



MEETING OF THE BOARD OF GOVERNORS
Committee on University Governance

February 20, 2020 at 1:00 p.m.
University of North Carolina System Office
Center for School Leadership Development, Room 276
Chapel Hill, North Carolina

AGENDA

OPEN SESSION

- A-1. Approval of the Minutes of January 16, 2020 and February 5, 2020 David Powers
- A-2. Review of the UNC Policy Manual David Powers
 - a. Section 200.7 of the UNC Policy Manual (Duties, Responsibilities, and Expectations of Board Members)
- A-3. University of North Carolina at Charlotte Waiver Request from Section 200.4.II of the UNC Policy Manual David Powers

CLOSED SESSION

- A-4. Approval of the Closed Session Minutes of January 16, 2020..... David Powers
- A-5. Legal Affairs Report..... Thomas Shanahan

OPEN SESSION

- A-6. Other Business David Powers
 - a. UNC Press Appointments
- A-7. Adjourn

Additional Information Available

Report on 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, and
 - Consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action for the following cases:

NC Division Sons of Confederate Veterans, Inc. v. The University of North Carolina and the University of North Carolina Board of Governors

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

DRAFT MINUTES

January 16, 2020
University of North Carolina System Office
Center for School Leadership Development, Room 276
Chapel Hill, North Carolina

This meeting of the Committee on University Governance was presided over by Chair David Powers. The following committee members, constituting a quorum, were also present either in person or by phone: W. Louis Bissette, Jr., Pearl Burris-Floyd, Thomas H. Fetzer, Thomas C. Goolsby, Terry Hutchens, and James L. Holmes, Jr.

Chancellors participating were Wesley Burks, Jose Sartarelli, and Peggy Valentine.

Staff members present included Thomas Shanahan, Meredith Steadman, and others from the UNC System Office.

1. Call to Order and Approval of OPEN Session Minutes (Item A-1)

The chair called the meeting to order at 12:33 p.m., on Thursday, January 16, 2020, and called for a motion to approve the open session minutes of December 12, 2019.

MOTION: Resolved, that the Committee on University Governance approve the open session minutes of December 12, 2019, as distributed.

Motion: James L. Holmes, Jr.

Motion carried

2. Vidant Medical Center Board of Trustees Appointments (Item A-2)

The chair briefed members of the committee on two *ex officio* vacancies on the Vidant Medical Center (VMC) Board of Trustees appointments. The appointments are pursuant to the amended affiliation agreement between the University North Carolina System, East Carolina University, and Vidant Medical Center. The Board of Governors is responsible for appointing nine of the twenty total seats on VMC's Board of Trustees. Two of the Board appointees shall be the ECU chancellor (or designee), and the dean of ECU Brody School of Medicine.

MOTION: Resolved, that Interim Chancellor Ron Mitchelson (or the chancellor's designee) and Brody School of Medicine Dean Mark Stacy be appointed as *ex officio* appointments to seats five and two on the Vidant Medical Center Board of Trustees.

Motion: David Powers

Motion carried

3. Review of the UNC Policy Manual (Item A-3)

The chair reminded the committee that it is reviewing a number of policies over the 2019-20 academic year for the purpose of determining if a policy is still needed, and whether the purpose and goal of the policy is being met. The review is also to determine if changes are required to improve the effectiveness or clarity of the policy and procedures. For this meeting, two policies were reviewed: Section 300.5.1, Political Activities of Employees; and 300.5.2, Candidacy for Elective Office; Officeholding (Elective and Appointive Public Office).

The chair then called on Mr. Shanahan to provide the committee with an overview of each policy. Mr. Shanahan began by explaining that University employees retain the rights and obligations as citizens provided for in the Constitution and laws of the United States and the State of North Carolina. As employees, they are encouraged to exercise their rights to participate or refrain from participating in the political process. Mr. Shanahan summarized each policy and explained the purpose of each one, which includes permissible political activities, prohibited activities, employee responsibilities, campus responsibilities, and the process for pursuing public office and office holding.

Following the overview by Mr. Shanahan and a general discussion of the policies by the committee, it was concluded that no further changes are required at this time to either Sections 300.5.1 or 300.5.2 of the UNC Policy Manual.

4. Closed Session

Ms. Burris-Floyd moved that the committee 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; or to consult with our attorney to protect attorney-client privilege; and to consider and give instructions concerning a potential or actual claim, administrative procedure, or judicial action for the following cases: *DTH Media Corp. v. The University of North Carolina, et al.*; *NC Division Sons of Confederate Veterans, Inc. v. The University of North Carolina and the University of North Carolina Board of Governors*; and *Sokolowski v. Leinweber, Clinton, et al.* This is pursuant to G.S. 143-318.11(a)(1) and (3).

Motion: Pearl Burris-Floyd

Motion carried

THE MEETING MOVED INTO CLOSED SESSION.

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

MOTION: Resolved, that the Committee on University Governance return to open session.

Motion: Pearl Burris-Floyd

Motion carried

THE MEETING RESUMED IN OPEN SESSION.

5. Adjourn (Item A-6)

The chair opened the floor to the committee on any other business the committee would like to discuss.

There being no further business, the meeting adjourned at 1:53 p.m.

Thomas H. Fetzer, Secretary

DRAFT MINUTES

February 5, 2020
University of North Carolina System Office
Center for School Leadership Development, Room 128
Chapel Hill, North Carolina

1. Call to Order and Roll Call (Item A-1)

The chair called the special meeting of the Committee on University Governance to order at 1:00 p.m., on Wednesday, February 5, 2020. Chair Powers stated that, under the State Ethics Act, members have a duty to avoid conflicts of interest and appearances of conflicts, and then inquired if anyone had a potential conflict. There was none.

Chair Powers called the roll. The following committee members, constituting a quorum were present either in person or by phone: W. Louis Bissette, Jr., Pearl Burris-Floyd, Thomas H. Fetzer, Thomas C. Goolsby, Terry Hutchens, and James L. Holmes, Jr.

Staff members present included Thomas Shanahan, Meredith Steadman, and others from the UNC System Office. Senator Pete Brunstetter assisted the committee as parliamentarian.

2. East Carolina University Board of Trustee Members Complaints (Item A-2)

The chair explained that the purpose of the special meeting was to consider complaints and potential sanctions under Section 200.7 of the UNC Policy Manual, involving four members of the ECU Board of Trustees. The chair advised the committee that its role was to recommend to the full Board of Governors what sanction, if any, should be applied to the respondents after full consideration of all of the materials and information regarding the matter.

a. Case One (Vern Davenport, Fielding Miller, and Vince Smith v. Phil Lewis and Robert Moore)

The chair called the first case for consideration and turned the meeting over to Mr. Shanahan to summarize the basic allegations of the complaint and the basic elements of the response to the complaint. Following the summary by Mr. Shanahan, the chair opened the floor for committee members to ask questions of the complainant and the respondents in the case. After reviewing the documentation and questioning of the parties, consideration of case one concluded.

MOTION: Resolved, that the Committee on University Governance recommend to the full Board of Governors to take no action on the complaint.

Motion: James L. Holmes, Jr.

Motion carried

b. Case Two (Robert Moore v. Vern Davenport and Fielding Miller)

Following the vote on case one, Mr. Moore requested that he be allowed to withdraw his complaints against Mr. Davenport and Mr. Miller. Because there is no clear procedure provided in Section 200.7 of the UNC Policy Manual allowing the withdrawal of a request for removal, the committee instead voted to recommend that the full Board take no action on Mr. Moore's complaints, with the understanding that Mr. Moore's request to withdraw the complaints would be communicated to the full Board.

MOTION: Resolved, that the Committee on University Governance take no action and refer Mr. Moore's complaints to the full Board for consideration, with the understanding that his request to withdraw the complaints be communicated to the Board.

Motion: James L. Holmes, Jr.

Motion carried

3. Adjourn (Item A-3)

There being no further business, the meeting adjourned at 2:52 p.m.

Thomas H. Fetzer, Secretary

AGENDA ITEM

A-2. Review of the UNC Policy ManualDavid Powers

Situation: The Committee on University Governance will review a number of policies over the 2019-20 academic year. The purpose of the review is to determine whether these policies are still needed, and whether these policies are still meeting their goals and purposes. This review process will help determine when changes are required to improve the effectiveness or clarify the University's policies and procedures.

Background: The committee will review and update, as needed, the following policies over the 2019-20 academic year.

- February 2020: Section 200.7 of the UNC Policy Manual (Duties, Responsibilities, and Expectations of Board Members)
- March 2020: Section 200.1 of the UNC Policy Manual (Dual Memberships and Conflicts of Interest)

Assessment: This item includes copies of Section 200.7 of the UNC Policy Manual (Duties, Responsibilities, and Expectations of Board Members) the committee will review.

Action: This item is for discussion only.

Duties, Responsibilities, and Expectations of Board Members

I. **Applicability and Purpose.** This policy sets forth the duties, responsibilities, expectations, and standards of conduct for members of the Board of Governors of the University of North Carolina, the boards of trustees of the constituent institutions, and the boards of University-affiliated organizations where membership includes individuals appointed by the Board of Governors.

II. **Definitions.** For purposes of this policy:

A. “Board” means the Board of Governors, a board of trustees of a constituent institution of the University of North Carolina, or a board of a University-affiliated organization with members appointed by the Board of Governors.

B. “Board member” means any member of the Board of Governors, a board of trustees of a constituent institution of the University of North Carolina, or the board of a University-affiliated organization.

C. “Institution” means the University of North Carolina or a constituent institution of the University of North Carolina.

D. “University-affiliated organization” means an institution or organization that the Board of Governors is authorized to establish or to which it is authorized to appoint board members pursuant to statute, but does not include Associated Entities covered by Section 600.2.5.2[R] of the UNC Policy Manual or Centers or Institutes covered by Section 400.5[R] of the UNC Policy Manual.

III. **Duties and Responsibilities.** Board members are responsible for performing essential functions that are central to the governance of the University, as described in Chapter 116 of the North Carolina General Statutes, *The Code* of the University of North Carolina, the Policy Manual of the University, and the policies and by-laws of the constituent institutions. Board members shall adhere to the standards of conduct and fulfill duties and expectations set forth in this policy.

A. **Attendance.** Board members shall attend board meetings. If a member of the Board of Governors is, for any reason other than ill health or service in the interest of the State or nation, absent for four (4) successive regular meetings of the Board, his or her place as a board member shall be deemed vacant.¹ If a member of a board of trustees of a constituent institution is, for any reason other than ill health or service in the interest of the State or nation, absent for three (3) successive regular meetings of a board of trustees, his or her place as a board member shall be deemed vacant.²

B. **Participation in Policy and Oversight Functions.** Board members are expected to prepare for meetings; actively contribute to the work of the board; and act in accordance with the governance, oversight, and advisory functions allocated to the board by:

1. Reviewing and inquiring about materials that involve the institution or University-affiliated organization, such as board minutes and annual reports;
2. Understanding and participating appropriately in the oversight function allocated to the board with respect to the finances and effectiveness of the institution or University-affiliated organization;

¹ N.C.G.S. § 116-7(c).

² N.C.G.S. § 116-31(j).

3. Seeking information from and consulting appropriately with the chief executive officer of the institution or University-affiliated organization to gain additional context, make well-informed policy decisions, and carry out responsibilities for board-level oversight and monitoring of the affairs of the institution or University-affiliated organization;
4. Participating as requested in the preparation and revision of long-range plans for the institution or University-affiliated organization;
5. Serving on and contributing to the work of assigned committees;
6. Listening to and considering differing opinions, and otherwise making reasonable efforts to conduct oneself in accordance with the practices and customs of formality and decorum articulated in Robert's Rules of Order;³
7. Referring matters of administration and management to the chief executive officer of the institution or University-affiliated organization for handling;
8. Respecting and following executive leadership, management, and reporting lines when communicating with the University and the constituent institutions, and refraining from directing matters of administration or executive action except through the chief executive officer of the institution or University-affiliated organization; and
9. Recognizing that board members' authority is collective, not individual, and only arises from their participation with other members of the board when it is officially convened.

C. Ethical Conduct. Board members shall adhere to high standards of ethical conduct by complying with laws, regulations, and University policies applicable to their service as board members and public officials, which include the obligations to:

1. Exercise authority honestly and fairly, free from impropriety, threats, favoritism, and undue influence, as required by the State Ethics Act.⁴
2. Keep confidential all information and records that are required by law to be kept confidential, including, but not limited to, personnel records and information, student records and information, attorney-client communications, and closed session deliberations and information;
3. Comply with North Carolina open meetings and public records laws;
4. Bring matters of concern, potential or real conflicts of interest, and reports of unlawful and/or noncompliant activity to the attention of the appropriate institutional or organizational officer, such as the president, chancellor, board chair, or committee chair;
5. Avoid any personal or business interest that may conflict with the member's responsibilities to the institution or University-affiliated organization;
6. Avoid even the appearance of impropriety when conducting the institution's or University-affiliated organization's business; and

³ Section 202C(4) of *The Code* of the University of North Carolina.

⁴ N.C.G.S. § 138A-2.

7. Recuse oneself from consideration of matters during meetings when required.

D. Support for the Institution. Board members shall discharge their duties to the institution with care, skill, prudence, and diligence by:

1. Exercising the degree of diligence, care, and skill that a prudent individual familiar with such matters would use under similar circumstances in a like position;
2. Acting in good faith with the best interest of the institution or University-affiliated organization in mind;
3. Conducting oneself, at all times, in furtherance of the institution's or University-affiliated organization's goals and not the member's personal or business interests;
4. Providing oversight to ensure that the institution's or University-affiliated organization's resources are dedicated to the fulfillment of its mission; and
5. Becoming knowledgeable about issues that affect the University and seeking to understand the educational needs and desires of all the State's citizens, and their economic, geographic, political, racial, gender, and ethnic diversity.⁵

IV. Removal. A board member may be removed, or recommended for removal, for specified cause by affirmative vote of two-thirds (2/3) of the voting membership of the Board of Governors then in office.

A. Removal of a Member of a Board of Trustees or University-affiliated Organization. The Board of Governors may remove from the board of trustees of a constituent institution or from the board of a University-affiliated organization a board member who was elected by the Board of Governors. With respect to a member of a board of trustees who was appointed by the Governor, the Board of Governors may vote to recommend to the Governor that the member be removed.

B. Removal of a Member of the Board of Governors. The Board of Governors may recommend to the State House of Representatives or State Senate, whichever chamber elected the member, that a member of the Board of Governors be removed.

C. Procedure for Removal; Specification of Cause; Notice and Opportunity to Respond

1. The chair of the Committee on University Governance shall send the board member a written specification of reasons to consider the board member's removal. In the event that the chair of the Committee on University Governance is the subject of the board's consideration of a recommendation of removal, the vice chair of the Committee on University Governance will temporarily serve in the chair's role. The notice shall state that the board member may submit a written response to the chair of the Committee on University Governance within five (5) business days of receipt of the written notice.
2. The Committee on University Governance shall consider the written response of the board member and recommend to the Board of Governors action that the committee deems appropriate. If the board member submits no written response to the chair of the Committee on University Governance within the specified timeframe, the Committee on University Governance may continue with its consideration of removal of the board member, or a recommendation that the appropriate appointing or electing authority remove the board member.

⁵ N.C.G.S. § 116-7.

3. In its consideration of each matter, the Committee on University Governance may review any documents or establish any procedures it considers necessary based on the particular circumstances involved.

V. Other Matters

- A. Effective Date. The requirements of this policy shall be effective on the date of adoption by the Board of Governors.
- B. Relation to State Laws. The foregoing policies as adopted by the Board of Governors are meant to supplement, and do not purport to supplant or modify, those statutory enactments which may govern the activities of public officials.
- C. Regulations and Guidelines. These policies shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.

AGENDA ITEM

- A-3. University of North Carolina at Charlotte Waiver Request from
Section 200.4.II of the UNC Policy Manual.....David Powers

Situation: Pursuant to Section 100.3 of the UNC Policy Manual, the University of North Carolina at Charlotte (UNCC) has requested a waiver from Section 200.4.II., of the UNC Policy Manual, which requires each board of trustees to perform a self-evaluation every four years. Interim President Roper has reviewed and approved the request.

Background: Section 200.4.II requires each board of trustees to conduct a self-assessment every four years. The UNCC board's next self-assessment is currently scheduled for 2020. The board seeks to postpone this self-assessment until fall 2021 due to the impending change in chancellor at the institution. The new chancellor is expected to begin his or her tenure on or by July 1, 2020. Because a large part of the self-assessment involves an evaluation of the board's working relationship with the chancellor, the original time frame would not allow for evaluation of the board's relationship with the new chancellor. If a waiver is allowed and the self-assessment is postponed until fall 2021, there will be enough time to thoroughly evaluate of the board's relationship with the new chancellor.

Assessment: Section 100.3.I allows constituent institutions to petition the Board of Governors for a waiver from policy requirements, "upon a demonstration of sufficient institutional capacity and the establishment by the UNC System Office of appropriate compliance and monitoring measures." In this case, UNCC seeks a waiver to postpone the date of its quadrennial self-assessment for a short period of time until it has the time and opportunity to perform significant work with its new chancellor. This will ensure that there will be a meaningful assessment of the board's working relationship with the new chancellor in a timely fashion. If the waiver is not granted, that working relationship will not be evaluated through the self-assessment mechanism until 2024.

Section 100.3.II requires that the president receive and evaluate waiver requests from the constituent institutions, and, if the president approves a waiver request, to refer the request to the Board committee with appropriate jurisdiction over the subject matter. Interim President Roper has approved this request and referred it to the Governance Committee. The committee must evaluate the request, taking into consideration the interim president's approval, and make a recommendation to the Board to either accept or reject the request in compliance with Section 100.2.II.A of the UNC Policy Manual.

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.



Board of Trustees

9201 University City Boulevard, Charlotte, NC 28223-0001
t/ 704.687.5700 f/ 704.687.1700 www.uncc.edu

February 7, 2020

William L. Roper, M.D.
Interim President
The UNC System Office
910 Raleigh Rd.
Chapel Hill, NC 27514

Dr. Roper:

I am writing in my capacity as Chair of the UNC Charlotte Board of Trustees (the “Board”) to respectfully request a waiver to Policy 200.4. Specifically, we are requesting a waiver to Section II, which requires that the Board conduct a self-assessment every four years. Our Board’s self-assessment is scheduled for 2020. However, at this time we are requesting an extension until the Fall of 2021.

A significant component of the Board’s self-assessment is an evaluation of our working relationship with the Chancellor. Given the impending change in the position of Chancellor at our University, we believe that it is appropriate to seek a delay of the self-assessment until our next Chancellor has been in the role for at least 12 months. We expect the next Chancellor to begin his or her tenure on or by July 1, 2020. If the Board of Trustees conducts our self-assessment prior to July 1, 2020, it would be another four years before we then assessed our performance as it related to the working relationship with our new Chancellor. A period of four years without review did not appear to our Board to be the intent of the Policy.

Thank you in advance for your consideration of this request. Please do not hesitate to contact me should you require additional information. As always, we thank you for your ongoing support of UNC Charlotte.

With thanks,

Michael L. Wilson
Board of Trustees, Chair

Assessment Process for the Chief Executive and Governing Boards of the University of North Carolina

Background

In 1996 the Board of Governors adopted an assessment process for chief executives and governing boards of the University. This revision of the assessment policy retains the philosophy that the assessment process should include the Board of Governors and the President as well as the institutional Boards of Trustees and the chancellors. This comprehensive assessment provides an opportunity for the Board of Governors to assess its own work as well as the performance of the President and for the institutional Boards of Trustees to comment to the President about their respective chancellor's performance as well as to review their own progress.

The objectives of these assessment processes are to build and sustain effective relationships within the University's constituents, to promote consensus building and develop group strength, and to develop strategic directions for achieving the mission of the University and the mission of each constituent institution. Regular and systematic assessments, if conducted properly, will enable the governing boards and the chief executives to fulfill more effectively their respective roles and responsibilities. This process affords the trustees an opportunity to provide information to the President regarding their respective chancellors. Also, this process provides a method for monitoring any potential problems that may require attention.

I. Board of Governors

The Board of Governors should perform a self-assessment every four years, at a time to be determined by the chairperson of the Board of Governors, after consultation with the President. The Board of Governors should review the most recent long range planning document for the University when they begin the assessment process and shall review the goals achieved, the goals unmet, and the goals that need modification. Assessment tools such as those developed for the University of North Carolina in collaboration with the Association of Governing Boards (AGB) *Self Study Criteria* can be especially helpful in facilitating the goals of the assessment process. The Board of Governors should also review their previous self-assessment summaries. The Chairperson may appoint a committee and may retain an outside consultant to guide the Board in its self-assessment process.

II. Board of Trustees

The Board of Trustees of each constituent institution will conduct a self-assessment every four years at a time determined by the Chairperson of the Board of Trustees after consultation with the chancellor and the President. The Board of Trustees should review the most recent institutional long-range planning document and the most recent long-range plan for the University adopted by the Board of Governors. After reviewing the goals achieved, the goals unmet, and the goals that need modification, the Board of Trustees will conduct a self-assessment. A review of these plans should provide the framework for the assessment. Assessment tools such as those developed for the University of North Carolina in collaboration with the Association of Governing Boards (AGB) *Self Study Criteria for a Single Campus* can be especially helpful in facilitating the goals of the assessment process. The Board of Trustees should also review their previous self-assessment summaries and may find the use of a consultant especially helpful. The chancellor and board chairperson shall submit a summary report to the President and the Board of Governors at the conclusion of the assessment. This report will provide a basis for improving the biennial trustee orientation, the trustee conference held in the fall of odd-numbered years and other programs of continuing education for trustees.

III. The President

The objective of the performance reviews of the President is to promote good communication and build strong working relationships between the President, the Board of Governors and the constituent

organizations of The University. It is desirable for the Board of Governors to give informal feedback to the President on an ongoing basis. The more formal assessment of the President is designed to provide focused feedback and the opportunity for professional reflection and development. The performance reviews will be performed in accordance with criteria described below:

1. Every year the President will provide the Board of Governors with a report assessing goals and accomplishments and the Board will review the performance of the President. An assessment committee, consisting of the officers of the Board and the chairs of the Board's standing committees, will review the report with the President and may prepare a written response, which would be placed in the President's personnel file along with the President's report.
2. Every fourth year the annual review for that year will be replaced by a comprehensive assessment that will include the Board, campus chancellors and heads of other University constituent organizations, University officers and staff, faculty, students and other internal and external constituencies. An assessment committee of the Board of Governors in consultation with the President will retain an outside consultant to guide the process, to gather written feedback from the Board, to conduct confidential interviews and to assist the committee in the preparation of a report. The final report along with any response from the President and the President's report on goals and accomplishments would be placed in the President's personnel file.

IV. The Chancellors

The objective of the performance reviews of a chancellor is to promote good communication and build strong working relationships between the chancellor and the President, the Board of Trustees and the campus constituents. The assessment of chancellors is designed to provide each chancellor with feedback from each of these and to provide the chancellor with the opportunity for professional reflection and development. The performance reviews of the chancellors will be conducted in accordance with criteria and procedures determined by the President on the following schedule:

1. Every year the chancellor will provide the President with a report assessing goals and accomplishments, a copy of which may be provided to the Board of Trustees. The President will review the performance of the chancellor. The chancellor's report and any written response from the President will be placed in the chancellor's personnel file.
2. In the second spring after the appointment of the chancellor, and every four years thereafter, the Board of Trustees will review the performance of the chancellor. An assessment committee of the Board of Trustees will ask each trustee to fill out a questionnaire developed by the President's office. The results will be shared with the President and reviewed in a meeting of the chancellor, the chair of the Board of Trustees and the President.
3. In the fourth spring after the chancellor's appointment, and every four years thereafter, the President and the Board of Trustees will conduct a comprehensive review of the chancellor's performance that will include major campus constituencies such as faculty, students, and staff. The chairperson of the Board of Trustees will appoint an assessment committee. The Chairperson of the Board of Governors may appoint a member of the Governance Committee or another member of the Board of Governors to participate in the assessment. The assessment committee in consultation with the chancellor and the President may retain an outside consultant to guide the process, to gather written feedback from the Board, to conduct confidential interviews and to assist the committee in the preparation of a report. The final report along with any response from the chancellor and the President and will be placed in the chancellor's personnel file.

For chancellors appointed prior to 2001 who have had a review by the Board of Trustees under the previous assessment policy, the reviews designated in paragraphs 2 and 3 above will be conducted in the spring of years in accordance with the existing biennial and quadrennial schedule.