

MEETING OF THE BOARD OF GOVERNORS

Committee on University Governance

September 16, 2026 at 1:30 p.m.

Via Videoconference and PBS North Carolina Livestream

UNC System Office

223 S. West Street, Room 1809

Raleigh, North Carolina

AGENDA

OPEN SESSION

- A-1. Approval of the Open Session Minutes of July 23, 2026..... Alex Mitchell
- A-2. 2025-26 Committee on University Governance Annual Report Alex Mitchell
- A-3. Annual Report on Free Speech and Free Expression
Within the University of North Carolina Andrew Tripp
- A-4. Resolution on Security Clearance Requirements Alex Mitchell
- A-5. Certification Reports of Section 300.8.5 of the UNC Policy Manual,
Equality Within the University of North Carolina Andrew Tripp
- A-6. Proposed Amendments to Section 500.1 of the UNC Policy Manual,
University Research Relations with Government Agencies and Private Entities..... Andrew Tripp

CLOSED SESSION

- A-7. Approval of the Closed Session Minutes of July 23, 2026..... Alex Mitchell
- A-8. Legal Affairs Report Andrew Tripp

OPEN SESSION

- A-9. Adjourn

Additional Information Available

September 2026 Technical Corrections to the UNC Policy Manual

Closed Session Motion

Motion to go into closed session to:

- Prevent the disclosure of information that is privileged or confidential under Article 7 of Chapter 126 of the North Carolina General Statutes or not considered a public record within the meaning of Chapter 132 of the General Statutes.
- Consult with our attorney to protect attorney-client privilege.

Pursuant to: G.S. 143-318.11(a)(1), and (3).

DRAFT MINUTES

July 23, 2026, at 10 a.m.

Via Videoconference and PBS North Carolina Livestream

This meeting of the Committee on University Governance was presided over by Chair Alex Mitchell. The following committee members, constituting a quorum, were present in person: Randall C. Ramsey, Pearl Burris-Floyd, Joel D. Ford, C. Philip Byers, and Michael Williford.

Also participating was Chancellor Kelli Brown.

Staff members present included Andrew Tripp, Meredith McCullen, and others from the UNC System Office.

1. Call to Order and Approval of Open Session Minutes of May 20, 2026 (Item A-1)

The chair called the meeting to order at 10 a.m. on Thursday, July 23, 2026. The open session minutes from the May 20, 2026, meeting were approved by unanimous consent.

2. North Carolina Teaching Fellows Commission Appointments (Item A-2)

Chair Mitchell presented six nominees for reappointment and one nominee for an initial appointment to the North Carolina Teaching Fellows Commission. Upon presentation of the nominees, he made a motion of approval.

MOTION: Resolved, that the Committee on University Governance approve the nomination of Malcolm Butler, Amanda Lee, Taleek Harley, Deborah Powell, and Patrick Brennan to serve an additional two-year term, and Andre Green to serve an initial two-year term on the North Carolina Teaching Fellows Commission starting on July 23, 2026, and ending June 30, 2028.

Motion: Alex Mitchell

Motion carried

Chair Mitchell then called on Mr. Ramsey to present the nominees for the PBS North Carolina Board of Trustees.

3. PBS North Carolina Board of Trustees Appointments (Item A-3)

Mr. Ramsey presented six nominees for reappointment to the PBS North Carolina Board of Trustees. Upon presentation of the nominees, he made a motion of approval.

MOTION: Resolved, that the Committee on University Governance approve the nomination of James Broughton, James Cain, Culley C. Carson IV, Anne Mayo Evans, Russell Smith, and Bill R. West to serve an

additional four-year term on the PBS North Carolina Board of Trustees starting on July 1, 2026, and ending June 30, 2030.

Motion: Randall C. Ramsey

Motion carried

4. University of North Carolina Asheville Board of Trustees Appointment (Item A-4)

Mr. Joel Ford then presented his nominee for the UNC Asheville Board of Trustees to fill a vacancy created by the partial term service of David Luck. Upon presentation of the nominee, he made a motion of approval.

MOTION: Resolved, that the Committee on University Governance approve the nomination of Kenneth Russell Edwards to serve a partial term on the University of North Carolina Asheville Board of Trustees starting on July 23, 2026, and ending June 30, 2027.

Motion: Joel Ford

Motion carried

Next, Chair Mitchell called on C. Philip Byers to present his nominee for the University of North Carolina at Charlotte Board of Trustees.

5. University of North Carolina at Charlotte Board of Trustees Appointment (Item A-5)

Mr. Byers presented his nominee for the UNC Charlotte Board of Trustees to fill a partial term vacancy created by the resignation of Hugh McColl. Upon presentation of the nominee, Mr. Byers made a motion of approval.

MOTION: Resolved, that the Committee on University Governance approve the nomination of Jonathan Ward to serve a partial term on the University of North Carolina at Charlotte Board of Trustees starting on July 23, 2026, and ending June 30, 2027.

Motion: C. Philip Byers

Motion carried

6. UNC Press Board of Governors Appointments (Item A-6)

Next, Chair Mitchell presented one nominee for a partial term appointment and three nominees for appointment to the UNC Press Board of Governors. Upon presentation of the nominees, he made a motion of approval.

MOTION: Resolved, that the Committee on University Governance approve nominations to the UNC Press Board of Governors for Maria Estorino for a partial term beginning July 23, 2026, and ending June 30, 2030; C. Edward Teague for an initial appointment beginning July 23, 2026, and ending June 30, 2031; and Elizabeth Engelhardt and Osamudia James for reappointment beginning July 23, 2026, and ending June 30, 2031.

Motion: Alex Mitchell

Motion carried

Chair Mitchell then called on Secretary Williford to present the closed session motion.

7. Closed Session

MOTION: Resolved, that the Committee on University Governance go into closed session to prevent the disclosure of information that is privileged or confidential under Article 7 of Chapter 126 of the North Carolina General Statutes or not considered a public record within the meaning of Chapter 132 of the General Statutes; and to consult with our attorney to protect attorney-client privilege. This is pursuant to G.S. 143-318.11(a)(1), and (3).

Motion: Michael Williford

Motion carried

THE MEETING MOVED INTO CLOSED SESSION AT 10:07 a.m.

(The complete minutes of the closed session are recorded separately.)

THE MEETING RESUMED IN OPEN SESSION AT 10:18 a.m.

There being no further business and without objection, the meeting adjourned at 10:19 a.m.

Michael Williford, Secretary

AGENDA ITEM

A-2. 2025-26 Committee on University Governance Annual Report.....Alex Mitchell

Situation: Each standing committee submits an annual report of its activities to the Board of Governors.

Background: Pursuant to Section 302 E of *The Code*, “Each standing committee shall make a written report to the Board of Governors at least annually, reviewing the work of the committee during the preceding year.”

Assessment: The annual report on the activities of the Committee on University Governance for fiscal year 2025-26 is ready for review and submission.

Action: This item requires a vote by the committee to accept the report for submission to the Board of Governors.

DUTIES AND MEMBERSHIP

The Committee on University Governance is responsible for reviewing and making recommendations for proposed changes to the UNC Policy Manual, including *The Code*, and the delegations of duty and authority involving University governance; for nominating individuals for election to the 17 institutional boards of trustees and other University-related boards; and for authorizing the initiation and settlement of litigation and pending litigation in circumstances where that authority has not otherwise been delegated. This report summarizes the work of the committee from July 2025 through June 2026.

The committee was composed of the following Board members: Pearl Burris-Floyd, C. Philip Byers, Joel Ford, Alex Mitchell, Randall C. Ramsey, and Michael Williford. Mr. Mitchell served as chair, Mr. Ramsey served as vice chair, and Mr. Williford served as secretary.

Chancellor Kelli Brown (Western Carolina University), Chancellor Brian Cole (UNC School of the Arts), and Chancellor Todd Roberts (North Carolina School of Science and Mathematics) also served on the committee.

ACTIONS

Between July 1, 2025, and June 30, 2026, the Committee on University Governance met in four regularly scheduled meetings and two special meetings. The major actions of the committee are summarized as follows:

Campus Liaison Assignments

Each constituent institution and selected affiliated entities were assigned a “liaison” from the Board. The 2025-26 campus liaisons were:

Mrs. Burris-Floyd	Elizabeth City State University North Carolina A&T State University UNC Greensboro
Mr. Byers	Appalachian State University UNC School of the Arts Western Carolina University
Mr. Ford	UNC Asheville UNC Charlotte Winston-Salem State University North Carolina Arboretum
Mr. Mitchell	North Carolina Central University North Carolina School of Science and Math North Carolina State University Other Appointments
Mr. Ramsey	East Carolina University UNC-Chapel Hill UNC Pembroke PBS North Carolina

Mr. Williford	Fayetteville State University UNC Wilmington UNC Health
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Appointments to Boards for Affiliated Entities

Pursuant to the committee's recommendations for affiliated entities to the University, the Board of Governors made the following appointments or confirmations:

Name of Board	Member	Term Ending
ECU Health Medical Center Board of Trustees	Steve Spaanbroek	February 28, 2030
ECU Health Medical Center Board of Trustees	W. Kel Norman	February 28, 2030
ECU Health Medical Center Board of Trustees	Vern Davenport	February 28, 2031
ECU Health Medical Center Board of Trustees	Michael Waldrum	February 28, 2031
Project Kitty Hawk Board of Directors	Sarah Soule	January 31, 2027
Project Kitty Hawk Board of Directors	Susan Cates	January 31, 2028
Project Kitty Hawk Board of Directors	John Comly	January 31, 2028
Project Kitty Hawk Board of Directors	Karrie G. Dixon	January 31, 2028
Project Kitty Hawk Board of Directors	Philip Rogers	January 31, 2028
State Building Commission	Miriam Tripp	June 30, 2028
UNC Health Board of Directors	Kristin Baker	October 31, 2026
UNC Health Board of Directors	Donna Curtis McClatchey	October 31, 2028
UNC Health Board of Directors	Hayden Kirby	October 31, 2029
UNC Press Board of Governors	Carlton Wilson	June 30, 2030
UNC Press Board of Governors	Porter Durham	June 30, 2030

Appointments to the UNC System Boards of Trustees

Pursuant to the committee's recommendations for the UNC System Boards of Trustees, the Board of Governors made the following appointments:

Name of Institution	Member Name	Term Ending
N.C. A&T	Michael Regan	June 30, 2029
NCSSM	Norma Houston	June 30, 2027
UNC-Chapel Hill	Kristin D. Baker	June 30, 2027

WSSU	Julia Townsend	June 30, 2027
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Review of *The Code*, UNC Policy Manual (Policies, Regulations, and Guidelines)

The committee is responsible for reviewing and making recommendations for proposed changes to *The Code* and UNC Policy Manual, and the delegations of duty and authority involving University governance. During the 2025-26 period, the following policy items were considered or reviewed by the committee:

1. UNC Policy Manual

- a. **Amendments to Section VI, of *The Code, Academic Freedom and Tenure*.** The amendments to Section VI of *The Code, Academic Freedom and Tenure*, provided a comprehensive definition to “academic freedom,” a term that had numerous references throughout *The Code* but lacked a formal definition. The amendments strengthen the University’s core mission and provide practical guidance to staff, faculty, and students in the shared exercise of their rights and responsibilities. The amendments included major changes such as (1) detailed rights and responsibilities of faculty, (2) parameters of academic freedom, and (3) updates to the responsibility of students, including student protections.

Department of Defense Classified Research

The committee passed a resolution on Clearance Requirements, which is an annual requirement related to Department of Defense contracts. The Department of Defense requires the UNC System to maintain Facility Security Clearance. Department of Defense regulations permit the exclusion from the personnel clearance requirements of certain members of the Board and other officers, provided that this action is recorded in the corporate minutes. This resolution was passed by the Board of Governors on September 18, 2025.

Litigation Requests/Settlements

The committee considered and approved a range of requests to settle and initiate legal matters and heard updates on pending disputes from its counsel.

Free Speech and Free Expression

G.S. 116-301 requires that the Board designate a standing committee to act as the Committee on Free Expression and report annually to the public, the Board, the Governor, and the General Assembly on issues related to free speech and free expression within the University. The Board has designated the Committee on University Governance to fulfill these responsibilities. As part of its duties, the committee received the annual report.

1. **Annual Report.** As required by state law and Section 1300.8 of the UNC Policy Manual, *Policy on Free Speech and Free Expression Within the University of North Carolina System*, the Committee on University Governance is responsible for preparing an annual report on free speech and free expression within the University that addresses at least the following topics:
 - Any barriers to or disruptions of free expression within the University’s constituent institutions;
 - The administrative handling and discipline relating to disruptions or barriers to free expression;

- Any substantial difficulties, controversies, or successes in meeting the requirements of maintaining institutional neutrality as provided in the law and Section 1300.8 of the UNC Policy Manual; and
- Any assessments, criticisms, or recommendations the committee sees fit to include.

This report addresses free speech and free expression at the constituent institutions for the period of time between July 1, 2024, and June 30, 2025. The report finds that (1) the constituent institutions remain committed to promoting and protecting free speech and free expression; (2) disruptions and interference at scheduled speaking or expressive events have been minimal over the past year; and (3) the constituent institutions have developed and utilized mechanisms for receiving, investigating, and resolving complaints regarding alleged free expression policy violation; (4) the constituent institutions are regularly providing information to campus constituencies about rights and responsibilities associated with expression on campus through policies, training, and other outreach; (5) the Foundation for Individual Rights and Expression (FIRE), which rates college and university speech policies, has awarded its highest rating (“green light”) to 14 of 16 UNC System constituent higher education institutions; and (6) no constituent institutions have reported incurring undue financial costs related to security surrounding speakers or expressive events on campus; and (7) constituent institutions continue to accept the recommendations for improvement contained in last year’s report.

Report on the Implementation of Section 300.8.5 of the UNC Policy Manual, *Equality Within the University of North Carolina*

On May 23, 2024, the Board of Governors repealed and replaced Section 300.8.5 of the UNC Policy Manual to reaffirm the University’s commitment to nondiscrimination, equality of opportunity, institutional neutrality, academic freedom, and student success. Implementation of this policy required changes in practices across the University. On September 1, 2025, UNC System institutions submitted certifications and reports on the implementation of Section 300.8.5 of the UNC Policy Manual. Those certifications were reported to the committee during the September 17, 2025, meeting.

AGENDA ITEM

A-3. Annual Report on Free Speech and Free Expression

Within the University of North Carolina Andrew Tripp

- Situation:** As required by state law and Section 1300.8 of the UNC Policy Manual, Free speech and Free Expression Within the University of North Carolina System, the report on free speech and free expression provides information annually on the following subjects:
1. Any barriers to or disruptions of free expression within the UNC System constituent institutions;
 2. The administrative handling and discipline relating to disruptions or barriers to free expression;
 3. Any substantial difficulties, controversies, or successes in meeting the requirements of Section 1300.8 of the UNC Policy Manual; and
 4. Any assessments, criticisms, commendations, or recommendations the committee sees fit to include.
- The UNC System Office staff worked with the constituent institutions' responsible officers to compile information on the required topics and other issues related to the campus speech activity.
- Background:** G.S. 116-301 requires that the Board designate a standing committee to act as the Committee on Free Expression and report annually to the public, the Board, the Governor, and the General Assembly on issues related to free speech and free expression within the University. The Board has designated the Committee on University Governance to fulfill these responsibilities.
- Assessment:** This report will address free speech and free expression at the constituent institutions between July 1, 2025, and June 30, 2026.
- Action:** This item requires a vote by the committee.



**THE UNIVERSITY OF
NORTH CAROLINA SYSTEM**

**2025-26 Report on Free Speech and Free Expression Within the
University**

September 16, 2026

**University of North Carolina System
Raleigh, North Carolina**

UNC Board of Governors

Committee on University Governance, acting as the designated Board Committee on Free Expression 2025-26 Report on Free Speech and Free Expression Within the University

I. Executive Summary

This report addresses free speech and free expression at the constituent institutions¹ of the University of North Carolina System (“UNC System” or “the University”) for the period of time between July 1, 2025, and June 30, 2026, as required by the [Restore/Preserve Campus Free Speech Act](#) (“the Act”). In preparing and publishing this report, the University of North Carolina Board of Governors Committee on University Governance (“committee”), as the designated Committee on Free Expression,³ was guided primarily by the elements required by the Act.⁴

With the requirements of the Act in mind, this report provides background on and context for free speech and free expression at UNC System constituent institutions.

Specifically, as will be further detailed in this report, the committee found that:

1. The constituent institutions remain committed to promoting and protecting free speech and free expression;
2. Disruptions and interference at scheduled expressive events have been minimal;
3. Constituent institutions have developed and utilized mechanisms for receiving, investigating, and resolving complaints regarding alleged free expression policy violations;
4. The constituent institutions are regularly providing information to campus constituencies about rights and responsibilities associated with expression on campus through policies, training, and other outreach;
5. The Foundation for Individual Rights and Expression (FIRE), which rates college and university speech policies, has awarded its highest rating to 15 out of 16 UNC System higher education constituent institutions.
6. No reporting constituent institutions have incurred undue financial costs related to security surrounding speakers or expressive events on campus; and
7. Constituent institutions continue to accept the recommendations for improvement contained in last year’s report.

¹ Because of the additional protections afforded to K-12 institutions under the First Amendment, the North Carolina School of Science and Mathematics, the University of North Carolina School of the Arts for its high school students, and any lab schools operated by a constituent institution are not included within the scope of the report. Even so, these institutions are expected to comply with Article 36 of Chapter 116 to the extent there is not a conflict with relevant First Amendment jurisprudence applicable to K-12 institutions.

² The Restore/Preserve Campus Free Speech Act was enacted in 2017 as [S.L. 2017-196](#) and is codified in the North Carolina General Statutes as Article 36 of Chapter 116.

³ The Act requires the Board of Governors to establish a Committee on Free Expression. [N.C. Gen. Stat. § 116-301](#) (hereinafter G.S.). Section 10.3 of [S.L. 2018-5](#) (“Current Operations Appropriations Act of 2018”) amended G.S. 116-301 to allow the chair of the Board of Governors to designate a standing or special committee of the Board as the Committee on Free Expression. ⁴ [G.S. 116-301\(c\)](#) articulates specific information to be provided in the annual report. See Section IV. for more information.

In addition to work happening on each individual campus, the UNC System Office continues to maintain and update a webpage dedicated to providing information and resources related to free speech and free expression within the University.

Finally, it is important to note that Section 300.8.5 of the UNC Policy Manual, *Equality Within the University of North Carolina*, was adopted in May 2024 and its implementation remains ongoing. Annual campus certifications required by that policy—most recently received as of September 1, 2026—are viewable on the northcarolina.edu website linked [here](#).

II. Background

A. *University Commitment to Free Speech and Free Expression*

As the nation’s first public university, the University of North Carolina System affirms its long-standing commitment to free speech and free expression for its students, faculty members, staff employees, and visitors under the First Amendment of the U.S. Constitution and Article 1, Section 14, of the North Carolina Constitution. The University and its constituent institutions protect and promote these freedoms, consistent with First Amendment jurisprudence.⁵ Through its policies, the University has expressly established that no employment decision or academic decision shall be based on the exercise of these constitutional rights.⁶

B. *Restore/Preserve Campus Free Speech Act*

Through statute, the North Carolina General Assembly affirmed that the primary function of the University of North Carolina System and each of its constituent institutions is the discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate. To fulfill this function, each constituent institution must strive to ensure the fullest degree of intellectual freedom and free expression. According to G.S. 116-300(2), “it is not the proper role of any constituent institution to shield individuals from speech protected by the First Amendment, including, without limitation, ideas and opinions they find unwelcome, disagreeable, or even deeply offensive.”

The General Assembly has also established several requirements for the Board of Governors, the University of North Carolina System, and its constituent institutions regarding free expression. In response, the Board of Governors has designated a Committee on Free Expression and adopted a University-wide free expression policy that, among other elements, maintains institutional neutrality. A copy of the policy is linked [here](#). Additionally, the University meets its statutory obligations by providing periodic training for institutional officers and administrators charged with responsibilities for compliance with the Act and coordinating campus-based training (“Responsible Officers”) and publishing this annual report. A list of current Responsible Officers is available at this [link](#).

⁵ See, e.g., Sections 601, 604, and 608 of *The Code of the University of North Carolina* (“*The Code*”). See also Sections 101.3.1, 300.1.1., 300.2.1, 700.4.2, and 1300.8 of the UNC Policy Manual.

⁶ See Sections 601, 604, and 608 of *The Code*. See also Sections 101.3.1, 300.1.1, 300.2.1, 700.4.2 of the UNC Policy Manual.

III. Discussion of Free Speech and Free Expression at the University During the 2025-26 Academic Year and Committee Findings

Pursuant to the Act, the University's policy, and the Board's interest in a broad review of free expression across the University, the committee received information from responding constituent institutions in nine areas. The questions and summaries of the institutional responses are provided in the following table.

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QUESTIONS SENT TO THE CONSTITUENT INSTITUTIONS	SUMMARY OF INSTITUTIONAL RESPONSES
(1) A description of any barriers to or disruptions of free expression within the constituent institution, including specific incidents and/or particularized complaints.	• With one exception, no constituent institution reported material institutional barriers or disruption of free expression during the academic year. • University of North Carolina at Chapel Hill made two reports: in the fall of 2025, several faculty and other campus community members publicly criticized a decision to remove a mural in the Hanes Art Center, calling the action censorship. In the spring of 2026, two student organizations posted satirical content that generated significant media interest. The Foundation for Individual Rights and Expression wrote a post on its website questioning why UNC-Chapel Hill announced an “investigation” into the satirical content.
(2) A description of the administrative handling and discipline relating to disruption or barriers identified in response to (1).	• Regarding the mural issue, the UNC-Chapel Hill Dean of the College of Arts and Sciences wrote a public letter stating the reasoning behind the decision and affirming core principles. • Regarding the satirical content issue, UNC-Chapel Hill clarified that it was not investigating the students who had posted the satirical content and reiterated its commitment to free speech.
(3) Identification and description of any difficulties, controversies, and successes in maintaining a posture of administrative and institutional neutrality about political or social issues.	• The responding institutions reported consistently that the work of free expression went on. • The responding institutions consistently reported steady and regular efforts to foster a culture of free expression. • North Carolina Agricultural and Technical State University reported that in November 2025, a group called Accuracy in Media released a video that was over a year old of N.C. A&T employees talking about diversity, equity, and inclusion (DEI). The matter was reported in the media, but the news coverage and disruption to university functions were minimal. By the time the video was released, at least one employee was no longer working with the university. The other two employees were appropriately disciplined (unpaid leave). • University of North Carolina at Greensboro noted its removal of non-neutral institutional speech by a university social media account and separately questions that arose regarding faculty speech that was ultimately deemed to be non-violative. UNC Greensboro regularly undertakes additional training and educational steps to ensure compliance. • UNC-Chapel Hill received a complaint that a social media post violated the UNC System Equality Policy. The post was quickly removed. The post and its removal attracted media attention.

	University leadership provides regular training on the policy and monitors university policies and websites for compliance with the policy to avoid future violations. • East Carolina University reports that its student newspaper, <i>The East Carolinian</i>, had an ad that was paid for by a private business marketing their vape store. The Associate Vice Chancellor (AVC) for Student Life (Deputy Free Speech Officer) received a written complaint from a parent that vaping ads should not be allowed because her daughter was addicted to vaping. The AVC replied to her email and invited her to speak by phone about her concerns. The AVC explained that the newspaper is run entirely by students, not the university, and that they had decided years ago that cigarette and alcohol ads would not be accepted, but they were still discussing vaping. She appreciated that they were looking into this for the future but continued to request that vaping ads be excluded from the newspaper. • ECU further reported that Turning Point USA's ECU Chapter set up a small memorial installation comprised of flowers and signage related to Charlie Kirk without permission of the university. The AVC for Student Life, with consultation from University Grounds, ultimately allowed the memorial to remain for a limited time due to concern about explicit policy language on memorial installations. Although there were no incidents to report, a few students and one parent reached out to the AVP to express concern over the safety of students on campus from both political sides. With the help of ECUPD and other student affairs staff, the memorial and subsequent vigil took place a week later without incident. The applicable university regulation was updated to explicitly address memorial installations via the Use of University Property Regulation.
(4) Any assessments, criticisms, commendations, or recommendation the constituent institution would like the committee to consider in preparing the annual report.	• Additional training is always welcome to ensure Free Speech Responsible Officers are able to do their important work even more effectively. • UNC-Chapel Hill worked with the Foundation for Individual Rights and Expression to develop First Amendment training for all employees. The module is expected to be implemented for the 2026-27 academic year. • ECU proudly notes that the 2026 FIRE College Free-Speech Rankings has East Carolina University at number 14 nationally with zero speech controversies and a green rating.

QUESTIONS SENT TO THE CONSTITUENT INSTITUTIONS	SUMMARY OF INSTITUTIONAL RESPONSES
(5) Confirmation of whether the institution fulfilled the University policy requirements to disseminate information about institutional policies during the 2024-25 academic year.	• All responding institutions indicated that they had disseminated information as required by policy.
(6) Identification of representative institutional policies that reinforce commitment to free speech and free expression (e.g., academic freedom, tenure regulations, facilities use, etc.).	• Many institutions reported amending or adopting policies, including facilities use policies, student codes of conduct, and student organization policies, or referred to having undertaken those efforts in prior years. • ECU's Use of University Property Regulation (available at https://policy.ecu.edu/073008/) was updated to address the installation of any "memorial" (whether intended to serve as lasting or temporary form of recognition) on university property. • During the 2025-26 academic year, Fayetteville State University revised the following policies related to free speech and free expression: Religious Observance Policy Faculty Appointment, Promotion, and Tenure Policy • N.C. A&T's University Policy 1103, Free Speech and Expression (Interim) was revised in July 2025: https://hub.ncat.edu/administration/legal/policies/sec1-gov-and-adm/free-speech-policy.pdf • University of North Carolina at Charlotte, Western Carolina University, and Winston-Salem State University completed significant policy updates that are available on request. • In accordance with a resolution from the UNC-Chapel Hill Board of Trustees, UNC-Chapel Hill consolidated all policies into a policy repository to make all policies more accessible.

QUESTIONS SENT TO THE CONSTITUENT INSTITUTIONS	SUMMARY OF INSTITUTIONAL RESPONSES
(7) Examples of speakers or other events that have been held at the institution during the 2025-26 academic year.	• The institutions have provided a voluminous and detailed report of events spanning the State of North Carolina and topics both controversial and not. A detailed list is available on request; however, we note examples below. • Representative examples from Appalachian State University: Taste of Dialogue: Building Bipartisanship (September 8, 2025) Taste of Dialogue: Constitution Day (September 22, 2025) Taste of Dialogue: SCOTUS Case Review (October 6, 2025) Taste of Dialogue: Political Polarization (April 7, 2026) • ECU reported over 100 activities in the 2025-26 academic year. • Elizabeth City State University reported programming included nonpartisan voter registration initiatives, student surveys, and “Dorm Storms” during which students received information about voting rights, voter participation, and the importance of remaining informed and engaged in the democratic process. These initiatives were intentionally nonpartisan and focused on education, access, awareness, and civic participation, rather than support for or opposition to any political party or candidate. • FSU reported that in January 2026, students took part in a student-led protest concerning current events. Its Public Assemblies Reservation Request records for the 2025-26 academic year reflect nine requests for public-assembly activities. • UNC Charlotte reported seven main events, including the UNC Common Ground Collaborative Convening, May 14, 2026, that entailed faculty from across the UNC System gathering at Charlotte to exchange methods for fostering classroom dialogue, debate, critical thinking, and engagement across differences. • UNC-Chapel Hill reported robust events on a variety of topics, including its Program for Public Discourse’s Abbey Speaker Series, which focuses on productive dialogue on timely issues across a range of perspectives and which hosted several events during the academic year, including “Race and the American Founding,” “Sex, Gender, and Sports,” and “The Future of U.S.-China Relations.” For Constitution Day, the university’s speaker addressed how moments of constitutional crisis shaped the framework of American constitutionalism, tracing episodes when dissent and disorder threatened to destabilize the young republic and how leaders responded. On November 14, 2025, the First Amendment Law Review presented a symposium on “The Supreme Court’s Ever-Changing Religion Clause Jurisprudence: The Cases of the 2024-2025

	Term.” - University of North Carolina Wilmington followed suit with, among other events, a series of the chancellor’s “Dare to Learn Lectures,” welcoming former Vice President Mike Pence and Nido Qubein, president of High Point University, in the fall of 2025 and spring of 2026, respectively. - WCU and WSSU invited a series of speakers on a wide array of topics with details available upon request.
(8) Identification of communications, trainings, or other educational outreach regarding free speech and free expression that have been provided during the 2025-26 academic year.	All institutions identified free expression communications, trainings, or outreach that had taken place during the academic year.
(9) Information about security and other costs associated with protecting and affirming free expression on campus.	- Institutions report either no or minimal additional security costs associated with expressive events. Most of these costs, if any, are attributable to additional employee time devoted to such events. - As an example of the foregoing, UNC Greensboro was the site for a September 23, 2025, memorial for Charlie Kirk that required additional security in the form of 17 UNC Greensboro police officers. No charge or cost was assessed to the sponsoring student group or any other sponsoring entity.

As a result of the information gathered, it appears again this year that (1) the constituent institutions remain committed to promoting and protecting free speech and free expression; (2) disruptions and interference at scheduled speaking or expressive events have been minimal; and (3) the constituent institutions continue to work to provide information to various campus constituencies about rights and responsibilities associated with speech and expression on campus through policies, training, and other outreach; (4) the Foundation for Individual Rights and Expression (FIRE), which rates college and university speech policies, has awarded its highest rating (“green light”) to 15 of 16 UNC System constituent higher education institutions; and (5) no constituent institutions have reported incurring meaningful additional costs related to security surrounding speakers or expressive events on campus.

IV. Implementation of Past Report Recommendations

Constituent institutions reported a variety of processes and resources that have been introduced or improved to implement prior recommendations.

V. New Initiatives & Committee Recommendations

The committee recognizes that there are always opportunities for improving the University’s

commitment to free speech and free expression.

This annual report provides a welcome opportunity to consider options that will demonstrate our Systemwide leadership and action in support of free speech and free expression. The committee therefore offers these recommendations for consideration for implementation by the UNC System Office:

1. Continue to foster opportunities for free speech and free expression among campus communities.
2. Continue to provide training to constituent institution administrators who have transitioned into the Responsible Officer title.
3. Continue to foster a culture of conversation among all stakeholders about the importance of free expression. High repetition of low intensity reminders pays dividends in the way that all campus stakeholders consider the importance of free expression in their daily lives.
4. Seek universal “green” status across the UNC System from FIRE.
5. Monitor implementation of University policy and answer to the best of our ability specific, concrete questions as they arise in consultation with the Division of Legal Affairs.
6. Look at ways to streamline reporting obligations to the System Office and beyond to allow more focus on event and dialogue work on the campuses.

V. Conclusion

The committee continues to support the UNC System Office’s and the constituent institutions’ work and efforts in promoting and protecting free speech and free expression and taking action, when needed, to prevent substantial disruption or interference in scheduled events.

This report confirms that the transparency and accountability required by the originating legislation are having their desired effect, and the content of this report remains consistent generally year over year.

Accepted by the UNC System Board of Governors Committee on University Governance, the designated Board Committee on Free Expression, on September 16, 2026.

AGENDA ITEM

A-4. Resolution on Security Clearance RequirementsAlex Mitchell

Situation: A resolution is required annually of the Board of Governors by the U.S. Department of Defense.

Background: The Department of Defense requires the UNC System to maintain a Facility Security Clearance in the performance of classified contracts. In connection with this Facility Clearance, certain senior management officials must obtain an individual security clearance. This resolution is required to exempt members of the Board of Governors and senior officers of the UNC System from the requirement to obtain individual security clearances.

Assessment: This is an annual resolution to be adopted by the Board of Governors.

Action: This item requires a vote by the committee, with a vote by the full Board of Governors through the consent agenda.



RESOLUTION OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA AUTHORIZING SECURITY CLEARANCE

WHEREAS, current Department of Defense Regulations contain a provision making it mandatory that the chair of the Board and principal officers meet the personnel clearance requirements established for a contractor's facility clearance; and

WHEREAS, said Department of Defense Regulations permit the exclusion from the personnel clearance requirements of certain members of the Board of Governors and other officers, provided that this action is recorded in the corporate minutes.

NOW, THEREFORE, BE IT DECLARED that the chair of the Board, the president of the University of North Carolina, Insider Threat Program Senior Official, and the University's Facility Security Officer at the present time do possess, or will be processed for, the required security clearance; and

BE IT RESOLVED that in the future, when any individual enters upon any duties as chair of the Board, the president of the University of North Carolina, Insider Threat Program Senior Official, or the University's Facility Security Officer, such individual shall immediately make application for the required security clearance; and

BE IT FURTHER RESOLVED that the following members of the Board of Governors and other officers shall not require, shall not have, and can be effectively excluded from access to **CLASSIFIED** information in the possession of the corporation and do not occupy positions that would enable them to affect adversely corporate policies or practices in the performance of classified contracts for the Department of Defense or the User Agencies of its Industrial Security Program.

NAME	TITLE
Andrea Russo Poole	Chief of Staff
John Michael Vollmer	Senior Vice President and Chief Operating Officer
Jennifer Healy Haygood	Senior Vice President for Finance and Administration and Chief Financial Officer
David Judson English	Senior Vice President for Academic Affairs and Chief Academic Officer
Thashundray Robertson Edmonds	Senior Vice President for Strategy and Policy
Andrew Patrick Kelly	Senior Advisor to the President and CEO of Project Kitty Hawk
Scott Bartley Goodson	Senior Vice President of Government Affairs

NAME	TITLE
Ivy Ruth Taylor	Senior Advisor to the President
Andrew Tillman Tripp	Senior Vice President and General Counsel
Marvin Lee Barnes Jr.	Member
Kirk Jackson Bradley	Member
Harry Coolidge Brown	Member
Pearl Burris-Floyd	Member
Charles Philip Byers	Member
Swadesh Chatterjee	Member
Jimmy Dean Clark	Member
Carolyn Lloyd Coward	Member
Rodney Gene Davis Jr.	Member
Leigh Jeffreys Fanning	Member
Joel Douglas McClure Ford	Member
John Alfred Fraley	Member
Kathryn Crisp Greeley	Member
Martin Luther Holton III	Member
Reginald Ronald Holley	Member
Hilton Terry Hutchens	Member
John Alexander Mitchell	Member
Wendy Floyd Murphy	Member
Sonja Phillips Nichols	Member
James Arthur Pope	Member
Randall Clark Ramsey	Member
Rushil Manish Sachania	Member, <i>Ex Officio</i>
Haywood Edwin White Jr.	Member
Michael Leighton Williford	Member

The foregoing resolution was duly adopted by the Board of Governors at a regular meeting of the Board on the 17th day of September 2026.

STATE OF NORTH CAROLINA)
)
COUNTY OF WAKE)

SS:

SECRETARY'S CERTIFICATE
OF AUTHORIZATION

I, Meredith R. McCullen, deputy chief of staff and secretary of the University of North Carolina, *DO HEREBY CERTIFY* that (1) the foregoing is a full, true and correct copy of the approving resolution adopted by the Board of Governors of the University of North Carolina at its regular meeting on September 17, 2026, and appearing in the minutes of such meeting; (2) notice of the meeting of the Board of Governors of the University of North Carolina held on September 17, 2026, was sent to each member of the Board; and (3) a quorum was present at the meeting on September 17, 2026, at which time the foregoing resolution was adopted.

WITNESS, my hand and the seal of the University of North Carolina this 17th day of September 2026.

[SEAL]

Meredith R. McCullen
Deputy Chief of Staff and Secretary of the
University of North Carolina

AGENDA ITEM

A-5. Certification Reports of Section 300.8.5 of the UNC Policy Manual,
Equality Within the University of North Carolina..... Andrew Tripp

Situation: The 2026 Equality Policy certifications are presented to the committee to reaffirm each institution's commitment to principled neutrality, academic freedom, and student success. The 2026 certifications further include any additional actions or modifications made to the actions expressed in the 2025 certifications and reports. The 2026 certifications further encompass any new, tailored waivers concerning required course credits for degree programs, as required under applicable law.

Background: The University of North Carolina Board of Governors adopted Section 300.8.5 of the UNC Policy Manual, *Equality Within the University of North Carolina*, on May 23, 2024, to reaffirm the University's longstanding commitment to equality, nondiscrimination, and institutional neutrality. The operative language of the policy directs campus administrations to abstain from the political and social fray. As such, the chancellor and director of student affairs (or equivalent officer) of each constituent institution must certify and report annually on his or her constituent institution's initial and continued compliance with Section 300.8.5 of the UNC Policy Manual.

Assessment: A detailed presentation of institutional certifications and reports will be discussed, and can be accessed [here](#).

Action: This item is for discussion only.

AGENDA ITEM

A-6. Proposed Amendments to Section 500.1 of the UNC Policy Manual,
University Research Relations with Government Agencies and Private Entities Andrew Tripp

Situation: The National Industrial Security Program Operating Manual (NISPOM) (32 CFR Part 117) requires government contractors with Department of Defense grants and contracts to meet certain requirements and outlines the protection of classified information – including requiring security clearances for key management personnel.

Background: While the UNC System Office is not a recipient of any classified contracts, because it has historically been viewed as the administrative oversight body of constituent institutions with classified contracts, it has been required to meet NISPOM requirements as the “home office” headquarters of a multi-facility organization with de facto control over its constituent institutions. These policy updates are to reflect the reality that chancellors of constituent institutions are responsible for and have autonomous authority to manage the research enterprise at the constituent institutions and have oversight and control over their cleared programs, including Department of Defense programs. The goal of these policy updates is to demonstrate that the UNC System Office should not be considered a “home office” for the purposes of research regulatory compliance and empower chancellors to manage their research portfolios as efficiently and prudently as possible.

Assessment: The administrative obligations to the UNC System Office to meet NISPOM requirements are unduly burdensome, especially considering it does not manage any classified research or handle classified data for constituent institutions. The proposed updates also mitigate the enterprise risk of accessing, and thus having to adopt necessary controls to manage, classified information.

The UNC System’s goal is to ensure the research enterprise of our constituent institutions is dedicated to advancing knowledge, deepening understanding, and serving the American people who fund it in a manner that is efficient and removes unnecessary bureaucracy, while empowering the individuals who manage research compliance with safeguarding the integrity of the research enterprise. Removing the UNC System Office from the NISPOM requirements will help achieve that end.

It is recommended that the Board of Governors amend Section 500.1 of the UNC Policy Manual as recommended.

Action: This item requires a vote by the committee, with a vote by the full Board of Governors through the consent agenda at the next meeting.

University Research Relations with Government Agencies and Private Entities

IA. Appropriateness of University Research.

All activities of the University of North Carolina, including research collaborations with private entities, foundations, and government agencies, must support its teaching, research, and public service missions. The University environment must allow faculty and students to freely pursue learning and research. The University must also maintain its independence and integrity to assure impartiality, and it may not agree to any inappropriate limits on the freedom to publish research findings. Most importantly, the University must retain the public's trust by engaging in research activities that are consistent in nature, quality, scope, and importance with its mission, and that are conducted under conditions that ensure its academic integrity. The chancellors are the responsible officers for the administration of this policy and they are to take such steps as are necessary to maintain it.

BII. Proprietary Information.

Faculty and students of the University must have the right to disseminate freely and openly their research findings, and research sponsors may not abridge this basic right. - However, in certain exceptional cases, the sponsor may be in possession of proprietary and confidential information that the institution and the research sponsor must share to conduct the research project. A constituent institution, with the approval of its chancellor, may enter into agreements to guard the confidentiality of such proprietary information. Disclosure of information pursuant to an agreement to protect proprietary information must comply with the requirements of the North Carolina Public Records Act and the North Carolina Trade Secrets Protection Act. Information in the public domain, or information that a constituent institution legally obtains from a third party, or information independently developed or possessed by a constituent institution is expressly excluded from the definition of proprietary information. - Any agreement that involves the joint use of University facilities for proprietary purposes, or that purports to restrict faculty or students from publishing freely the results of their own work, shall be reported in writing to the pPresident prior to its execution. No agreement, however, may interfere with the publication or oral defense of research theses and dissertations of graduate students.

Section 500.2 of the UNC Policy Manual, Patent and Copyright Policies, The University Patent Policy, - provides that, under specified circumstances, publication may be delayed for not to exceed one year while patent protection is being secured.

III. Classified or Other Confidential Research Projects.

A. Research conducted under any form of sponsorship must maintain the University's open teaching and research philosophy and must adhere to a policy that prohibits secrecy in research. However, in cases involving United States government classification which impose actual or potential limitations on publication or dissemination of research findings, or in any other case which clearly involves exceptional circumstances, the chancellor is authorized to waive this requirement if it is in

the national, state, or institutional interest to do so. All such agreements must be reported in writing to the ~~President-president~~ prior to their execution.

B. The UNC Board of Governors adopts the following framework for the management of facility security clearances to safeguard classified information. These provisions shall apply to each constituent institution that holds a classified contract or facility clearance, or desires to hold a classified contract or facility clearance.

1. The constituent institution shall appoint, where applicable, its own Senior Management Official, Facility Security Officer, Insider Threat Program Senior Official, and Information System Security Manager ("Authorized Personnel"). Authorized Personnel, specifically the Senior Management Official shall have ultimate authority and responsibility over classified matters at the constituent institution. This includes complete executive control over constituent institution research plans, contracts, and security.

2. The constituent institution shall be responsible for and has authority to issue its own research proposals, receive its own federal grants, and possess independent control and obligation to manage its research enterprise, including managing classified information and facility security clearances. Constituent institutions shall adopt technical and administrative safeguards to ensure networks and facilities are secure from unauthorized access.

3. The constituent institution shall control its own classified spaces, systems, personnel, records and decisions. The Board of Governors and the UNC System Office, including the president, shall not receive classified information or participate in classified-program decisions.

4. The constituent institution has authority and budgetary independence over its classified contracts, where the constituent institution shall have independence to protect classified information. Decision-making and the management of classified information shall not flow to the Board of Governors or the UNC System Office, including the president.

5. The Board of Governors and the UNC System Office, including the president and all UNC System Office employees, will not require, will not have, and will not access any classified information disclosed to the constituent institution and shall not occupy a position that would enable them to adversely affect the constituent institution's policies or practices in the performance of classified contracts.

IV. 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. 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.

University Research Relations with Government Agencies and Private Entities

I. Appropriateness of University Research. All activities of the University of North Carolina, including research collaborations with private entities, foundations, and government agencies, must support its teaching, research, and public service missions. The University environment must allow faculty and students to freely pursue learning and research. The University must also maintain its independence and integrity to assure impartiality, and it may not agree to any inappropriate limits on the freedom to publish research findings. Most importantly, the University must retain the public's trust by engaging in research activities that are consistent in nature, quality, scope, and importance with its mission, and that are conducted under conditions that ensure its academic integrity. The chancellors are the responsible officers for the administration of this policy and they are to take such steps as are necessary to maintain it.

II. Proprietary Information. Faculty and students of the University must have the right to disseminate freely and openly their research findings, and research sponsors may not abridge this basic right. However, in certain exceptional cases, the sponsor may be in possession of proprietary and confidential information that the institution and the research sponsor must share to conduct the research project. A constituent institution, with the approval of its chancellor, may enter into agreements to guard the confidentiality of such proprietary information. Disclosure of information pursuant to an agreement to protect proprietary information must comply with the requirements of the North Carolina Public Records Act and the North Carolina Trade Secrets Protection Act. Information in the public domain, or information that a constituent institution legally obtains from a third party, or information independently developed or possessed by a constituent institution is expressly excluded from the definition of proprietary information. Any agreement that involves the joint use of University facilities for proprietary purposes, or that purports to restrict faculty or students from publishing freely the results of their own work, shall be reported in writing to the president prior to its execution. No agreement, however, may interfere with the publication or oral defense of research theses and dissertations of graduate students. Section 500.2 of the UNC Policy Manual, *Patent and Copyright Policies*, provides that, under specified circumstances, publication may be delayed for not to exceed one year while patent protection is being secured.

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B. The UNC Board of Governors adopts the following framework for the management of facility security clearances to safeguard classified information. These provisions shall apply to each

constituent institution that holds a classified contract or facility clearance, or desires to hold a classified contract or facility clearance.

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5. The Board of Governors and the UNC System Office, including the president and all UNC System Office employees, will not require, will not have, and will not access any classified information disclosed to the constituent institution and shall not occupy a position that would enable them to adversely affect the constituent institution's policies or practices in the performance of classified contracts.

IV. 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.** 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.