006

Committee members present at the meeting included: Mr. Charles H. Mercer, Jr., Dr. Dudley E. Flood, Ms. Hannah D. Gage, Mr. H. Frank Grainger, Mr. Peter D. Hans, Mr. Charles S. Norwood and Dr. Patsy B. Perry, Board of Governors member Irvin (Al) Roseman attended a portion of the meeting. General Administration staff present at the meeting included: Dr. Harold L. Martin, Ms. Betsy Bunting, Ms. Ann Lemmon, Ms. Kimrey Rhinehardt, Mr. Charles Waldrup, Ms. Leslie Winner, and Ms. Lisa Adamson. Fayetteville State University, Chancellor T.J. Bryan, and Mr. Dan Fischer, the Senior Vice President of the Association of Student Government, attended a portion of the meeting.

The Committee elected officers for 2006-2007. Charles H. Mercer, Jr was re-elected as Chair, Dr. Dudley E. Flood was elected as Vice Chair, and Mr. H. Frank Grainger was elected as the Secretary.

The minutes of the June 8, 2006 meeting and the July 20, 2006 Special Meeting were approved as distributed.

Mr. Mercer asked for a motion to go into Closed Session "to establish or instruct the staff or agent concerning the negotiation of the amount of compensation or other terms of an employment contract; to consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee; to hear or investigate a complaint, charge, or grievance by or against a public officer or employee." [N.C.G.S. §143.318.11(a)(5)&(6)]

The meeting was moved into closed session.

(The complete minutes of the Closed Session are recorded in Appendix A.)

The Committee returned to open session.

Mr. Charles Waldrup discussed the two amendments to contracts previously approved by this Board on behalf of the UNC Optional Retirement Program. The "*Late Day Trading Addendum*" between Wilmington Trust Co. and UNC permits daily, computerized, after hours trading in mutual funds pursuant to a set schedule. The "*Second Amendment to Trust Agreement Between Fidelity Management Trust Co and UNC*," permits an additional investment fund to be made available to participants, a commingled pool of a Fidelity group trust, called the *Managed*

Income Portfolio. After some discussion, the motion was made and seconded for recommendation for approval by the Board of Governors. Motion passed unanimously.

Mr. Waldrup agreed to prepare the Motion to approve the Addendum and Second Amendment for Optional Retirement Program for approval by the full Board at the August 11, 2006 meeting.

Mr. Waldrup also discussed the proposed amendments to Policy 1000.2.2, "*Waiver of Tuition and Fees for Faculty and Staff*" conforming the policy to recent legislation permitting tuition waiver for faculty and staff for up to three courses per year. After some discussion, it was agreed to request that the Board suspend the 28-day rule and approve these revisions at the August 11, 2006 meeting, to enable faculty and staff to have a third course available to them during the upcoming Fall Semester. The motion was made and seconded for recommendation for approval by the Board of Governors. Motion passed unanimously.

The Committee discussed the issue of campus procedures for tenure approval. Dr. Martin told the Committee members that he had extensive conversations with the chancellors of Elizabeth City State University, Fayetteville State University, North Carolina A&T State University, North Carolina Central University and the North Carolina School of the Arts regarding management flexibility. He told the Committee that he will be working with these campuses to encourage them in this process and would review their policies and procedures to ensure that they were consistent with practices and procedures at other constituent institutions. Dr. Martin stated that both North Carolina Central University and the North Carolina School of the Arts were expected to bring their requests for management flexibility to the October meeting.

Mr. H. Frank Grainger, Secretary

Attachments

APPENDIX A
(Complete Closed Session Actions)
August 10, 2006

The meeting was moved into closed session.

Dr. Harold Martin presented recommendations for administrative appointments from Elizabeth City State University for: Jennifer Keane-Dawes as Dean of the School of Arts and Humanities; Sylvia A. Mason as Dean of the School of Education and Psychology; and Cynthia A. Warrick as Dean of the School of Math, Science and Technology. Dr. Martin noted that the appointment of W. Franklin Evans as Associate Vice Chancellor for Academic Affairs was removed from consideration as Board of Governor's approval is not needed for associate vice chancellor appointments. There was a discussion regarding the professional publications being reported for Jennifer Keane-Dawes. Dr. Martin told the Committee that he had discussed this matter with Provost Ron Blackmon and that Dr. Blackmon provided additional information regarding the professional publications reported. He said Dr. Blackmon assured him that the publications reported by the candidates fulfilled the campus requirements. Dr. Martin stated he was satisfied with the information he received on the appointees and that the information presented was consistent with past practices. The Committee members requested that this information be provided in a 2-3 page summary in the future for ease of review. Dr. Martin said that he would communicate with the campuses to assure that the information presented for approval follows a consistent format. Dr. Martin provided a brief explanation of the tenure approval process for new Committee members, Hannah Gage, Peter Hans and Charles Norwood.

Next, Dr. Martin presented recommendations for administrative appointments from Fayetteville State University for: David E. Barlow as Dean of the College of Basic and Applied Sciences; Latonya Hankins as Vice Chancellor for Business and Finance; and Paul Prabhaker as Dean of the School of Business and Finance. Dr. Martin invited Chancellor Bryan to discuss Latonya Hankins' appointment. Chancellor Bryan told the Committee that Ms. Hankins was being promoted into the position, after having successfully served as the interim for the past year. She noted that Ms. Hankins worked closely with the finance team from General Administration in improving the accounting practices at FSU and instituted significant changes to past administration practices. She told the Committee that Ms. Hankins has "turned around" the finance department and her appointment was supported by the GA finance team members, Jeff Davies, the former VP for Finance (now Chief of Staff) and Associate Vice President, George Burnette. Chancellor Bryan stated that she understood that promotions from within, where a search was not conducted, were permissible in certain situations. Some of the Committee members questioned whether there could be legal ramifications from this action and asked Mr. Waldrup and Ms. Lemmon to comment on the matter. As there was not an agreement between Ms. Lemmon and Mr. Waldrup, Leslie Winner was asked to provide a legal opinion. Ms. Winner stated that she did not believe that legal action was likely in this case and that it was customary to promote from within in circumstances such as this. Dr. Martin pointed to the appointment of Mr. Lee Andrew Willis as Vice President for Governmental Relations in the division of University Affairs at UNC General Administration, noting that a search had not been conducted for this position and that at times this was a prudent course of action. Mr. Flood told the Committee that he believed not approving Ms. Hankins as Vice Chancellor for Business and

Finance would indicate little confidence in the Chancellor's decision and that asking FSU to conduct a search at this point would prove to be a both waste of time and money as it was likely the Ms. Hankins would again surface at the top choice.

Next, Dr. Martin presented recommendations for administrative appointments from UNC General Administration for Stephanie Dean and Tim Heavey, both as Program Coordinator at the James B. Hunt, Jr. Institute for Educational Leadership and Policy; Miles Emerson Lackey as Director for Federal Government Relations and Lee Andrew Willis, III as Vice President for Governmental Relations, both in the division of University Affairs; Matthew Todd McBee as Research & Evaluation Specialist for GEAR-UP NC in the division of Academic Affairs; Lori A. Mathis as Information and Technology Coordinator for the UNC TLT Collaborative in the division of Information Resources; and Harry Starnes as Associate Director for the NC Model Teacher Education Consortium. After some discussion, the motion was made and seconded for recommendation for approval for all administrative appointments by the Board of Governors. Dr. Patsy Perry abstained on the appointment of Jennifer Keane-Dawes and Mr. Charles Norwood abstained on the appointment of Lee Andrew Willis and Latonya Hankins.

Dr. Martin presented recommendations for promotions with conferral of tenure and conferrals of tenure from Elizabeth City State University and a faculty appointment with conferral of tenure, and two distinguished professorships from North Carolina Central University. After some discussion, the motion was made and seconded for recommendation for approval of all by the Board of Governors. Motion passed unanimously.

Dr. Martin presented requests for salary increases of 15% or more and \$10,000 or more from Appalachian State University for Susan L. Tumbleston, Program Director of the Be Active-NC Appalachian Partnership in the Institute for Health and Human Services and from the University of North Carolina at Greensboro for Elizabeth Lindsey, Interim Chair and Professor of Social Work in the College of Human Environmental Sciences. After some discussion, the motion was made and seconded for recommendation for approval of all by the Board of Governors. Motion passed unanimously.

Dr. Mercer invited Dr. Dudley Flood and Betsy Bunting to report on the faculty appeal for Dr. Carol O'Dell from the North Carolina School of Science and Mathematics. Dr. Flood discussed the appeal, which concerned the non-renewal of Dr. O'Dell's expired contract. He stated that the sub-committee did not find any evidence in Dr. O'Dell's favor and therefore the sub-committee recommends that the decision of the Board of Trustees be upheld. After some discussion, the motion was made and seconded for recommendation for approval by the Board of Governors. Motion passed unanimously.

The meeting returned to Open Session