

February 22, 2023 at 2 p.m.
Via Videoconference and PBS North Carolina Livestream
UNC System Office
223 S. West Street, Room 1809 (18th Floor)
Raleigh, North Carolina

AGENDA

OPEN SESSION

- A-1. Approval of the Open Session Minutes of January 18, 2023..... Carolyn Coward
- A-2. Informational Reports
 - a. Faculty Recruitment and Retention Fund Utilization Under Delegated Authority to the President..... David English
 - b. New University of North Carolina System Office and SAAO-I Appointments Under Delegated Authority to the President..... Darryl Bass
- A-3. General Updates for the CommitteeDarryl Bass and David English
- A-4. Report on Human Resources Turnover Metrics Darryl Bass
- A-5. UNC Optional Retirement Program Technical Changes Darryl Bass and Brian Usischon

CLOSED SESSION

- A-6. Approval of the Closed Session Minutes of January 18, 2023..... Carolyn Coward
- A-7. Informational Report: EHRA Salary Adjustment Pre-Authorizations Delegated to the President or His Designee..... Darryl Bass

OPEN SESSION

- A-8. Adjourn



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.
- Consider the qualifications, competence, performance, or condition of appointment of a public officer or employee or prospective public officer or employee.

Pursuant to: G.S. 143-318.11(a)(1), (3), and (6).

DRAFT MINUTES

January 18, 2023 at 2:15 p.m.
Via Videoconference and PBS North Carolina Livestream
UNC System Office
223 S. West Street, Board Room
Raleigh, North Carolina

This meeting of the Committee on University Personnel was presided over by Chair Carolyn Coward. The following committee members, constituting a quorum, were present either in person or via videoconference: Mark Holton, Sonja Nichols, Lee Barnes, Pearl Burris Floyd, and John Fraley.

Chancellors participating were Johnson Akinleye, Kevin Guskiewicz, and Harold Martin. Crystal Woods, chair of the UNC Staff Assembly, was also in attendance.

Staff members present included Darryl Bass, Mary Griffin Inscoe, and others from the University of North Carolina System Office.

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

The chair called the meeting to order at 2:15 p.m. on Wednesday, January 18, 2023, and reminded all committee members of their duty under the State Government Ethics Act to avoid conflicts of interest and appearances of conflicts of interest. The chair asked if there were any conflicts or appearances of conflicts with respect to any matter coming before the committee. No members identified any conflicts at the time. The chair called for a motion to approve the open session minutes of November 16, 2022.

MOTION: Resolved, that the Committee on University Personnel approve the open session minutes of November 16, 2022, as distributed.

Motion: Sonja Nichols

Motion carried

2. Informational Reports (Item A-2)

The committee received informational reports on new UNC System Office SAAO-I appointments under delegated authority to the president and faculty recruitment and retention fund utilization under delegated authority to the president.

3. General Updates for the Committee (Item A-3)

The committee received several updates regarding the status of the career banding project. The work has begun to update the salary structure to reflect the current labor market with the intent to complete the majority of the main work within six to twelve months. The committee will continue to receive updates as this initiative moves forward.

4. Closed Session

The chair called for a motion to move into closed session.

MOTION: Resolved, that the Committee on University Personnel move into closed session to prevent the disclosure of information that is privileged or confidential pursuant to Article 7 of Chapter 126 of the North Carolina General Statutes [N.C.G.S. 143-318.11(a)(1)]; to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged [N.C.G.S. 143-318.11(a)(3)]; and to consider the qualifications, competence, performance, or conditions of appointment of a public officer or employee or prospective public officer or employee [N.C.G.S. 143- 318.11(a)(6)].

Motion: Mark Holton

Motion carried

THE MEETING MOVED INTO CLOSED SESSION AT 2:21 PM

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

THE MEETING RESUMED IN OPEN SESSION AT 2:41 p.m.

There being no further business and without objection, the meeting adjourned at 2:42 p.m.

Sonja Nichols, Secretary



AGENDA ITEM

A-2a. Informational Report: Faculty Recruitment and Retention Fund
Utilization Under Delegated Authority to the President..... David English

Situation: This is an informational report provided to the committee at each meeting pursuant to Section 200.6 of the UNC Policy Manual.

Background: Authority has been delegated to the president for approval of salary increases supported by the University of North Carolina Faculty Recruitment and Retention Fund.

Assessment: This month's report includes the following:

Faculty Retention and Recruitment Fund Expenditures:

- NC State University, three approved requests
- University of North Carolina at Chapel Hill, seven approved requests
- University of North Carolina at Charlotte, four approved requests

Remaining Balance of Fund

Note: Permanent adjustments to salary may be accomplished only with recurring funds. However, nonrecurring funds may be used for retention bonuses, research equipment and facilities, and other one-time inducements to counter outside offers. The remaining balances are:

\$0 in nonrecurring funds
\$4,667,299 in recurring funds

Action: This item is for information only.



Report: Faculty Recruitment and Retention Fund Utilization Under the Delegated Authority to the President

NC State University

Shevaun Neupert, professor in the Department of Psychology, \$10,000 from the Faculty Recruitment and Retention Fund with NC State funding the cost of benefits
(\$144,426 **from** \$134,426 effective January 11, 2023)

Michael Little, assistant professor in the Department of Educational Leadership, \$3,373 from the Faculty Recruitment and Retention Fund with NC State funding the cost of benefits
(\$86,652 **from** \$83,279 effective January 11, 2023)

Bonnie Fusarelli, professor in the Department of Educational Leadership, \$4,875 from the Faculty Recruitment and Retention Fund with NC State funding the cost of benefits
(\$195,644 **from** \$190,769 effective January 12, 2023)

University of North Carolina at Chapel Hill

Barbara Fredrickson, distinguished professor in the Department of Psychology and Neuroscience, \$15,648 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$239,186 **from** \$223,538 effective January 25, 2023)

David Nicewicz, distinguished term professor in the Department of Chemistry, \$20,000 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$168,162 **from** \$148,162 effective January 25, 2023)

Wei You, professor in the Department of Chemistry, \$20,000 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$144,320 **from** \$124,320 effective January 25, 2023)

Gregory Copenhaver, professor in the Department of Biology, \$20,000 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$165,288 **from** \$145,288 effective January 25, 2023)

Amanda Thompson, professor in the Department of Anthropology, \$20,000 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$133,616 **from** \$113,616 effective January 25, 2023)

Daniel Kreiss, distinguished professor in the School of Journalism and Media, \$20,000 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$155,794 **from** \$135,794 effective January 25, 2023)

Frank Leibfarth, associate professor in the Department of Chemistry, \$20,000 from the Faculty Recruitment and Retention Fund with UNC-Chapel Hill funding the cost of benefits
(\$123,083 from \$103,083 effective January 31, 2023)

The University of North Carolina at Charlotte

Elisabeth Paquette, assistant professor in the Department of Philosophy, \$13,003 from the Faculty Recruitment and Retention Fund with UNC Charlotte funding the cost of benefits
(\$86,521 from \$73,518 effective January 11, 2023)

Andrea Pitts, associate professor in the Department of Philosophy, \$17,024 from the Faculty Recruitment and Retention Fund with UNC Charlotte funding the cost of benefits
(\$103,879 from \$86,885 effective January 11, 2023)

Jurgen Buchenau, professor in the Department of History, \$10,000 from the Faculty Recruitment and Retention Fund with UNC Charlotte funding the cost of benefits
(\$156,156 from \$146,156 effective January 26, 2023)

Weidong Tian, distinguished professor in the Department of Finance, \$30,000 from the Faculty Recruitment and Retention Fund with UNC Charlotte funding the cost of benefits
(\$310,688 from \$280,688 effective February 1, 2023)

AGENDA ITEM

A-2b. Informational Report: New University of North Carolina System Office and SAAO-I
Appointments Under Delegated Authority to the PresidentDarryl Bass

Situation: This is an informational report provided to the committee at each meeting pursuant to Section 200.6 of the UNC Policy Manual.

Background: Section 200.6 of the UNC Policy Manual delegates authority to the president to appoint and fix the compensation of senior academic and administrative officers and other employees exempt from the State Human Resources Act serving at the UNC System Office.

Section 600.3.4 of the UNC Policy Manual delegates authority to the president to create senior academic and administrative officer positions (Tier I) within the System.

Assessment: This meeting's report includes the following:

UNC System Office Appointments:

- One personnel appointment that is state funded
- Three personnel appointments that are non-state funded
- One personnel appointment that is state and non-state funded

System SAAO-I Appointments

- Two SAAO-I position creations
- Two SAAO-I position reclassifications

Action: This item is for information only.



President's Delegated Personnel Actions Report

The following actions have been approved by the president pursuant to Section 200.6 of the UNC Policy Manual during the period of January 3, 2023, to February 3, 2023.

University of North Carolina System Office

Appointments

State Funds:

- Renee Barger, Strategic Research Fellow, January 30, 2023, \$65,000, new position

Non-State Funds:

- Felicia Carey, PBSNC Asst Director Integrated Fundraising, January 30, 2023, \$79,000, vacant position
- Dimpi Vora, HR Senior Business Analyst, January 30, 2023, \$105,000, vacant position
- Ramdan Maarad, Database Administrator, February 1, 2023, \$75,000, vacant position

State and Non-State Funds:

- Kimberly van Metre, Assistant Vice President of Business Affairs, January 3, 2023, \$148,000, vacant position

UNC System Institutions

New or Modified UNC System SAAO-I Positions or Appointments

North Carolina Agricultural and Technical State University

New SAAO-I position. Vice Chancellor for Strategic Partnerships and Economic Development. This position will report directly to the Chancellor and lead the newly formed Office of Strategic Partnerships and Economic Development. They will develop partnerships between North Carolina A&T and private and public corporations to elevate public service, community engagement, and entrepreneurship through systematic outreach and proactive engagement.

University of North Carolina Asheville

New SAAO-I position. Special Assistant to the Chancellor.

This position will be a time limited position from January 1, 2023, through July 31, 2023. The special assistant to the chancellor will serve as a senior advisor, ensuring the smooth transition of leadership for

the institution. They will identify critical issues confronting the university and provide consultation to the Chancellor.

UNC System Office

Reclassification from IRIT (director) to SAAO-I (assistant vice president for higher education and regulatory compliance).

University of North Carolina at Pembroke

Reclassification from SAAO-I (chief of staff) to SAAO-I (chief of staff and vice chancellor of strategic initiatives).

AGENDA ITEM

A-3. General Updates for the Committee..... Darryl Bass and David English

Situation: The committee will hear updates on recent academic affairs and human resources activities.

Background: The Committee on University Personnel reviews and makes recommendations to the University of North Carolina Board of Governors on issues supporting faculty, personnel, academic affairs, and human resources matters under the jurisdiction of the Board. The human resources and academic affairs departments provide updates to the committee at every meeting on both annual and ad hoc work, including HR-related efforts during the pandemic, the review of tenured faculty, and annual salary guidance related to any legislatively supported salary raise process.

Assessment: Information will be provided to the committee on recent updates in academic affairs and human resources at the University of North Carolina System Office and across the 17 institutions.

Action: This item is for information only.

AGENDA ITEM

A-4. Report on Human Resources Turnover Metrics.....Darryl Bass

Situation: This is an update on University of North Carolina System human capital metrics, including faculty and staff turnover through the end of the 2022 calendar year.

Background: The UNC System Division of Human Resources began collecting turnover information from constituent institutions in fiscal year 2017-2018 as part of the human resources metrics goal included in the 2017 UNC System Strategic Plan. Human resources has continued to collaborate with constituent institutions to refine the data collection process and expand the available employee demographics and position data available to review in the context of employee turnover.

The turnover data are divided into three major categories:

- Voluntary Turnover: Resignations and other employee-driven departures
- Involuntary Turnover: Separations that are employer-driven, such as reduction-in-force, at-will discontinuations, contract non-renewals, and discharge/dismissal for cause
- Other Turnover: Separations due to retirement, disability, or death (approximately 90 percent of the turnover in this category is due to retirements)

Assessment: The UNC System's turnover rates increased significantly during the summer of 2021. This is widely believed to be a direct outcome of the COVID-19 event and its profound impacts on the workforce. These trends are not unique to the System, as employers in many sectors experienced substantial and transformational workforce challenges and dramatic shifts in employee expectations. However, by mid-2022, the System's turnover rates began to decline toward more historical levels. Among faculty and executive staff, turnover for the 2022 calendar year returned to historical levels. After a long trend where monthly new hires exceeded monthly separations only twice over a 28-month period following March 2020, new hires have exceeded separations in four out of the past five months. New legislation and new policies approved by the University of North Carolina Board of Governors in 2022, including bonus pay programs, greater salary administration flexibility, and the labor market adjustment reserve (LMAR), have provided UNC System institutions with additional tools to attract and retain talent. Many of those programs are only now coming into full effect and are anticipated to continue supporting these positive trends. Human resources will continue to closely monitor turnover and the impact of these programs.

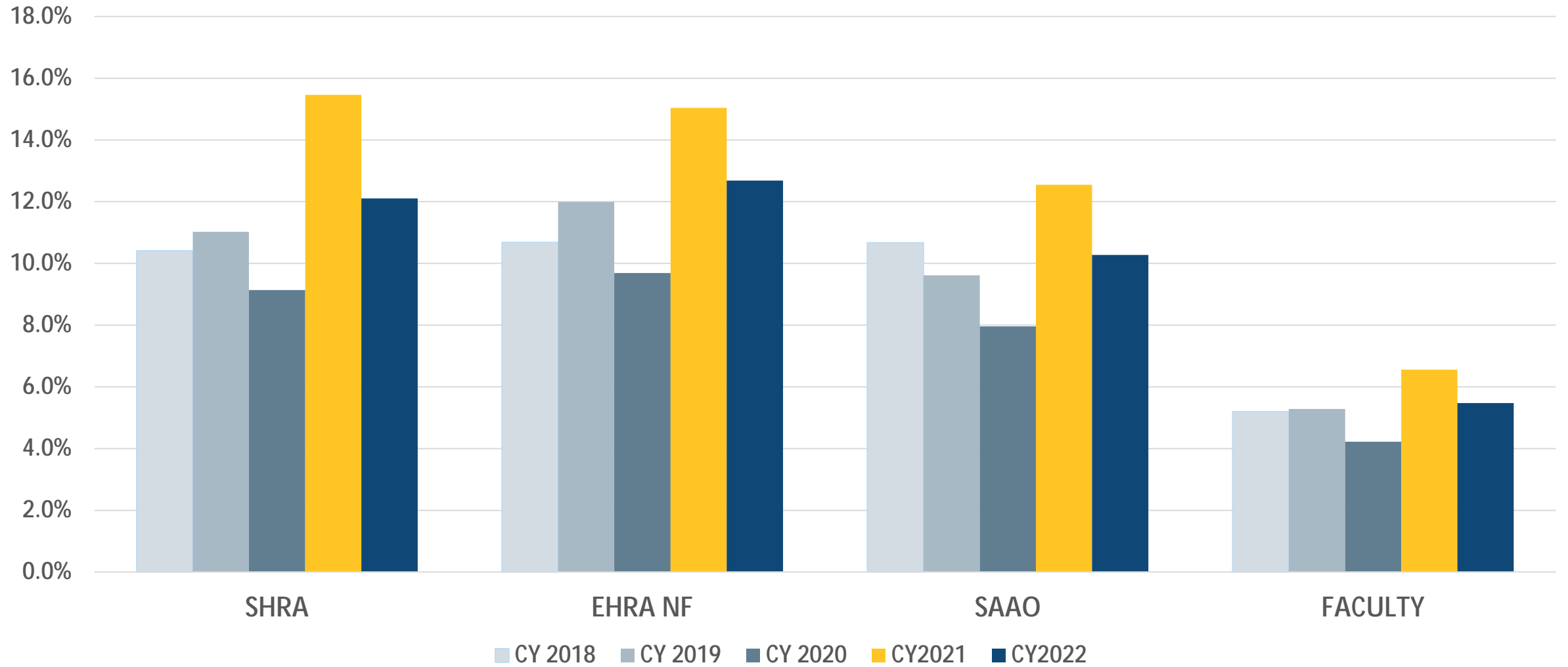
Action: This item is for information only.



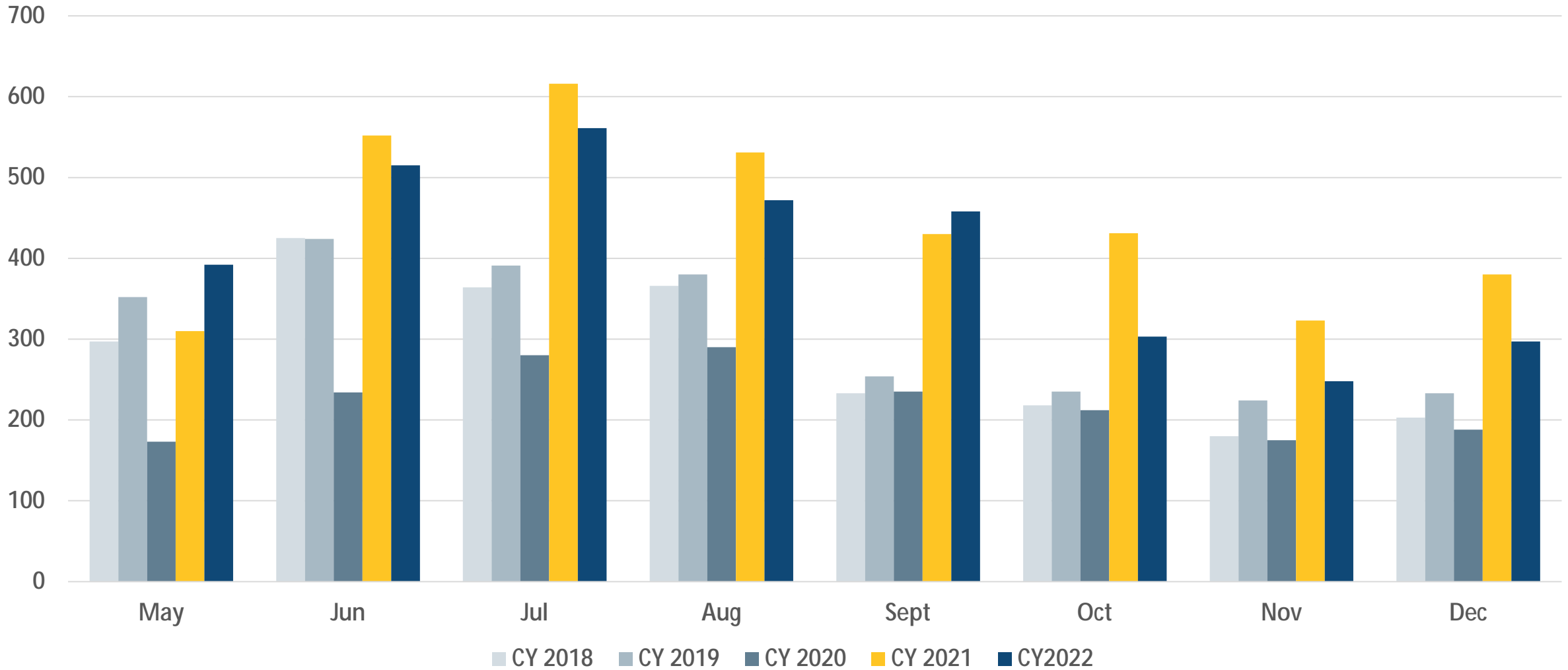
UNC SYSTEM TURNOVER METRICS

Presented to the Committee on University Personnel
February Meeting – UNC Board of Governors
02-22-2023

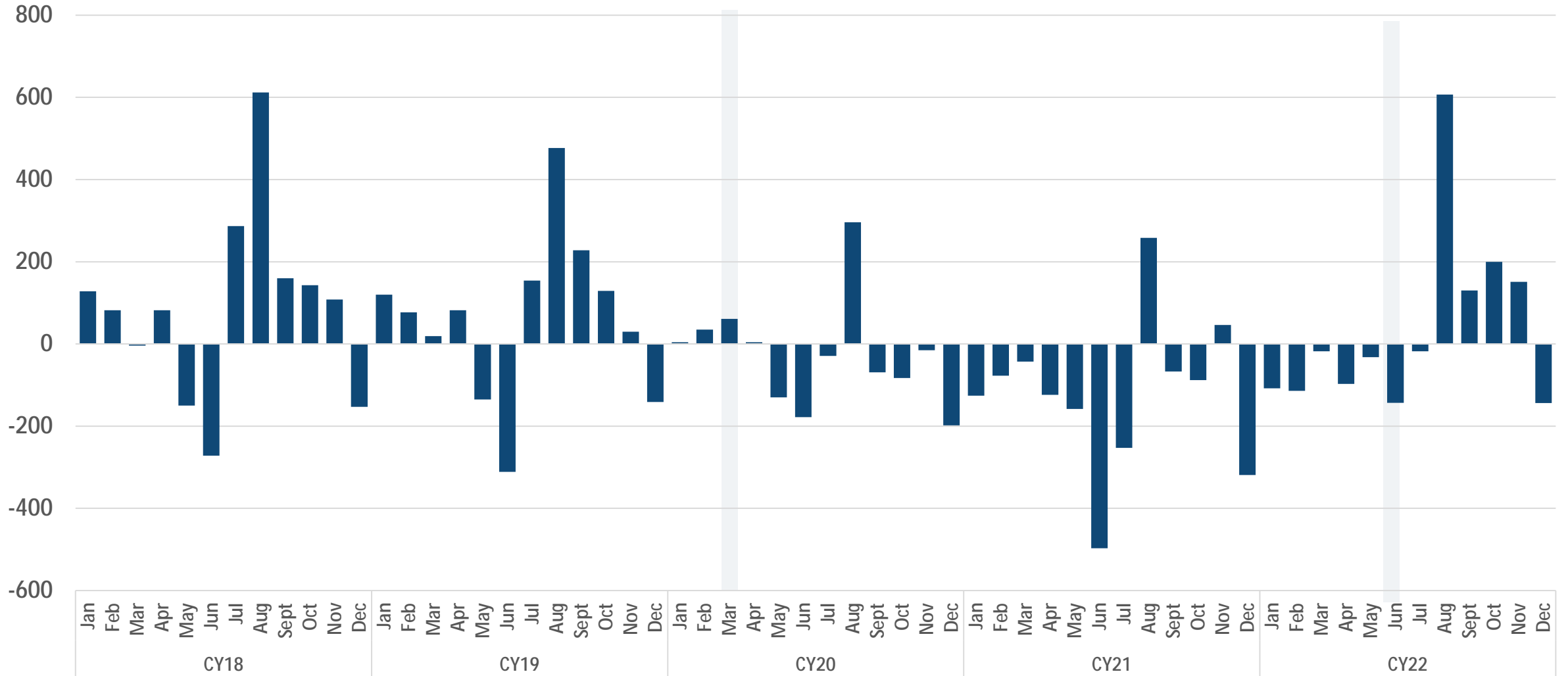
Turnover Rates by Employee Type System-wide by Calendar Year



Separations Trend for Past Eight Months



New Hires Less Separations System-wide by Month





UNC SYSTEM TURNOVER METRICS

Presented to the Committee on University Personnel
February Meeting – UNC Board of Governors
02-22-2023

AGENDA ITEM

A-5. UNC Optional Retirement Program Technical Changes Darryl Bass and Brian Usischon

Situation: The UNC System periodically reviews the Optional Retirement Program of the University of North Carolina (ORP) plan document to ensure that it is consistent with relevant North Carolina statutes and IRS regulations. The ORP has specific provisions for “Reemployment with the University” and “Vesting”. After a review of the plan document with benefit counsel, the reemployment provisions needed to be updated to be consistent with the administration of the plan, and the vesting provision needed to be updated to ensure compliance with General Statute 135-5.1(h) as it relates to employees that commit a felony while employed with a constituent institution.

Background: The UNC System administers the ORP for the benefit of employees as an alternative to the state retirement system. The Board implemented the ORP in 1972 pursuant to legislation that authorized the Board to provide for the administration of the ORP. Consistent with North Carolina General Statute 135-5.1(e), the Board retained the authority to amend the ORP plan document; to designate companies to provide annuity contracts and serve as trustees for mutual funds; and to approve the form and contents of annuity contracts and trust agreements.

UNC System Office staff recommended to the president that the ORP plan document be amended to clarify the “Reemployment with the University” and “Vesting” provisions to ensure compliance with state statutes and IRS regulations.

Assessment: Upon review of the attached Board resolution and ORP Plan Amendment No. 3, the president and System Office staff recommend approval of the amendment.

Action: This item requires a vote by the committee and a vote by the full Board of Governors.



**RESOLUTION ON THE OPTIONAL RETIREMENT PROGRAM OF
THE UNIVERSITY OF NORTH CAROLINA**

WHEREAS, the University of North Carolina (hereinafter referred to as the "University") established the Optional Retirement Program of the University of North Carolina (hereafter "ORP" or the "Plan") for statutorily designated employees, and has been operating that Plan since 1972; and

WHEREAS, N.C.G.S. § 135-5.1(e) states that "The Board of Governors of The University of North Carolina may provide for the administration of the Optional Retirement Program and may perform or authorize the performance of all functions necessary for its administration"; and

WHEREAS, the Board of Governors reserved the right in Article VI of the Plan to amend the Plan; and

WHEREAS, the Board of Governors is now desirous of amending the Plan to make certain clarifying changes therein.

NOW THEREFORE, BE IT RESOLVED, that the Board of Governors hereby approves and adopts Amendment 3 to the Plan substantially in the form attached hereto as Exhibit A.

IN WITNESS WHEREOF, the Board has caused this Resolution to be executed by its Chair and its seal to be affixed by the Secretary, both duly authorized, effective as indicated herein, but executed this _____ day of _____, 2023.

Attest: (SEAL)

THE BOARD OF GOVERNORS OF THE
UNIVERSITY OF NORTH CAROLINA

Secretary

By: _____
Chair

Exhibit A

AMENDMENT NO. 3
(to Plan as Amended and Restated Effective January 1, 2014)

OPTIONAL RETIREMENT PROGRAM OF
THE UNIVERSITY OF NORTH CAROLINA

WHEREAS, The University of North Carolina (hereinafter referred to as the “University”) established the Optional Retirement Program of The University of North Carolina (hereinafter referred to as the “Plan”) as amended and restated effective January 1, 2014; and

WHEREAS, the Board of Governors of the University (the “Board”) reserved the right in Article VI of the Plan to amend the Plan; and

WHEREAS, the Board is now desirous of amending said Plan in order to make certain changes therein.

NOW, THEREFORE, the Plan is amended as follows, effective ~~January 1, 2023~~:

I. Section 2.03(c)(i) of the Plan is amended in its entirety to read as follows:

“(i) A Participant who (A) becomes vested in his or her University Contributions under Section 4.01(b) or (d), (B) (i) receives a distribution of his or her entire Individual Account or (ii) requests a rollover distribution of his or her entire Individual Account to a Like Retirement Plan, and (C) returns to employment with The University in a position that is eligible for participation in the Plan may elect, upon his or her rehire, to participate in the Plan as provided in section 2.01(c). If the rehired Participant so elects, such Participant shall immediately become eligible for University Contributions, and shall be fully-vested in any University Contributions that are made subsequent to his or her reemployment. ~~A Participant with less than 5 years of Eligible Service who obtains employment with a Subsequent Employer and requests a rollover distribution of his or her entire Individual Account to the Like Retirement Plan as described in section 4.10 may return to employment with The University as a Participant. Such a Participant may re-enroll in this Plan as a new Participant as provided in Section 2.01(d).~~”

II. Section 2.03(c)(iv) of the Plan is amended in its entirety to read as follows:

“(iv) A Participant who (A) ceases employment with all Employing Institutions before he or she becomes fully vested in his or her University Contributions under Article IV, (B) does not receive a distribution of his or her entire Participant Account and entire Supplemental Account, ~~and~~ (C) within twelve (12) months following the termination of employment with all Employing Institutions, subsequently becomes reemployed by an Employing Institution in an eligible position, and (D) does not become fully vested in his or her Individual Account balances attributable to University Contributions pursuant to Section 4.01(d), shall become enrolled in the Plan upon ~~his or her~~ such Participant’s reemployment. Such Participant shall immediately become eligible for University Contributions, ~~but such~~ and the Participant’s vesting in any University Contributions under Article IV shall ~~only~~ consider Eligible Service ~~from the date of such~~

Participant's for periods (1) prior to his or her termination of employment with all Employing Institutions and (2) subsequent to his or her reemployment by The University an Employing Institution."

III. A new Section 2.03(c)(v) is added to read as follows:

"(v) A Participant who (A) ceases employment with all Employing Institutions before he or she becomes fully vested in his or her University Contributions under Article IV, (B) does not receive a distribution of his or her entire Participant Account and entire Supplemental Account, (C) subsequently becomes reemployed by a Subsequent Employer in an eligible position, and (D) becomes fully vested in his or her Individual Account balances attributable to University Contributions pursuant to Section 4.01(d) shall become enrolled in the Plan upon such Participant's reemployment. Such Participant shall immediately become eligible for University Contributions, and shall be fully-vested in any University Contributions that are made subsequent to his or her reemployment."

IV. A new Section 4.01(f) is added to read as follows:

"(f) Any Participant who is convicted of an offense (as defined below) shall forfeit, in accordance with N.C.G.S Section 135-5.1(h), the Participant's interest in the Plan attributable to the University's Contributions if (i) the offense is committed while the Participant is employed by the Constituent Institutions; and (ii) the conduct resulting in the Participant's conviction is directly related to the Participant's office or employment. For avoidance of doubt, any Participant that is not one hundred (100%) vested in the Participant's Individual Account on December 1, 2012 and is convicted of an offense committed after December 1, 2012, shall forfeit any interest in the Plan attributable to the University's Contributions, except for a return of the Participant's interest in the Plan. Alternatively, any Participant that is one hundred percent (100%) vested in the Participant's Individual Account on December 1, 2012 and is convicted of an offense committed after December 1, 2012 shall forfeit any interest in the Plan attributable to the University's Contributions accrued after December 1, 2012. Any funds forfeited under this paragraph (f) shall be deposited in the trust fund(s).

For purposes of this paragraph (f), "offense" includes any offense listed under N.C.G.S Section 135-18.10A, including any felony under federal law or the laws of North Carolina."

IN WITNESS WHEREOF, the Board has caused this Amendment No. 3 to the Plan to be executed by its Chairman and its corporate seal to be affixed by the Secretary, both duly authorized, effective as indicated herein, but executed this _____ day of _____, ~~2022~~2023.

Attest: (SEAL)

Secretary

THE BOARD OF GOVERNORS OF
THE UNIVERSITY OF NORTH
CAROLINA

By: _____
Chair

AMENDMENT NO. 3
(to Plan as Amended and Restated Effective January 1, 2014)

OPTIONAL RETIREMENT PROGRAM OF
THE UNIVERSITY OF NORTH CAROLINA

WHEREAS, The University of North Carolina (hereinafter referred to as the “University”) established the Optional Retirement Program of The University of North Carolina (hereinafter referred to as the “Plan”) as amended and restated effective January 1, 2014; and

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II. Section 2.03(c)(iv) of the Plan is amended in its entirety to read as follows:

“(iv) A Participant who (A) ceases employment with all Employing Institutions before he or she becomes fully vested in his or her University Contributions under Article IV, (B) does not receive a distribution of his or her entire Participant Account and entire Supplemental Account, (C) within twelve (12) months following the termination of employment with all Employing Institutions, subsequently becomes reemployed by an Employing Institution in an eligible position, and (D) does not become fully vested in his or her Individual Account balances attributable to University Contributions pursuant to Section 4.01(d), shall become enrolled in the Plan upon such Participant’s reemployment. Such Participant shall immediately become eligible for University Contributions and the Participant’s vesting in any University Contributions under Article IV shall consider Eligible Service for periods (1) prior to his or her termination of employment with all Employing Institutions and (2) subsequent to his or her reemployment by an Employing Institution.”

III. A new Section 2.03(c)(v) is added to read as follows:

“(v) A Participant who (A) ceases employment with all Employing Institutions before he or she becomes fully vested in his or her University Contributions under Article IV, (B) does not receive a distribution of his or her entire Participant Account and entire Supplemental Account, (C) subsequently becomes reemployed by a Subsequent Employer in an eligible position, and (D) becomes fully vested in his or her Individual Account balances attributable to University Contributions pursuant to Section 4.01(d) shall become enrolled in the Plan upon such Participant’s reemployment. Such Participant shall immediately become eligible for University Contributions, and shall be fully-vested in any University Contributions that are made subsequent to his or her reemployment.”

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Attest: (SEAL)

THE BOARD OF GOVERNORS OF
THE UNIVERSITY OF NORTH
CAROLINA

Secretary

By: _____
Chair