

## DRAFT MINUTES

January 25, 2024

Via Videoconference and PBS North Carolina Livestream

University of North Carolina System Office

223 S. West Street, Board Room (17<sup>th</sup> Floor)

Raleigh, North Carolina

### Call to Order

The University of North Carolina Board of Governors met on January 25, 2024, at the UNC System Office in Raleigh, North Carolina. Chair Randy Ramsey called the meeting to order at 10 a.m. He thanked everyone for joining and recognized Representative Ray Pickett in attendance. He reminded the Board members of their Systemwide parking passes in their blue folders and the upcoming campus tour opportunities, and to save the date for the University of North Carolina Asheville Chancellor Kimberly van Noort's installation ceremony in April. He asked all committee chairs to give their reports from their seats.

### Invocation

Chair Ramsey called on Mrs. Blue to give the invocation.

### Roll Call

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

Lee Barnes	Reginald R. Holley
Kellie Hunt Blue	Mark Holton
Kirk J. Bradley	J. Alex Mitchell
Harry Brown	Wendy Floyd Murphy
Pearl Burris-Floyd	Sonja Phillips Nichols
Swadesh Chatterjee	Art Pope
Jimmy Clark	Randy Ramsey
Carolyn Coward	Temple Sloan
Gene Davis	Woody White
Joel Ford	Michael Williford
John Fraley	
Estefany Gordillo-Rivas	

The following members were absent:

C. Philip Byers (joined by videoconference)  
Terry Hutchens (joined by videoconference)

### **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. There were none. He reminded everyone of the Board's expectations for conduct at the meetings.

### **Chair's Report**

Chair Ramsey reported that 2023 ended on a high note at the University of North Carolina at Greensboro in November. He is looking forward to 2024 as a year of momentum and opportunity. He stated that there will be opportunities for continued focus on college affordability for students. He said the work will continue to hold resident tuition flat for the eighth year in a row. With the support of the legislature, the Board has expanded NC Promise, examined the impact of student fees, and prioritized the repair and renovation of existing buildings over new construction. He thanked the campuses that adhered to this year's tuition and fee instructions and cautioned those who did not. He also said that the Board will build on the work of the System's Return on Investment study, making sure that students graduate with degrees that pay returns later in life. He looks forward to the work and opportunities that lie ahead. He called on President Peter Hans to give his report.

### **President's Report**

President Hans reported on the importance of democracy being at the heart of the University's mission. He said there are numerous respected surveys that show an alarming erosion of civic faith among the youngest Americans, and a dissatisfaction with the state of our democracy. There is also an alarming low mastery of basic governing principles among all ages of Americans. He said our universities must do more to support and defend democracy. He is proposing a new standard that all graduates will learn the Foundations of American Democracy. The proposal is for two very concise, very broad learning outcomes that include foundational documents and reflections for democratic progress. The goal is to create a shared foundation, guaranteeing all students an equal opportunity to participate in a well-informed and responsible manner. He looks forward to our students continuing the centuries-long conversations around the Constitution, Bill of Rights, and other founding texts. He reiterated his belief that a state should argue about the direction of higher education, rather than show indifference to it. He thanked all the faculty representatives who worked on developing these learning outcomes and thanked all of those who have voiced support for our role in preparing students for democratic life. For President Hans' complete report, please see APPENDIX A.

### **Consent Agenda Items**

Chair Ramsey referred to the consent agenda items listed as Item 5 on the day's agenda. Chair Ramsey entertained a motion to approve the consent agenda items. The motion was properly seconded, and the motion carried.

### Minutes

a. Minutes (Open) of November 16, 2023, and November 29, 2023

### Committee on Budget and Finance

- |                                                                                                                            |            |
|----------------------------------------------------------------------------------------------------------------------------|------------|
| b. 2023 Millennial Campus Report                                                                                           | APPENDIX B |
| c. FY 2023-24 State Capital Infrastructure Fund (SCIF) Maintenance Repairs and Renovations (R&R)<br>Capital Projects       | APPENDIX C |
| d. Capital Improvement Projects                                                                                            | APPENDIX D |
| e. Acquisition of Property by Lease – University of North Carolina Wilmington                                              | APPENDIX E |
| f. Section 1100.1 of the UNC Policy Manual, <i>Policy on Intercollegiate Athletics</i> (amend) (approved October 19, 2023) | APPENDIX F |

Committee on Educational Planning, Policies, and Programs

- g. UNC System Academic Degree Program Actions APPENDIX G
- h. Licensure Program Approvals APPENDIX H

Committee on University Personnel

- i. Section 300.1.1 of the UNC Policy Manual, *Policy on Senior Academic and Administrative Officers* (amend) (approved November 15, 2023) APPENDIX I
- j. Section 300.1.2 of the UNC Policy Manual, *Evaluation of Positions for Designation as Senior Academic and Administrative Officer* (repeal) (approved November 15, 2023) APPENDIX J
- k. Section 300.1.5 of the UNC Policy Manual, *Occupation of Official Residents of the Chancellors and the President* (amend) (approved November 15, 2023) APPENDIX K
- l. Section 300.1.6.1 of the UNC Policy Manual, *Policy on Administrative Separation* (repeal) (approved November 15, 2023) APPENDIX L
- m. Section 300.1.6.2 of the UNC Policy Manual, *Administrative Separation of the President and the Chancellor* (amend) (approved November 15, 2023) APPENDIX M
- n. Section 300.2.1 of the UNC Policy Manual, *Policy on Employees Exempt from the North Carolina Human Resources Act* (repeal) (approved November 15, 2023) APPENDIX N
- o. Section 300.2.2 of the UNC Policy Manual, *Conflict of Interest and Commitment* (amend) (approved November 15, 2023) APPENDIX O
- p. Section 300.2.8 of the UNC Policy Manual, *Faculty Military Leave* (repeal) (approved November 15, 2023) APPENDIX P
- q. Section 300.2.10 of the UNC Policy Manual, *Faculty Community Service Leave* (repeal) (approved November 15, 2023) APPENDIX Q
- r. Section 300.2.11 of the UNC Policy Manual, *Serious Illness and Disability Leave for Faculty* (repeal) (approved November 15, 2023) APPENDIX R
- s. Section 300.2.13 of the UNC Policy Manual, *Supplemental Pay Policy for Employees Exempt from the State Personnel Act* (amend) (approved November 15, 2023) APPENDIX S
- t. Section 300.2.14 of the UNC Policy Manual, *Policy on Non-Salary and Deferred Compensation* (amend) (approved November 15, 2023) APPENDIX T
- u. Section 300.2.22 of the UNC Policy Manual, *Leave Programs for Faculty and Staff Exempt from the North Carolina Human Resources Act* (adopt) (approved November 15, 2023) APPENDIX U
- v. Section 300.5.1 of the UNC Policy Manual, *Political Activities of Employees* (amend) (approved November 15, 2023) APPENDIX V
- w. Section 300.7.4 of the UNC Policy Manual, *Policy on Offering Roth 403(b) Accounts* (repeal) (approved November 15, 2023) APPENDIX W
- x. Section 600.3.4 of the UNC Policy Manual, *Policy on the Delegations of Authority and Granting of Management Flexibility on Human Resources Matters* (amended) (approved November 15, 2023) APPENDIX X
- y. Section 100.1 of the UNC Policy Manual, *The Code Chapter VI Academic Freedom and Tenure* (amend) (approved November 15, 2023) APPENDIX Y
- z. Section 400.3.1 of the UNC Policy Manual, *Teaching Effectiveness in the University of North Carolina* (adopt) (approved November 15, 2023) APPENDIX Z
- aa. Section 400.3.3 of the UNC Policy Manual, *Performance Review of Tenured Faculty (Post-Tenure Review)* (adopt) (Approved November 15, 2023) APPENDIX AA

Committee on University Governance

- bb. Section 200.1 of the UNC Policy Manual, *Dual Memberships and Conflicts of Interest* (amend) (approved November 15, 2023) APPENDIX BB
- cc. Section 200.5 of the UNC Policy Manual, *Policy on Legal Affairs; Initiating and Settling Potential and Pending Litigation* (amend) (approved November 15, 2023) APPENDIX CC

### **Report of the Committee on Budget and Finance**

Mr. Clark, chair of the committee, reported that the Committee on Budget and Finance received an update on student health insurance from Dr. Andrew Kelly, executive vice president for Strategy and Policy, and Ms. Mona Moon on the potential impact of Medicaid expansion on the UNC System Student Blue health insurance plan and the self-funded scenarios reviewed back in November. The committee also received a presentation on the 2024-25 tuition and fee proposals submitted by 13 UNC System institutions. The details of the final tuition and fee recommendations will be presented to the committee and full Board during the February meeting. The committee received and approved the annual report on millennial campus activities. The committee also reviewed several transactional items including 1) authorization for Appalachian State University to issue millennial campus revenue bonds; the committee voted to re-calendar this item to its February meeting; 2) approval of the FY 2023-24 SCIF maintenance R&R projects for submission to the Fiscal Research Division; and 3) authorization of \$21.44 million for six new capital projects at four institutions and \$9.75 million in nine increased authorizations at seven institutions; and reporting of five chancellor's R&R projects less than \$600,000 in compliance with statute. The committee voted to approve all projects except for the App State Indoor Practice Facility project, which will be re-calendared to the February meeting of the Committee on Budget and Finance. Finally, the committee voted to approve the authorization for UNC Wilmington to acquire property by lease of Plato's Lofts Apartments, a 75,000-square-foot apartment complex at 4810 Randall Parkway, Wilmington, North Carolina. Chair Ramsey thanked the committee for their good work. He then called on Mr. Bradley for the report from the Committee on Educational Planning, Policies and Programs.

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

Mr. Bradley, chair of the committee, reported the committee reviewed requests for five licensure program approvals and one academic degree program establishment. The North Carolina Teaching Fellows Annual Report was also presented and discussed. The committee heard a presentation from faculty leaders and UNC System Office staff regarding a proposal to ensure undergraduate students acquire a shared foundation in American democracy in a manner that emphasizes academic rigor and freedom of inquiry. Proposed policy changes implementing the requirement will be brought to the committee for consideration in February. Additionally, the committee engaged in a robust discussion regarding the role of standardized testing in undergraduate admissions. Dr. Nathan Kuncel, Distinguished Professor at the University of Minnesota, presented an overview of national research in the field. The committee will receive and consider possible policy actions at the next meeting. He reported that as approved by President Hans and facilitated by the UNC System Office of Finance and Administration, this year and going forward, if there are two awardees for the Governor James E. Holshouser Award for Excellence in Public Service, each will receive a sum of \$15,000, versus prior years' practice of \$7,500. He thanked President Hans and Chief Financial Officer Jennifer Haygood for recognizing the dedication of our faculty and bringing this long-discussed increase to fruition. The 2023 selections will be announced and recognized at our February Board meeting. Chair Ramsey thanked Mr. Bradley for his report. He then called on Mrs. Coward for the report of the Committee on University Personnel.

### **Report of the Committee on University Personnel**

Mrs. Coward, chair of the committee, invited Ms. Shayna Hill, chair of the Staff Assembly, to give her remarks to the Board, with the committee report to be given later in the meeting. Ms. Hill introduced herself to the Board, describing her life growing up in Chapel Hill and receiving her degrees from the University of North Carolina at Chapel Hill, as well as her current work on campus. She credits her time on the campus for giving her "resiliency and confidence" as she faced several personal tragedies growing up. She stated the world is very different post-COVID, and we are still regrouping and rebuilding. She has faith in our institutions and believes they are in good hands. She thanked the Board for their work in updating the pay bands for SHRA and EHRA. She is thankful for the scholarship support, the golf tournament, and the gatekeeper program. She thanked the Board and the

System Office for all the work they are doing to make the System the best in the country. Chair Ramsey welcomed her to her new role, stating he looks forward to working with her. He then invited Mrs. Blue to share the Committee on University Governance's report.

### **Report of the Committee on University Governance**

Mrs. Blue, chair of the committee, stated that the committee approved several appointments. The committee approved three reappointments and one new appointment to the Project Kitty Hawk Board of Directors. Chancellor Philip Rogers, Mr. John Comly, and Ms. Susan Cates are nominated for reappointment. Chancellor Karrie Dixon is nominated for appointment. All four appointments are for terms ending January 31, 2026. (See APPENDIX EE).

**Motion:** Resolved, that on behalf of the Committee on University Governance, I move for the approval of Chancellor Philip Rogers, John Comly, and Susan Cates for reappointment, and Chancellor Karrie Dixon for appointment, to the Project Kitty Hawk Board of Directors for terms ending January 31, 2026.

**Motion:** Mrs. Blue

**Motion carried**

The committee voted to confirm the nomination of Mr. Doyle Parrish and Mr. William Keyes to the UNC Health Board of Directors. (See APPENDIX FF).

**Motion:** Resolved, that on behalf of the Committee on University Governance, I move for the confirmation and approval of Doyle Parrish and William Keyes to fill the balance of four-year terms that began November 1, 2022, and will end October 31, 2026, to the UNC Health Board of Directors.

**Motion:** Mrs. Blue

**Motion carried**

She stated the committee also approved the reappointment of Mr. Tony Cannon to the ECU Health Medical Center Board of Trustees for a second term beginning on March 1, 2024. (See APPENDIX GG).

**Motion:** Resolved, that on behalf of the Committee on University Governance, I move for the approval of Tony Cannon to the ECU Health Medical Center Board for Trustees for a five-year term.

**Motion:** Mrs. Blue

**Motion carried**

The committee reviewed and approved proposed amendments to Section 1100.1 of the UNC Policy Manual, *Policy on Intercollegiate Athletics*. The revisions are designed to enhance oversight of the intercollegiate athletics program by requiring the chancellors to make available certain athletic related agreements to the Board of Governors and provide the president notice of, and a financial plan for, any agreement that would result in the constituent institution transferring, leaving, or joining an athletic conference association. The amendments also provide the Board of Governors with an opportunity to review any agreements and financial plans with legal counsel so that they may inform a constituent institution of any potential legal risks. This item will be on the consent agenda at the next Board meeting.

Senior Vice President and General Counsel Andrew Tripp gave an informational report on the delegation of authority project. In July 2021, via resolution, the Board of Governors directed each institution's board of trustees to amend and restate the delegation of its authority among the trustees and institution administration. By the end of 2021, the boards of trustees submitted to the UNC System Office their amended and restated

delegations, which are published online. Now, two years after the project's implementation, institution boards of trustees continue to review and update delegation resolutions to reflect their current practices, providing institution leaders with a resource to review and improve upon accountability and decision-making. Chair Ramsey thanked Mrs. Blue for her report. Chair Ramsey then called on Mr. Williford for the Committee on Military and Public Affairs report.

#### **Report of the Committee on Military and Public Affairs**

Mr. Williford presented the report for the Committee on Military and Public Affairs Committee. He stated the committee met the day before to review the activities that have taken place since its last meeting in April 2023. Mr. Bart Goodson, senior vice president for Government Relations, presented the committee's annual report for 2022-23. Mr. Goodson also provided an update on the upcoming short session at the North Carolina General Assembly, which begins on April 24, 2024. Next, the committee received an update from Ms. Elizabeth Morra, vice president for Federal Relations, updating the committee on issues impacting the UNC System, including appropriations, as well as legislative and regulatory developments. Finally, the committee received an update from Dr. Thomas Walker, senior advisor to the president for Economic Development and Military Affairs. He updated the committee on the partnership with the UNC System Military Affairs Division and the UNC System Office's Project Management Unit, Information Technology Department, and Academic Affairs Division regarding building an online system that will allow institutions to implement a consistent methodology for awarding academic credit based on military training and experience. It will also allow any military service member or member of the public to search and view military course equivalencies across the UNC System. Chair Ramsey thanked Mr. Williford for his report and called on Mr. Holton to give his report for the joint committee meeting.

#### **Report of the Joint Committee on Educational Planning, Policies, and Programs; Committee on Strategic Initiatives**

Mr. Holton, chair of the Committee on Strategic Initiatives, delivered the joint report to the Board. He stated the committee continued their discussion of return on investment (ROI) in higher education. He reminded the Board of the ROI study funded by the General Assembly that was unveiled in November as well as the passing of a transmittal letter outlining action steps to be taken in response to the study that accompanied the report to the General Assembly. Institutions will respond with an assessment of those low-ROI programs and a plan for improvement by early March. Dr. Kelly also announced a newly signed data-sharing agreement between the System Office and North Carolina Department of Commerce and the creation of machine-readable files that contain the ROI data that will be made available for download this week. There was also discussion of room for improvement, specifically noting the existing Biennial Program Productivity Review as not being a very effective tool. Chair Bradley and Chair Holton asked System staff to develop proposals to revise and improve Section 400.1 of the UNC Policy Manual, *Policy on Academic Program Planning*, and associated regulations for consideration at the February meeting. Chair Ramsey thanked the committees for their leadership and called on Mr. Holley for the next report.

#### **Report of the Committee on Historically Minority-Serving Institutions**

Mr. Holley, chair of the committee, stated the committee discussed the impact of state investments on each university. He said the HMSIs are not only an asset to the UNC System but are critical to the success of the System's strategic plan. These six universities distinctively shape the landscape of North Carolina and the nation and, unquestionably, the funding provided by the General Assembly has been an incredible investment and helped to increase the trajectory of our students at these universities and their families. To share the details of how state investments have strengthened their institutions, the HMSI chancellors participated in a roundtable discussion. Some of the specific outcomes and initiatives that chancellors presented included:

- Using major capital funding to build new programs, more research capability, and the incubation of new North Carolina businesses;

- Increasing access and affordability through initiatives like NC Promise and the Cheatham-White Scholarships;
- Leveraging state funds to raise resources from other sources, such as federal and philanthropic grants; and probably most importantly,
- Expanding generational economic mobility in rural areas of state.

Mr. Holley said it was an honor to have all six of the HMSI chancellors present for the meeting. He congratulated Chancellors Harold Martin and Johnson Akinleye on their upcoming retirements. He also gave a special thanks to the leadership of Dr. Shun Robertson, vice president for Access and Success Strategy, noting her work and time put into the meeting. Chair Ramsey noted that he enjoyed the meeting as well and thanked them for their work.

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Chair Ramsey called on Secretary Burris-Floyd for a motion to go into closed session.

Secretary Burris-Floyd offered the following motion:

**Motion:** Resolved, that the Board go into closed session pursuant to N.C. General Statutes §143-748 and §143-318.11(a)(1), (2), (3), and (6), for the purposes stated in the written motion that was included in the meeting materials, which have been publicly noticed (Appendix HH). The motion was properly seconded.

**Motion:** Mr. Davis

**Motion carried**

The Board went into closed session at 10:48 a.m. and returned to open session at 11:18 a.m.

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**Report of the Committee on University Personnel**

Mrs. Coward, chair of the committee, reported the committee received an update from Vice President for Human Resources and Chief Human Resources Officer Darryl Bass on the new SHRA career banding salary ranges. These updated ranges were unanimously approved by the State Human Resources Commission on January 18, 2024. The ranges had not received a comprehensive review since 2008. These updated ranges are now closely aligned with the salary ranges used by the rest of state government. The System Office expects to receive final approval from the Governor’s Office. Once final approval has been received, work will begin with our institutions to implement the new ranges. Mr. Bass also updated the committee on the 2024 Employee Engagement Survey. This survey will be distributed at the end of March to all benefit-eligible faculty and staff, and results will be shared with the Committee on University Personnel in the fall. Chair Ramsey thanked Mrs. Coward for her report.

There being no further business and without objection, the meeting was adjourned at 11:23 a.m. The next meeting of the Board of Governors is scheduled for Thursday, February 29, 2024, at the UNC System Office in Raleigh, North Carolina.

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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>

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Appendix U	Section 300.2.22 of the UNC Policy Manual, <i>Leave Programs for Faculty and Staff Exempt from the North Carolina Human Resources Act</i> (adopt) (approved November 15, 2023)
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Appendix X	Section 600.3.4 of the UNC Policy Manual, <i>Policy on the Delegations of Authority and Granting of Management Flexibility on Human Resources Matters</i> (amended) (approved November 15, 2023)



Appendix Y	Section 100.1 of the UNC Policy Manual, <i>The Code Chapter VI Academic Freedom and Tenure</i> (amend) (approved November 15, 2023)
Appendix Z	Section 400.3.1 of the UNC Policy Manual, <i>Teaching Effectiveness in the University of North Carolina</i> (adopt) (approved November 15, 2023)
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Appendix CC	Section 200.5 of the UNC Policy Manual, <i>Policy on Legal Affairs; Initiating and Settling Potential and Pending Litigation</i> (amend) (approved November 15, 2023)
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