

DRAFT MINUTES

July 12, 2018
University of North Carolina
Spangler Center, Board Room
Chapel Hill, North Carolina

Call to Order

The Board of Governors met in a special session via teleconference on July 12, 2018, in the Board Room at the Spangler Center, Chapel Hill. Chair Smith called the meeting to order at 4:00 p.m.

Roll Call

Secretary Burris-Floyd called the roll. The following members were present:

Darrell T. Allison	W. Marty Kotis III
W. Louis Bissette, Jr.	Steven B. Long
Kellie H. Blue	Ann Maxwell
Robert P. Bryan III	J. Alex Mitchell
Pearl Burris-Floyd	Wendy F. Murphy
C. Philip Byers	Anna S. Nelson
Carolyn L. Coward	R. Doyle Parrish
N. Leo Daughtry	David M. Powers
Walter C. Davenport	Randall C. Ramsey
Thomas H. Fetzer	Robert A. Rucho
Thomas C. Goolsby	Harry L. Smith, Jr.
H. Frank Grainger	O. Temple Sloan III
James L. Holmes, Jr.	William A. Webb
Joe T. Knott	Michael L. Williford

The following members were absent:

Bettylenah Njaramba

The co-chairs of the chancellor search committee from Western Carolina University, Ms. Patricia Kaemmerling, board of trustees chair, and Mr. Bryant Kinney, vice chair, joined the meeting by phone.

Chair Smith called on Secretary Burris-Floyd for a motion to move into closed session, and Andrea Poole, secretary of the university, read the full motion. Secretary Burris Floyd moved that the Board go into closed session to prevent the disclosure of information that is privileged or confidential under Article 7 of Chapter 126 or not considered a public record within the meaning of Chapter 132 of the General Statutes; establish or instruct the staff or agents concerning the negotiations of the amount of compensation or the terms of an employment contract; and consider the qualifications, competence, performance, or condition of appointment of a public officer or employee or prospective public officer or employee pursuant to Sections 143-318.11(a)(1), (5), and (6) of the North Carolina General Statutes. The motion was properly seconded and it carried.

The Board went into closed session at 4:10 p.m. and returned to open session at 6:15 p.m.

Election of a Chancellor

Chair Smith announced that the Board did not take action on this item and would discuss the matter further at a future meeting.

There being no further business, Chair Smith made a motion to adjourn. The motion was properly seconded. The motion carried. The Board adjourned at 6:17 p.m.

Pearl Burris-Floyd, Secretary

DRAFT MINUTES

July 27, 2018

University of North Carolina

Center for School Leadership Development, Board Room

Chapel Hill, North Carolina

Call to Order

The Board of Governors met in regular session on July 27, 2018, in the Board Room at the Center for School Leadership Development, Chapel Hill. Chair Smith called the meeting to order at 9:00 a.m. He welcomed the guests and recognized several special guests, including Rep. Fraley and several members of the boards of trustees.

Invocation

Chair Smith called on Mr. Ramsey, who gave the invocation.

Roll Call

Secretary Burris-Floyd called the roll. The following members were present:

Darrell T. Allison	W. Marty Kotis III
W. Louis Bisette, Jr.	Steven B. Long
Kellie Hunt Blue	Ann Maxwell
Robert P. Bryan III	J. Alex Mitchell
Pearl Burris-Floyd	Wendy F. Murphy
C. Philip Byers	Bettylenah Njaramba
Carolyn L. Coward	R. Doyle Parrish
N. Leo Daughtry	David M. Powers
Walter C. Davenport	Randall C. Ramsey
Thomas H. Fetzner	Robert A. Rucho
Thomas C. Goolsby	O. Temple Sloan III
H. Frank Grainger	Harry L. Smith, Jr.
James L. Holmes, Jr.	Michael L. Williford
Joe T. Knott	

The following members were absent:

Anna S. Nelson

William A. Webb (*participated by phone*)

State Ethics Act

Chair Smith stated that under the State Ethics Act, members have a duty to avoid conflicts of interest and appearances of conflicts and asked if anyone had a potential conflict. There were none.

Expectations of Conduct

Chair Smith cited the Expectations of Conduct during meetings of the Board of Governors as set forth by the Board at its meeting in March 2016.

Remarks by Vice Chair Ramsey

Vice Chair Ramsey recognized Chair Smith as this marked his first official meeting presiding as chair of the Board of Governors. He remarked that the members look forward to his leadership and working together. He introduced Chair Smith's wife, Tammy Smith.

President's Report

President Spellings congratulated Chair Smith in his new role. She noted that Chair Smith cares deeply about the University and remains focused on making the University stronger and more accountable. Next, President Spellings remarked on the passing of former President *Emeritus* C.D. Spangler. She spoke about the wonderful legacy he leaves behind and the lasting impact his work has had on the University and on our state. She paused for a moment of silence in his remembrance. President Spellings mentioned that Sen. Burr and Sen. Tillis honored Mr. Spangler on the floor of the U.S. Senate the previous day. For President Spellings' complete report, please see Appendix A.

Administrative Action Items

Chair Smith entertained a motion to approve the Administrative Action Items listed as Item 4. Mr. Powers requested that Item 4n – *Boards of Trustees Nominations – Appalachian, WCU* be removed and discussed separately. Chair Smith entertained a motion to approve the remaining administrative action items. Mr. Mitchell moved and the motion was properly seconded. The motion carried.

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|-----------|---|------------|
| a. (BOG) | Minutes (Open) of May 24, 2018 | |
| b. (BOG) | Minutes (Open) of June 1, 2018 | |
| c. (B&F) | Capital Improvement Projects – N.C. A&T, NC State, UNC-Chapel Hill, UNC Charlotte
UNCSA, and WSSU | Appendix B |
| d. (B&F) | Authorization of Replacement Lines of Credit – UNC-Chapel Hill | Appendix C |
| e. (B&F) | Disposition of Property by Easement – NCCU | Appendix D |
| f. (B&F) | Disposition of Property by Easement – UNC-Chapel Hill | Appendix E |
| g. (B&F) | Authorization of Ground Lease – UNCW | Appendix F |
| h. (B&F) | Millennial Campus Expansion Request – ECU | Appendix G |
| i. (EPPP) | Authorization to Establish UNC Degree Programs – UNC Charlotte | Appendix H |
| j. (EPPP) | Authorization to Discontinue UNC Degree Programs – ECU | Appendix I |
| k. (EPPP) | Authorization to Discontinue and Consolidate UNC Degree Programs – ECU and NCCU | Appendix J |
| l. (EPPP) | Licensure Program Approvals – Northeastern University, Johnson and Wales
University, Brightwood College, CreatEd Institute | Appendix K |
| m. (EPPP) | UNC Policy 700.7.1 – <i>Policy on Military Student Success</i> | Appendix L |
| n. (GOV) | Boards of Trustees Nominations – Appalachian and WCU [<i>Removed for discussion;
Approved following discussion</i>] | Appendix M |
| o. (GOV) | <i>The Code, 502 D. – Relation of the Chancellor to the Constituent Institution</i> | Appendix N |
| p. (GOV) | UNC Policy 700.4.1 – <i>Policy on Minimum Substantive and Procedural Standards
for Student Disciplinary Proceedings</i> | Appendix O |
| q. (GOV) | UNC Policy 1300.9 – <i>Policy on Providing Safety and Security Presentations to
University Boards</i> | Appendix P |
| r. (SI) | UNC Policy 700.10.1 – <i>Policy on Awarding Course Credit on the Basis of Advanced
Placement Exam Scores</i> | Appendix Q |

Next, Mr. Powers was recognized to address Item 4n. – *Boards of Trustees Nominations at Appalachian and WCU*. He noted that Mr. Mark Ricks was recommended to fill a partial term at Appalachian State University and Mr. Casey Cooper was recommended to fill a partial term at Western Carolina University. The Committee on University Governance unanimously supported both candidates.

MOTION: Resolved, that the Board elect Mr. Mark Ricks and Mr. Casey Cooper to the boards of trustees at Appalachian and WCU, respectively.

Motion: Mr. Powers

Motion carried

Report of the Committee on Budget and Finance

Mr. Sloan, chair of the committee, reported that during its meeting the previous day, the committee reviewed and recommended six transactional items included on the consent agenda. Next, the committee considered the proposed University of North Carolina 2018-19 Operating Budget Allocations including funds for compensation increases and management flexibility reductions and recommends them to the full Board (see Appendix R).

MOTION: Resolved, that the Board approve the proposed University of North Carolina 2018-19 Operating Budget Allocations.

Motion: Mr. Sloan

Motion carried

Lastly, the committee considered the University of North Carolina 2018-19 Capital Improvement Budget Allocations appropriations that totaled \$33,399,465.00 (see Appendix S). The committee recommends the allocations to the full Board.

MOTION: Resolved, that the Board approve the proposed University of North Carolina 2018-19 Capital Improvement Allocations.

Motion: Mr. Sloan

Motion carried

Report of the Committee on Educational Planning, Policies, and Programs

Mr. Bryan, vice chair of the committee, reported that the committee recommended the establishment of one new academic degree program (see Appendix H), the discontinuation of one program (see Appendix I), the consolidation of five programs (Appendix J), and the licensure programs at four institutions (see Appendix K) included on today's consent agenda.

The committee considered several reports including the President's Report on Research and Sponsored programs, the Fall 2017 Enrollment Report, the Faculty Teaching Workload Report, and UNC Intercollegiate Athletics and Financial Transparency Report. It received an update on the North Carolina Teaching Fellows Program and received an informational update on the establishment of a College of Health Sciences at UNC Pembroke. It also heard a presentation from representatives at North Carolina Central University, who provided updates on NCCU's School of Law. It discussed the new ACT-SAT Concordance tables and reviewed the calendar for its committee work for the upcoming year.

In closing, Mr. Bryan recognized Dr. David Green, chair of the UNC Faculty Assembly, for his remarks. Dr. Green stated that the UNC Faculty Assembly is committed to the advancement of quality education. At its retreat this summer, the Assembly identified three priorities, which include supporting digital learning competencies; continuing its work with the Board, the president, and the senior leadership team to represent its concerns; and ensuring that the students and other stakeholders of the System are aware of the assembly's contributions to the vitality of the System.

Report of the Committee on University Governance

Mr. Powers, chair of the committee, noted that several members of the boards of trustees attended the committee's meeting the previous day; he welcomed their participation and attendance. The committee discussed several topics including the 2018-2019 boards of trustees appointment process; institutions' liaison assignments; and next steps related to the committee's work on the duties and authorities of boards of trustees and vacancies on the boards. The committee, which also serves as the Board's legislatively-required committee on crafting a new free speech policy for the UNC system, heard plans on completing the first report on Free Speech and Free Expression. The report will be prepared by the fall and conveyed to the governor, the NC General Assembly, and the University community.

The committee heard a presentation on the results of a survey of the boards of trustees on the delegation of duties and authorities. The Committee on University Governance asked the other committees with recommendations in their jurisdiction – the Committee on Budget and Finance, the Committee on Personnel and Tenure, and Committee on Educational Planning, Policies, and Programs – to review the recommendations and report to the Board this fall.

Mr. Powers stated that much of the committee's work this year will be focused on the nominations of members for the boards of trustees and refining and approving the trustee selection and training process. The committee will consider additional duties and authorities to delegate to the boards of trustees.

At its next meeting, the committee will consider vacancies on the State Advisory Council on Indian Education, the UNC Asheville Board of Trustees, the UNC Center for Public Television, and the Umstead Review Panel.

Lastly, the recommended considered two appointments to the boards of trustees – one at Appalachian State University and one at Western Carolina University, which were approved as part of the consent agenda (see Appendix M).

Report of the Committee on Public Affairs

Mr. Byers, chair of the committee, reported that it received an update on that the recent short session of the General Assembly. The committee also heard a report on federal legislation and appropriations that will affect the UNC System institutions and the state.

Report of the Committee on Audit, Risk Management, and Compliance

Mr. Holmes, chair of the committee, reported that the committee heard presentations on university foundations within the UNC System and a briefing on the activities of the Information Technology Security Working Group.

Report of the Committee on Strategic Initiatives

Mr. Mitchell, chair of the committee, reported that the committee discussed its ongoing efforts to improve student success across the UNC System. The committee reviewed trend lines, retention, graduation rates, and reforms it has pursued to ensure students complete their degrees on time.

Chair's Report

Chairman Smith reflected on the advice he has received from his fellow Board members this week. He gave special thanks to his predecessor, Mr. Bisette, for his years as leadership. Next, he remarked that the System is fortunate to have President Spellings leading this institution. He commented on his expectations and plans for the coming year and thanked the members for their commitment to the System.

Secretary Burris-Floyd stated that the printed motion to go into closed session was in the Board members' folders. She moved that the Board go into closed session as described in the written motion, pursuant to Sections 143-318.11(a)(1), (a)(3), (a)(5), and (a)(6) of the North Carolina General Statutes. The motion was properly seconded and carried.

The Board went into closed session at 10:15 a.m. and returned to open session at 11:45 a.m.

Report of the Committee on Personnel and Tenure

Mrs. Murphy, chair of the committee, reported that the committee reviewed the FY 2017-2018 EHRA Annual Raise Process Report and discussed the annual raise process for both SHRA and EHRA employees for the current year. In accordance with the N.C. General Assembly Appropriations Act, a sum of \$20 million was set aside for the UNC System for compensation increases for employees for the 2018-19 fiscal year. The committee recommended a resolution granting the president the authority to implement compensation increases as provided for in the appropriations act.

MOTION: Resolved, that the Board adopt the Resolution of the Board of Governors of the University of North Carolina Implementation of Fiscal Year 2018-2019 Compensation Adjustments for Employees Pursuant to the Appropriations Act of 2018 and the University's Annual Raise Process (see Appendix T).

Motion: Mrs. Murphy

Motion carried.

Next, Mrs. Murphy commented that the committee heard a report on the implementation of state legislation that raises the state's minimum wage point to \$31,200/year for full-time state employees, and an update on the System Office's implementation of the recommendations of the Board's Subcommittee on Equal Opportunity, Diversity, and Inclusion.

The committee discussed the chancellor search process. It will review current policies and procedures and will recommend updates and changes to UNC Policy 200.8 – *Policy on Chancellor Searches* as appropriate.

Lastly, the committee reviewed routine informational reports which included the President's Delegated Personnel Actions Report, Senior Administrative Officer Retirement Fund Program Report, The Faculty Retention and Utilization Report, the Annual Post-Tenure Review Report, and the Board of Governors Award for Excellence in Teaching Final Use of Funds Report.

In closing, Chair Smith announced that the new special committees will meet on August 21, 2018, and the next full Board meeting is scheduled for September 14, 2018. There being no further business, Chair Smith requested a motion to adjourn. Mr. Long moved and the motion was properly seconded. The meeting adjourned at 11:50 a.m.

For a summary of remarks from the Public Comment Session, please see Attachment #1.

Pearl Burris-Floyd, Secretary

APPENDICES

The Appendices are part of the official record of the meeting and are posted on the UNC System website at:

<http://www.northcarolina.edu/apps/bog/index.php>

- Appendix A President Spellings' Report
- Appendix B Capital Improvement Projects – N.C. A&T, NC State, UNC-Chapel Hill, UNC Charlotte, UNCSA, and WSSU
- Appendix C Authorization of Replacement Lines of Credit – UNC-Chapel Hill Appendix D Disposition of Property by Easement – NCCU
- Appendix E Disposition of Property by Easement – UNC-Chapel Hill
- Appendix F Authorization of Ground Lease – UNCW
- Appendix G Millennial Campus Expansion Request – ECU
- Appendix H Authorization to Establish UNC Degree Programs – UNC Charlotte
- Appendix I Authorization to Discontinue UNC Degree Programs – ECU
- Appendix J Authorization to Discontinue and Consolidate UNC Degree Programs – ECU and NCCU
- Appendix K Licensure Program Approvals – Northeastern University, Johnson and Wales University, Brightwood College, and CreatEd Institute
- Appendix L UNC Policy 700.7.1 – *Policy on Military Student Success*
- Appendix M Boards of Trustees Nominations – Appalachian and WCU
- Appendix N *The Code*, 502 D. – Relation of the Chancellor to the Constituent Institution
- Appendix O UNC Policy 700.4.1 – *Policy on Minimum Substantive and Procedural Standards Disciplinary Proceedings*
- Appendix P UNC Policy 1300.9 – *Policy on Providing Safety and Security Presentations to University Boards*
- Appendix Q UNC Policy 700.10.1 – *Policy on Awarding Course Credit on the Basis of Advanced Placement Exam Scores*
- Appendix R The University of North Carolina 2018-19 Operating Budget Allocations
- Appendix S The University of North Carolina 2018-19 Capital Improvement Budget Allocations
- Appendix T Resolution of the Board of Governors of the University of North Carolina Implementation of Fiscal Year 2018-2019 Compensation Adjustments for Employees Pursuant to the Appropriations Act of 2018 and the University's Annual Raise Process

Attachment #1: Public Comment Session Summary

July 27, 2018

University of North Carolina System

Center for School Leadership Development, Room 128

Chapel Hill, North Carolina

The Public Comment session was called to order at 8:00 a.m. with Secretary Burris-Floyd presiding. The following Board members were also present: Mr. Allison, Mrs. Blue, Mr. Holmes, Mr. Long, Mrs. Murphy, Mrs. Nelson, Mr. Powers, Vice Chair Ramsey, Dr. Rucho, Chair Smith, and Mr. Webb. The speakers and topics are listed below.

1. Alex Haggis
Affiliation: UNC System student
Topic: Free Speech Act
Haggis expressed concerns regarding the Board's Free Speech Policy and challenged the Board to host public town halls to provide opportunities for the community, students, faculty, and staff to be heard outside of the regularly scheduled public comment sessions.
2. Mario Benavente
Affiliation: UNC System student
Topic: Silent Sam
Benavente discussed the Board's lack of response to the request to remove Silent Sam statue. The statue represents negativity and racism on the University of North Carolina at Chapel Hill (UNC-Chapel Hill) campus and surrounding community.
3. Aubrey Lauersdorf
Affiliation: UNC System student
Topic: UNC System Faculty and Staff Salary Raises
Lauersdorf, a representative of UE Local 150 (North Carolina Public Service Workers Union), spoke about the communication across the System in regards to salary increases. Lauersdorf expressed that transparency is key in the communication of the salary raise timeline to state employees with the University System.
4. Nora Dennis
Affiliation: UNC System student
Topic: Silent Sam
Dennis expressed concerns about the Board's response to the Silent Sam statue. Dennis explained that the Silent Sam statue celebrates black fear and is a negative symbol standing tall on UNC-Chapel Hill's campus.

5. Hannah Skjellum
Affiliation: UNC System student
Topic: Silent Sam
Skjellum feels that the Silent Sam statue is violence personified and the University's prioritizing money over morals is why it still stands.
6. Patrick Horn
Affiliation: UNC System staff
Topic: Silent Sam
Horn, associate director at the Center for the Study of the American South, believes Silent Sam represents sexist and male supremacist ideas and that it should be moved to a location where its historical significance can be better contextualized.
7. Candace Midgett
Affiliation: No affiliation
Topic: Silent Sam
Midgett, director of the Orange County Historical Museum, discussed actions and processes used by towns in North Carolina to move similar monuments, and she argued that leadership within the UNC System should take a similar approach to remove the Silent Sam statue that was erected to celebrate white supremacy.
8. Mary Phillips
Affiliation: UNC System alumni
Topic: Silent Sam
Phillips spoke on behalf of a public service sorority against the Silent Sam statue on UNC-Chapel Hill's campus and called for the removal of the monument.
9. Anna Richards
Affiliation: No affiliation
Topic: Silent Sam
Richards, President of the Chapel Hill-Carrboro Chapter of the NAACP, expressed disappointment over the Silent Sam statue standing tall in a progressive community like Chapel Hill.
10. Michelle Padley
Affiliation: UNC System student
Topic: Silent Sam
Padley asked the Board what North Carolina they represent. By allowing the Silent Sam statue to stand, the Board is a blatant supporter of white supremacy.
11. Nicholas Stevens
Affiliation: UNC System student
Topic: Silent Sam
Stevens quoted Chancellor Folt's statement on diversity and explained that the institution and System have a responsibility to the community, faculty, staff, and students to support diversity and inclusion for all.

12. Nancy White

Affiliation: UNC System alumni and parent

Topic: Silent Sam

White explained that the UNC System is a System that is supposed to teach values of respect, diversity, and inclusion. White expressed concern that the Board is not enhancing any student's education by allowing the Silent Sam statue to stand.

13. Lucy Lewis

Affiliation: UNC System alumni

Topic: Silent Sam

Lewis called on the Board to remove the Silent Sam statue from UNC-Chapel Hill's campus. It is a statue that may seem to stand strong and silent, but it is loud and a symbol of negative values.

14. Alyssa Bowen

Affiliation: UNC System student

Topic: Silent Sam

Bowen explained that the lack of response and action from the Board on various issues, including the Silent Sam statue, shows how the Board is not representative of the System as a whole.

DRAFT MINUTES

August 28, 2018
University of North Carolina System Office
Center for School Leadership Development, Room 128
Chapel Hill, North Carolina

Call to Order

The Board of Governors met in a special session via teleconference on August 28, 2018, in Room 128 at the Center for School Leadership Development, Chapel Hill. Chair Smith called the meeting to order at 11:05 a.m.

Roll Call

Secretary Burris-Floyd called the roll. The following members were present:

Darrell T. Allison	Steven B. Long
W. Louis Bissette, Jr.	Ann Maxwell
Kellie H. Blue	J. Alex Mitchell
Robert P. Bryan III	Wendy F. Murphy
Pearl Burris-Floyd	Anna S. Nelson
C. Philip Byers	Bettylenah Njaramba
Carolyn L. Coward	David M. Powers
N. Leo Daughtry	Randall C. Ramsey
Walter C. Davenport	Robert A. Rucho
Thomas H. Fetzner	O. Temple Sloan III
Thomas C. Goolsby	Harry L. Smith, Jr.
H. Frank Grainger	William A. Webb
Joe T. Knott	Michael L. Williford
W. Marty Kotis III	

The following members were absent:

James L. Holmes, Jr.	R. Doyle Parish
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Those joining the call from UNC-Chapel Hill included Chancellor Folt, Provost Blouin, Board of Trustee Chair Cochrane, and Vice Chancellor and General Counsel Merritt.

Chairman Smith called on Secretary Burris-Floyd for a motion to go into closed session. Secretary Burris-Floyd moved the Board go into closed session to prevent the disclosure of information that is privileged or confidential under Article 7 of Chapter 126, or not considered a public record within the meaning of Chapter 132 of the General Statutes; and to consult with our attorney to protect the attorney-client privilege pursuant to G.S. 143-318.11(1)(1) and (3).

The Board went into closed session at 11:10 a.m. and returned to open session at 12:50 a.m.

Chair Smith stated that the Board will release a statement shortly after the meeting related to the Board's response to the recent events involving the Silent Sam Statute on the campus of UNC-Chapel Hill.

Next, Chair Smith called on Senior Vice President and General Counsel Shanahan, who read a proposed Resolution (see Attachment A) related to confederate monuments on the campuses.

MOTION: Resolved, that the Board adopt the Resolution directing Chancellor Folt and the UNC-Chapel Hill Board of Trustees to develop and present to the Board of Governors a plan for the monument's disposition and preservation by November 15, 2018.

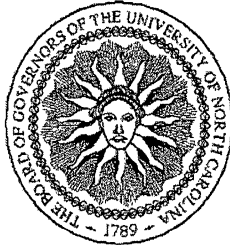
Motion: Mr. Ramsey

Motion carried

Chair Smith announced that the Board would hire an outside firm to conduct an independent review of UNC-Chapel Hill's response to the protests. Chair Smith appointed Mr. Byers and Dr. Rucho to oversee the review.

There being no further business, Chair Smith made a motion to adjourn. The motion was properly seconded. The motion carried. The Board adjourned at 12:57 p.m.

Pearl Burris-Floyd, Secretary



**RESOLUTION OF
THE BOARD OF GOVERNORS OF
THE UNIVERSITY OF NORTH CAROLINA**

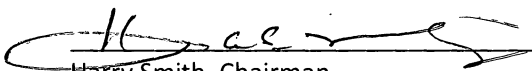
August 28, 2018

WHEREAS, Chancellor Folt and the Board of Trustees of the University of North Carolina at Chapel Hill have engaged in considerable work to explore options regarding the Confederate Monument; and

WHEREAS, Chancellor Folt and the Board of Trustees expect to be in a position to provide a plan for a lawful and lasting path that protects public safety, preserves the monument and its history, and allows the University to focus on its core mission of education, research, economic stimulation, and creating the next generation of leaders.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Governors directs Chancellor Folt and the UNC-Chapel Hill Board of Trustees to develop and present to the Board of Governors a plan for the monument's disposition and preservation, which should be presented to the Board of Governors by **November 15, 2018**.

Adopted this 28th day of August, 2018


Harry Smith, Chairman


Secretary

DRAFT MINUTES

September 12, 2018
University of North Carolina
Center for School Leadership Development, Board Room
Chapel Hill, North Carolina

Call to Order

The Board of Governors met in a special session via teleconference on September 12, 2018, in the Board Room at the Center for School Leadership Development, Chapel Hill. This meeting substituted for the regularly scheduled meeting of September 13-14, 2018, which was canceled due to the pending hurricane. Chair Smith called the meeting to order at 5:12 p.m.

Roll Call

Secretary Burris-Floyd called the roll. The following members were present:

Darrell T. Allison	Steven B. Long
W. Louis Bissette, Jr.	J. Alex Mitchell
Kellie H. Blue	Wendy F. Murphy
Robert P. Bryan III	Anna S. Nelson
Pearl Burris-Floyd	Bettylenah Njaramba
C. Philip Byers	R. Doyle Parrish
Carolyn L. Coward	David M. Powers
N. Leo Daughtry	Randall C. Ramsey
Walter C. Davenport	Robert A. Rucho
Thomas H. Fetzner	Harry L. Smith, Jr.
H. Frank Grainger	O. Temple Sloan III
James L. Holmes, Jr.	William A. Webb
Joe T. Knott	Michael L. Williford
W. Marty Kotis III	

The following members were absent:

Thomas C. Goolsby	Ann Maxwell
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State Ethics Act

Chair Smith stated that, under the State Ethics Act, members have a duty to avoid conflicts of interest and appearances of conflicts and asked if anyone had a potential conflict. There were none.

Chair Smith called on Secretary Burris-Floyd for a motion to move into closed session. Secretary Burris Floyd moved that the Board go into closed session to prevent the disclosure of information that is privileged or confidential under Article 7 of Chapter 126 or not considered a public record within the meaning of Chapter 132 of the General Statutes; prevent the premature disclosure of an honorary degree, scholarship, or similar award; consult with its attorney to protect attorney-client privilege; and consider the qualifications, competence, performance, or condition of appointment of a public officer or employee or prospective public officer or

employee pursuant to Sections 143-318.11(a)(1), (2), (3) and (5) of the North Carolina General Statutes. The motion was properly seconded and it carried.

The Board went into closed session at 5:17 p.m. and returned to open session at 5:20 p.m.

Report of the Committee on Educational Planning, Policies, and Programs

Mrs. Nelson, chair of the committee, reported that the committee reviewed and approved five academic degree programs and approved placing those on today's consent agenda (See Appendix A).

Motion: Mrs. Nelson

Motion carried

Report of the Committee on Personnel and Tenure

Mrs. Murphy, chair of the committee, reported that the committee discussed a resolution granting the president the authority to purchase commercial insurance related to employee benefits plan administration.

Motion: Resolved, that the Board adopt the Resolution of the Board of Governors of the University of North Carolina for Authorization to Purchase Commercial Insurance Related to the Management, Direction, Administration, and Investments of University Employee Benefit Plans (see Appendix B).

Motion: Mrs. Murphy

Motion carried

The committee also discussed the annual raise process. The Appropriations Act of 2018 supported a 2% annual raise for non-University SHRA and EHRA employees. In July 2018, the Board approved a 2% across-the-board raise for University SHRA employees and adopted a resolution that delegated the president the authority to develop and issue detailed instructions for a 2018-2019 annual raise process. The committee considered a resolution that added to that authority by delegating to the president the ability to issue instructions permitting a one-time bonus payment in lieu of or in addition to permanent base salary increases.

Motion: Resolved, that the Board adopt the Resolution for Authorization for One-Time Bonus Option in the 2018-2019 Annual Raise Process (see Appendix C).

Motion: Mrs. Murphy

Motion carried

Report of the Committee on University Governance

Mr. Powers, chair of the committee, reported that the committee considered the Report on Free Speech and Free Expression Within the University of North Carolina. This is the inaugural report for the period of August 1, 2017 – June 30, 2018 as required by the General Assembly.

Motion: Recommended that the Board approve the 2017-2018 Report on Free Speech and Free Expression Within the University System, and that the Report be conveyed to the General Assembly and the Governor (Appendix D).

Motion: Mr. Powers

Motion carried

Report of the Committee on Audit, Risk Management, and Compliance

Mr. Holmes, chair of the committee, reported that the committee considered the UNC System's 2018-2019 Internal Audit Report. The report included a list of projects that the chief audit officer has identified for the audit plan.

Motion: Recommended that the Board approve the UNC System's 2018-2019 Internal Audit Report (see Appendix E). The motion carried.

The next meeting of the Board of Governors is scheduled for October 10, 2018 in Chapel Hill. There being no further business, Chair Smith made a motion to adjourn. The motion was properly seconded. The motion carried.

To close the meeting, Mr. Fetzer offered a prayer. The Board adjourned at 5:30 p.m.

Pearl Burris-Floyd, Secretary

APPENDICES

The Appendices are part of the official record of the meeting and are posted on the UNC System website at:
<http://www.northcarolina.edu/apps/bog/index.php>

- Appendix A Authorization to Establish UNC Degree Programs – ECSU, UNC Greensboro, NCA&T, and NCCU
- Appendix B Resolution Authorizing the President to Purchase Commercial Insurance Related to Employee Benefits Plan Administration
- Appendix C Resolution for a One-Time Bonus Option to 2018-2019 Annual Raise Process
- Appendix D Report on Free Speech and Free Expression Within the University of North Carolina System
- Appendix E Approval of the UNC System Office's 2018-19 Internal Audit Plan

DRAFT MINUTES

October 2, 2018
University of North Carolina
Spangler Center, Board Room
Chapel Hill, North Carolina

Call to Order

The Board of Governors met in a special session via teleconference on October 2, 2018, in the Board Room at the Spangler Center, Chapel Hill. Chair Smith called the meeting to order at 8:30 a.m.

Roll Call

Secretary Burris-Floyd called the roll. The following members were present:

W. Louis Bissette, Jr.	Ann Maxwell
Kellie H. Blue	J. Alex Mitchell
Pearl Burris-Floyd	Wendy F. Murphy
C. Philip Byers	Anna S. Nelson
N. Leo Daughtry	R. Doyle Parrish
Walter C. Davenport	David M. Powers
Thomas H. Fetzer	Randall C. Ramsey
Thomas C. Goolsby	Robert A. Rucho
H. Frank Grainger	Harry L. Smith, Jr.
James L. Holmes, Jr.	O. Temple Sloan III
Steven B. Long	William A. Webb

The following members were absent:

Darrell T. Allison	W. Marty Kotis III
Robert P. Bryan III	Bettylenah Njaramba
Carolyn L. Coward	Michael L. Williford
Joe T. Knott	

State Ethics Act

Chair Smith stated that, under the State Ethics Act, members have a duty to avoid conflicts of interest and appearances of conflicts and asked if anyone had a potential conflict. There were none.

University of North Carolina Wilmington Waiver

Chair called on President Spellings to give an overview on the U.S. Department of Education requirement for UNC Wilmington's (UNCW) waiver for instructional time for the 2018 Fall Semester. President Spellings commended Chancellor Sartarelli and his team for their preparation for and response to the hurricane and recognized Chancellor Sartarelli for brief remarks.

President Spellings then recognized Interim Senior Vice President Kimberly van Noort to review the waiver, which is required to comply with policies of the U.S. Department of Education and the Southern Association of Colleges and Schools Commission on Colleges (see Attachments).

Dr. van Noort explained that the request was within the parameters of waivers from previous natural disasters elsewhere and that the plan was developed in collaboration between faculty and administration.

Motion: Resolved, that the Board of Governors, approve the waiver of up to 200 minutes of instructional time for UNC Wilmington's Fall Semester.

Motion: H. Frank Grainger

Motion carried

Chair Smith called on Secretary Burris-Floyd for a motion to move into closed session. Secretary Burris Floyd moved that the Board 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 the attorney-client privilege; and to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action for the following cases: *Carcaño, et al. v. Cooper, et al.* pursuant to G.S. 143-318.11(a)(1) and (3).

The Board went into closed session at 8:35 a.m. and returned to open session at 8:50 a.m.

The next meeting of the Board of Governors is scheduled for October 10, 2018 in Chapel Hill. There being no further business, Chair Smith made a motion to adjourn. The motion was properly seconded. The motion carried. The Board adjourned at 8:52 a.m.

Pearl Burris-Floyd, Secretary



THE UNIVERSITY OF NORTH CAROLINA SYSTEM

Kimberly van Noort, Ph.D.

Interim Senior Vice President for Academic Affairs

910 Raleigh Road, Chapel Hill, NC 27514

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October 1, 2018

Dear Governors,

The University of North Carolina at Wilmington has, as you know, experienced extreme damage from Hurricane Florence. As they have been assessing ability to resume classes, we have been in close contact with them to ensure compliance with our policies (UNC Policy 400.1.6) and with the Department of Education and the Southern Association of College and Schools Commission on Colleges (SACSCOC) rules regarding regulations relative to instructional time.

When UNCW leadership ascertained that their start date would be October 8, they began work on a plan to “make up” lost instruction time (approximately 4 weeks). In close collaboration with their faculty leadership, they came up with a rigorous plan to recapture much of the time lost.

This is important, as federal financial aid regulations (DOE) and our regional accrediting body (SACSCOC) stipulate a minimum number of hours (actually minutes) spent in direct instruction. Thankfully, the DOE has special guidance for institutions in federally declared disaster areas that permits petitions for waivers of the instructional time.

Attempting to make up hours is a complex undertaking. UNCW has presented a plan that includes cancelling their fall break, cancelling a “reading day” prior to final exams, lengthening classes by five minutes, and providing additional content/interaction via online platforms.

We have learned through experiences with Hurricanes Katrina, Floyd, Harvey, Irma, and Maria, that student success and retention during times of disaster are predicated on providing an opportunity for students to re-enter and continue coursework as soon as possible and in a manageable way. And that institutions must take into account the extra time needed to catch up and the burden upon already stressed students. Equally, we must be vigilant to ensure that those students receive full instruction of crucial content by addressing the core elements of each individual course.

The plan that UNCW has submitted meets all these benchmarks. In a perhaps unprecedented collaboration between faculty and administration, they propose a plan to recover approximately 2.7 weeks of instruction through careful reconsideration of their academic calendar, class schedules, and online options. They are now requesting a waiver of 1.3 weeks of instructional time. This is well within the guidelines for a waiver from the Department of Education and is aligned with waivers previously granted under recent federal disaster declarations.

The Department of Education and SACSCOC stand ready to consider this waiver upon the recommendation of the Board of Governors of the University of North Carolina.

Sincerely,

A handwritten signature in black ink, appearing to read "Kimberly van Noort". The signature is fluid and cursive, with the first name "Kimberly" and last name "van Noort" clearly distinguishable.

Kimberly van Noort, Ph.D.



UNIVERSITY of NORTH CAROLINA WILMINGTON

Jose V. Sartarelli, Ph.D.
Chancellor

September 30, 2018

Dr. Kimberly van Noort
University of North Carolina System Office
910 Raleigh Road
Chapel Hill, NC 27515

Dear Kim,

Please find attached our request to the President and to the Board of Governors to have up to 200 minutes waived of Instructional Time for the 2018 Fall Semester.

This request is based on a Plan (attached) developed by both Staff/Administrators and Faculty working closely together. In fact, Faculty Senate Steering Committee members participated from day one in the process and provided some of the ideas embodied in the Plan.

In summary, the Plan encompasses calendar adjustments, schedule adjustments and faculty developed assignments. These adjustments and assignments still leave uncovered up to 200 minutes which we are requesting be waived.

A waiver of 150-200 minutes will allow UNCW to provide as much normalcy as possible to students and faculty, to preserve academic integrity and pedagogical requirements and to avoid overburdening our already-stressed students.

Respectfully,

Jose V. Sartarelli, Ph.D.
Chancellor

Lost Instructional Time and Make-Up Plan

Instructional Time Lost

Classes were canceled on 9/10 at noon resulting in the loss of 550 instructional minutes for MWF, MW, and M courses scheduled before noon and 600 instructional minutes for all remaining 3-credit hour courses. Note that lost instructional time is slightly higher for 4-credit hour courses and lower for 2-credit and 1-credit hour courses, but these courses do not make up a significant portion of UNCW courses; therefore, our models use 3-credit hour courses as the base.

UNC System policy 400.1.6 requires a minimum of 750 instructional minutes (or the equivalent) per credit hour (2250 for 3 credit-hour courses). This policy is derived from SACSCOC Policy on Credit Hours - <http://www.sacscoc.org/pdf/081705/Credit%20Hours.pdf>.

UNCW courses meet or exceed this requirement depending on a number of factors; therefore, the true range of lost time is 255-585 minutes for 3-credit courses. The reason for this is due to a 30-minute “buffer” given the 180 minute final exam period as well as the amount of overall minutes accrued for MW courses and single-day courses taught M-W.

Regardless, the loss of this much time is significant and unprecedented in the history of UNCW and the UNC System. We are unaware of attempts to make up this amount of time without consideration of cancelling the term; therefore, there are few examples of an overall plan to address our situation.

Current Plan to Make Up Lost Time

Guiding Principles

1. Provide as much normalcy as possible to students and faculty (schedule, breaks, semester end, etc.).
2. Preserve academic integrity and pedagogical requirements of courses.
3. Avoid overburdening already-stressed students with impossible work requirements for the remaining 9 weeks of the term. NOTE: A make-up requirement of 500 minutes per course results in 2500 minutes of make-up time for a student enrolled in 15 hours.

Plan Summary

Planning commenced on or around 9/17. Planning group included Provost’s staff, deans, faculty senate leadership, Chief of Staff, and the Chancellor. Multiple adjustments were considered. These included calendar adjustments, defined schedule of evening and weekend make up classes, expansion of daily schedule to increase class duration, modification of final exam schedule, outside of class/online assignments, and extending the semester. The following plan was deemed as the best combination of solutions to make up the time while instantiating our guiding principles.

1. Calendar Adjustments (100 – 150 minutes gained depending on course)
 - a. Canceled Fall Break (10/11-10/12)
 - b. Canceled Reading Day (12/6)

- c. Adjusted the final exam schedule – now runs 12/10 -12/14, thus capturing 12/7 as a class day. This day will be treated as a Monday.
- 2. Schedule Adjustments (50 – 95 minutes gained depending on course)
 - a. Expanded the daily schedule to add 5 minutes to each course section. Necessitated started MWF courses at 7:45 rather than 8:00. Necessitated TR courses having reduced travel time between classes (10 rather than 15).
- 3. Faculty Developed Assignments (65-180 minutes gained depending on the course)
 - a. Out-of-class assignments.
 - b. Online assignments/activities.
 - c. If pedagogically necessary, weekend make-up days.

The remaining lost time to be made up ranges from 50-200 minutes. For most classes, it is not feasible for this to be assigned to the Faculty Developed Assignment solution; therefore, a waiver of 150-200 minutes is requested.

Communication of Plan

- 1. 9/22 - Initial communication to faculty and students canceling Fall Break and Reading Day.
- 2. 9/25 – Follow-up email to include communication of modification of final exam schedule and preservation of Thanksgiving Break (W) and Commencement.
- 3. 9/26 – Email to faculty describing the full make-up plan.
- 4. 9/28 Posted revision to make-up plan to clarify understanding of schedule changes.

Conclusions

- 1. Making up the required amount of time in 9 instructional weeks is profoundly impactful to students, faculty, and staff.
- 2. There is precedent for “forgiveness” of instructional time.
- 3. The current plan was developed with strong collaboration between central administration and faculty leadership. It is comprehensive, diverse, and grounded in student-focused guiding principles.
- 4. Without forgiveness of a portion of lost instructional minutes, the impact of this catastrophe will be magnified in the lives of students and faculty.
- 5. Having permission for up to 200 minutes would allow for the strategic use of the waiver to reduce the residual make-up appropriately.