

MINUTES

March 20, 2020
University of North Carolina
Center for School Leadership and Development, Board Room
Chapel Hill, North Carolina

Call to Order

The Board of Governors met in a special session via teleconference on March 20, 2020, in the Board Room, at the UNC Center for School Leadership Development in Chapel Hill. Chair Ramsey called the meeting to order at 9:02 a.m. Chair Ramsey announced that, because of the uncertainty during this time, the presentation of the Governor James E. Holshouser, Jr. Award for Excellence in Public Service, which had been originally scheduled for the meeting, would be postponed until the May 2020 meeting. Additionally, next month's Board of Governors meeting, which was planned to be held at the University of North Carolina at Pembroke on April 16-17, 2020, has been postponed until the spring of 2021.

Invocation

Chair Ramsey called on Mr. Stone to give the invocation.

Roll Call

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

Darrell Allison	W. Marty Kotis, III
W. Louis Bissette, Jr.	Steven B. Long
Kellie Hunt Blue	J. Alex Mitchell
Pearl Burris-Floyd	Wendy Floyd Murphy
C. Philip Byers	Anna Spangler Nelson
Carolyn Coward	R. Doyle Parrish
N. Leo Daughtry	David Powers
Thomas H. Fetzer	Randy Ramsey
Thomas C. Goolsby	Robert Rucho
Reginald Ronald Holley	Adam Schmidt
James L. Holmes, Jr.	Temple Sloan
Mark Holton	Dwight D. Stone
Terry Hutchens	Michael Williford

State Ethics Act

Chair Ramsey 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. Mr. Long abstained from Item 7.b., East Carolina University Board of Trustees Member Complaint.

President's Report

Chair Ramsey called on Interim President Roper for his report. Interim President Roper introduced Dr. David Jay Weber, medical director of hospital epidemiology and associate chief medical officer of UNC Health Care. Dr. Weber gave an informative update on COVID-19, including how the virus is transmitted, the status of treatment,

and ways to prevent transmission of the virus (see Appendix A). Following the update, Dr. Weber answered questions from the Board, such as how long did he anticipate until the country is able to return to normal, which Dr. Weber estimated, at the time, wouldn't be until August 2020.

Following Dr. Weber's presentation, Interim President Roper gave an abbreviated report, focusing on the UNC System Office's efforts to address the many issues associated with COVID-19. The System Office has been working expeditiously and diligently with staff and the chancellors to ensure that the needs of students, faculty, and staff are met. Interim President Roper also advised the Board that the spring commencements would need to be postponed until a later date. For Interim President Roper's complete report, please see Appendix B.

Consent Agenda Items

Chair Ramsey referred to the items listed as Item 4 on the day's consent agenda:

Minutes

- a. Minutes of February 21, 2020

Committee on Budget and Finance

- b. Capital Improvement Projects Appendix C

Committee on Educational Planning, Policies, and Programs

- c. UNC System Degree Program Establishments Appendix D
- d. UNC System Degree Program Consolidation and Discontinuation Appendix E

Committee on University Governance

- e. UNC Charlotte Waiver Request from Section 200.4.II of the UNC Policy Manual Appendix F

Motion: Resolved, that the Board of Governors approve the consent agenda items listed on the day's meeting agenda.

Motion: C. Philip Byers

Motion carried

Report of the Committee on Budget and Finance

Mr. Sloan, chair of the committee, reported that, at its meeting the previous day, the committee considered and approved the 2020-21 budget priorities and non-appropriated capital improvement project items. However, given the current COVID-19 pandemic, the chair made a motion that these items be tabled and that there be a specially called meeting of the committee to review and discuss the previously approved items and to create budget priorities for the Legislature to include in the short session, as well as a COVID-19 relief package, which would include distance education.

Motion: Resolved, that the Board of Governors table all of the budget priorities and non-appropriated capital improvement project items previously approved at the Committee on Budget and Finance the previous day, and to present the items within two weeks at a specially called meeting of the Committee on Budget and Finance to review and discuss the previously approved items as well as creating the joint budget priorities request of the Legislature to include with the short session items as well as COVID-19 relief package, including distance education.

Motion: O. Temple Sloan

Motion carried

Next, the chair reported that the committee approved routine administrative and transactional items. Additionally, the chair reported that eight capital improvement projects, requested by three UNC System institutions—including six projects for new authority and two projects for increased authorization—were reviewed. In total, the committee discussed three items and placed one item on the day's consent agenda (see Appendix C).

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

Mrs. Nelson, chair of the committee, reported that, at its meeting the previous day, the committee approved the establishment of five new degree programs (see Appendix D), and the consolidation and discontinuation of one degree program (see Appendix E). The committee also heard an update from the UNC System Academic Affairs division. An update of institutional efforts to address the unprecedented impacts of COVID-19 was also provided. The UNC System Office and the constituent institutions have been working expeditiously and diligently to ensure that the needs of students, faculty, and staff are met.

Report of the Committee on Public Affairs

Mr. Byers, chair of the committee, reported that, at its meeting the previous day, the committee met to discuss a federal update regarding the UNC System FY 2021 Federal Appropriations Priorities and a state government relations update regarding the Budget Tour.

An update was provided regarding federal government efforts to address COVID-19. There have been two coronavirus aid packages signed into law, which increase funding for testing for the virus, provide paid sick and family leave, and expand unemployment assistance. Lawmakers in Washington, D.C. are currently working on a third aid measure to combat COVID-19. System Office staff reviewed the UNC System FY 2021 Federal Appropriations Priorities, which focus on key federal programs supporting education and research initiatives across the UNC System. The UNC System FY 2021 Federal Appropriations Priorities were shared with members of the North Carolina Congressional Delegation.

Additionally, an update was provided regarding the state budget. In early March, Interim President Roper, senior staff, and legislators traveled to multiple institutions to discuss how the lack of a state budget is impacting each respective campus. On March 5, they visited Western Carolina University and the NCSSM-Morganton campus. On March 6, they visited the University of North Carolina at Pembroke. Due to the COVID-19 pandemic, the remainder of the campus tours had been postponed.

A joint meeting was held with the Committee on Budget and Finance to discuss the 2020 Legislative Proposals that were reviewed by the Committee on Public Affairs last month. Due to the uncertainty surrounding the prior year's budget and a number of UNC System priorities that were included, the main goal for the upcoming session is to see the legislative items from last year that were implemented. The University of North Carolina 2020 Legislative Proposals are additional items, which include technical corrections to Lab School legislation and several items that would provide the Board of Governors more flexibility in overseeing the operations of the University System (see Appendix G).

Motion: Resolved, that on behalf of the Committee on Public Affairs, the Board approve the University of North Carolina 2020 Legislative Proposals.

Motion: C. Philip Byers

Motion carried

Lastly, Governor Kotis moved that the Board prepare a budget and policy document to address the needs related to the COVID-19 pandemic. This work is already being conducted by the System Office and will be presented to the committee at a future meeting.

Motion: Resolved, that the System Office Staff prepare a budget and policy document that would address needs related to the COVID-19 pandemic.

Motion: W. Marty Kotis, III

Motion carried

Report of the Committee on University Governance

Mr. Powers, chair of the committee, brought to the Board for consideration an appointment to the State Advisory Council on Indian Education, which is an advisory council to the State Board of Education. The Board has one vacancy for the appointment term of July 1, 2020, through June 30, 2022. The committee recommended the reappointment of Dr. Tiffany Locklear of UNC Pembroke to serve.

Motion: Resolved, that on behalf of the Committee on University Governance, the Board of Governors approve the reappointment of Dr. Tiffany Locklear to serve on the State Advisory Council on Indian Education.

Motion: David Powers

Motion carried

Next, the chair reminded the Board that Section 200.7 of the UNC Policy Manual – Duties, Responsibilities, and Expectations of Board Members – establishes the standards for ethical conduct and includes a reference to the State Ethics Act. Based on a review of the complaint involving East Carolina University’s Board of Trustee Member Max Joyner, it appeared that the issue in this matter involved interpretation of the State Ethics Act, which is overseen by the State Ethics Commission.

Motion: Resolved, that on behalf of the Committee on University Governance, the Board of Governors refer the matter to the State Ethics Commission for review and inquiry in accordance with the State Ethics Act; and send an official letter to East Carolina University’s Board of Trustees Chair Vern Davenport, requesting that he exercise his discretion as chair of the ECU Board of Trustees in accordance with the board’s bylaws to suspend Mr. Joyner from his committee responsibilities pending resolution of the complaint.

Motion: David Powers

Motion carried

Finally, the committee heard an update on the Student Elections Working Group. The committee will soon announce the members of the working group, which will include representation from institutions across the System. Additionally, System Office staff was requested to compile elections policies from all of the System institutions.

Chair’s Report

Chair Ramsey thanked the Board members for their understanding, flexibility, and teamwork as the Board has navigated the University System through unprecedented and unchartered territory. Over the previous weeks, the chair had asked many of the Board members for advice and counsel, and he expressed gratitude for this help. Chair Ramsey also expressed gratitude to Interim President Roper, the chancellors, institutional staff, and System Office staff for their work and commitment to the students and the State of North Carolina.

In closing, Chair Ramsey stated that there are still a lot of questions to answer, and challenges to address as the UNC System moves forward, but if the Board remains committed and united, the University will emerge from this crisis stronger than ever before.

Secretary Burris-Floyd moved that the Board go into closed session pursuant to N.C. General Statute 143-318.11(a)(1), (3), and (6), for the purposes stated in the written motion that was included in the meeting materials, which have been publicly made available (see Appendix H).

The Board went into closed session at 10:07 a.m. and returned to open session at 10:19 a.m.

Report of the Committee on Personnel and Tenure

Mrs. Blue, chair of the committee, reported that, at its meeting the previous day, the committee heard updates on the System's move to online teaching in response to the COVID-19 pandemic and the development of guidance on employment issues, including telecommuting and additional leave.

Next, the committee voted to approve the resolution titled "Amended Authority for Fiscal Year 2019-20 Annual Raise Process Pending an Adopted State Budget or Mini-Bill," which was previously granted to the president to allow further flexibility in awarding EHRA salary increases in the event that the Current Operations Appropriations Act of 2019 or a suitable mini bill is enacted.

Motion: Resolved, that on behalf of the Committee on Personnel and Tenure, the Board of Governors approve the Amended Authority for Fiscal Year 2019-20 Annual Raise Process Pending an Adopted State Budget or Mini-Bill (see Appendix I).

Motion: Kellie Hunt Blue
Motion carried

The committee also heard a summary of recently implemented technical changes to Section 300.2.15 of the UNC Policy Manual – UNC Pandemic and Communicable Disease Emergency. The changes were primarily to update terminology and to comply with updated amendments in the General Statutes. The committee also reviewed routine informational reports.

The next meeting of the Board of Governors is scheduled for Friday, April 17, 2020, at the UNC Center for School Leadership Development in Chapel Hill. There being no further business, the meeting adjourned at 10:30 a.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 Presentation on COVID-19 (2019 nCoV) by Dr. David Jay Weber
- Appendix B Interim President Roper's Report and "Notable News from the UNC System Office" March 2020
- Appendix C Capital Improvement Projects
- Appendix D UNC System Degree Establishments
- Appendix E UNC System Degree Program Consolidation and Discontinuation
- Appendix F UNC Charlotte's Waiver Request from Section 200.4.II of the UNC Policy Manual
- Appendix G University of North Carolina 2020 Legislative Proposals
- Appendix H Closed Session Motion
- Appendix I Amended Authority for Fiscal Year 2019-20 Annual Raise Process Pending an Adopted State Budget or Mini-Bill