

Institution	Commencement Date(s)	Time/Venue	BOG Member
ASU	May 10 <sup>th</sup> and 11 <sup>th</sup> , 2024	9am, 1pm, and 5pm both days Holmes Convocation Center	
ECU	May 3, 2024	10 a.m. Dowdy-Ficklen Stadium	
ECSU	May 4, 2024	10 a.m. R.L. Vaughn Center	
FSU	May 11, 2024	9 a.m. Crown Coliseum	
N.C. A&T	May 10 <sup>th</sup> , 2024(G)	9 a.m. Tanger Center for Performing Arts	
	May 11 <sup>th</sup> , 2024(UG)	9 a.m. and 2 p.m. Greensboro Coliseum	
NCCU	May 4, 2024	8 a.m. (UG) and 2 p.m. (G) McDougald-McLendon	
NCSU	May 4, 2024	8 a.m. (G) 2 p.m. (UG) PNC Arena	Woody White
UNCA	May 11, 2024	10 a.m. University Quad or Kimmel Arena	
UNC-CH	May 11, 2024	7:00 p.m. Kenan Memorial Stadium	Gene Davis
UNCC	May 10, 2024	10 a.m., 3 p.m. James H. Barnhardt Student Activity Center	
	May 11, 2024	10 a.m., 3 p.m.(G) James H. Barnhardt Student Activity Center	
UNCG	May 2, 2024 (G)	10 a.m. Greensboro Coliseum	
	May 3, 2024 (UG)	10 a.m. Greensboro Coliseum	

<b>UNCP</b>	May 3 <sup>rd</sup> , 2024(G)	6 p.m. Founder's Quad UNCP	
	May 4 <sup>th</sup> , 2024 (UG)	Founder's Quad UNCP	
<b>Institution</b>	<b>Commencement Date(s)</b>	<b>Time/Venue</b>	<b>BOG Member</b>
<b>UNCSA</b>	May 18, 2024	10 a.m. (UG & G) 2:30 p.m. (HS) Benton Convention Center	
<b>UNCW</b>	May 10 <sup>th</sup> , 2024 (G)	TBD Trask Coliseum	
	May 11 <sup>th</sup> , 2024(UG)	TBD Trask Coliseum	
<b>WCU</b>	May 10, 2024 (G)	7 p.m. Ramsey Center	
	May 11, 2024 (UG)	10 a.m. and 3 p.m. Ramsey Center	
<b>WSSU</b>	May 10 <sup>th</sup> , 2024	TBD LJVM Coliseum	
<b>NCSSM</b>	Morganton Campus: May 24, 2024	9 a.m. The Barn on Campus	
	Durham Campus: May 25, 2024	9 a.m. Watts Lawn	

(G) = Graduate (UG) = Undergraduate

Updated: 2/27/24

## Report on Technical Corrections to *The Code* and UNC Policy Manual

<i>The Code</i> /UNC Policy Manual	UNC Policy Manual - Chapter	Policy/ Regulation/ Guideline	Section(s)	Technical Correction(s)	Effective Date (Posted to Webpage)
UNC Policy Manual	Section 400.4.1.2 [R], <i>Regulation Governing Review of Changes in Ownership and Legal Reconstitutions of Out-of-State and Nonpublic Institutions</i>	Regulation	IV.	Changing the word "will" to "to" in the sentence, "UNC System Office staff determines whether the change in owenship will cause an already authorized institution <del>will</del> to become a branch campus of an unauthorized instituion."	02/07/24
UNC Policy Manual	Section 700.10.1, <i>Policy on Awarding Undergraduate Credit on the Basis of Advanced Course Examination Scores</i>	Policy	II.A.; III.	In section II. "certification" was misspelled. In section III., "procedures" and "constituent" were misspelled.	02/07/24
UNC Policy Manual	Section 200.5[R], <i>Regulation on Engagement of Private Counsel and Designation of Litigation Counsel</i>	Regulation	VI.A.	Changing the effective date of the Regulation as amended from January 25, 2024, to January 30, 2024	02/19/24
UNC Policy Manual	Section 400.3.4[R], <i>Regulation on Faculty Workload</i>	Regulation	IV.A.	Deleting the word "not" from the sentence "Faculty members who are <del>not</del> classified as Senior Academic and Administrative Officers (SAOO) or are in another leave-earning position shall not have an annual workload plan."	02/21/24

February 2024

**Regulation Governing Review of Changes in Ownership and  
Legal Reconstitutions of Out-of-State and Nonpublic Institutions**

I. Purpose. Pursuant to N.C. Gen. Stat. § 116-15(g) (hereinafter G.S.), and Section 400.4.3[R], VI.B., subsections 3., and 4., of the UNC Policy Manual, the University of North Carolina System Office (UNC System Office) staff will review the license of an institution when the institution is legally reconstituted and when a preponderance of all of the assets of the institution changes pursuant to a single transaction or a recognizable sequence of transactions or agreements.

II. Definitions

A. "Change in ownership," as used herein, means a change in the ownership of a preponderance of an institution's or corporate parent's assets pursuant to a single transaction or a recognizable sequence of transactions or agreements. Change of ownership does not include:

1. A transfer of the entire portion of a natural person's ownership interest to that person's parent, stepparent, sibling, stepsibling, spouse, child or stepchild, grandchild or step-grandchild; spouse's parent or stepparent, spouse's sibling or stepsibling, spouse's child or stepchild, spouse's grandchild or stepgrandchild; child's spouse, and sibling's spouse; or

2. A transfer of the entire portion of a natural person's ownership interest, upon the retirement or death of that person, to a natural person with a pre-existing ownership interest in the school who has been involved in management of the school for at least two years preceding the transfer, and who has established and retained the pre-existing ownership interest for at least two years prior to the transfer.

B. "Legal reconstitution" means a change in the corporate form of the institution or its corporate parent, including a change from a for-profit to a nonprofit corporation or from a nonprofit to a for-profit corporation.

C. "Preponderance of the Assets" means:

1. Greater than 50 percent of the ownership interest of an institution or its corporate parent; or

2. Assets worth greater than 50 percent of the institution's or corporate parent's fair market value.

III. UNC System Office Staff Response. Upon notification from the institution, UNC System Office staff will timely respond with initial inquiries to determine the size and scope of the required review. Staff will consider, among other factors, the proposed purchaser's projected changes to the institution in

determining the review's size and scope. Upon completion of the review of licensure, staff will notify the parties to the transaction.

IV. Relationship of Change in Ownership reviews to Applications for New Licensure. A change in ownership which results in an already authorized institution becoming a branch campus of an unauthorized institution ordinarily requires the unauthorized institution to become authorized to conduct postsecondary degree granting activity in North Carolina. As long as the new branch campus remains otherwise authorized, it may continue to conduct postsecondary degree granting activity pending adjudication of the unauthorized parent institution's application to become authorized. UNC System Office staff determines whether the change in ownership will cause an already authorized institution ~~to will~~ become a branch campus of an unauthorized institution. In making that determination, staff may consider whether the authorized institution will be considered a branch campus for accreditation or for Federal Student Aid purposes. A review of licensure because of a change in ownership ordinarily focuses on the immediate effects of the change in ownership on North Carolina students. The unauthorized parent institution's application to become authorized is based upon the standards found in G.S. § 116-15. Notification from staff that a change in ownership licensure review is complete does not imply that the unauthorized parent institution's application to be authorized to conduct postsecondary degree activity in North Carolina will be granted.

V. Other Matters

A. Effective Date. The requirements of this regulation shall be effective on the date of adoption of this regulation by the president.

B. Relation to Federal and State Laws and Policies. The foregoing regulation is meant to supplement, and does not purport to supplant or modify, those statutory enactments, regulations, and policies which may govern or relate to the subject matter of this regulation.

**Policy on Awarding Undergraduate Credit on the  
Basis of Advanced Course Examination Scores**

I. Purpose. The University of North Carolina System recognizes that learning occurs in a variety of ways and that allowing students to earn credit by evaluating their prior college-level learning is valuable in supporting their academic goals. The purpose of this policy and accompanying regulation is to encourage constituent institutions to award credit for prior learning (CPL) and establish consistent and transparent practices for the awarding of CPL.

II. Assessment Methods. Consistent with the provisions of this policy and regulation, constituent institutions are encouraged to award credit for prior learning through a variety of assessment methods including, but not limited to:

- A. Certification or licensure
- B. Industry or corporate experience
- C. Military education and training
- D. Standardized examinations, including advanced course examinations
- E. Challenge exams
- F. Portfolio assessment

III. Student Eligibility. Credit may be granted by a constituent institution only to an enrolled degree-seeking student who is in good standing and for a corresponding course or elective credit in alignment with the policies and ~~procedures~~procedures of the ~~constituent~~constituent institution.

IV. Awarding Credit for Advanced Course Examination Scores. N.C. Gen. Stat. § 115C-174.26 (hereinafter G.S.), establishes the intent of the state to enhance accessibility and encourage students to complete rigorous advanced courses at the secondary level. The state has defined advanced courses as Advanced Placement (AP), International Baccalaureate (IB) Diploma Programme, and Cambridge International Advanced Subsidiary (AS) Level and Cambridge International Advanced (A) Level. Students enrolled in North Carolina public schools are exempt from paying any fees for the administration or registration of examinations for these Advanced Courses. With this substantial support from the state of North Carolina, students in the state's high schools have the opportunity to earn credit toward a postsecondary degree via AP, IB, and Cambridge A Level and AS Level examinations.

It is therefore in the best interest of North Carolina's students that the University of North Carolina's (UNC) System constituent institutions award undergraduate credit on the basis of Advanced Course examination scores in a uniform manner, and that potential students and their families receive clear and consistent information regarding this awarding of undergraduate credit. Furthermore, it is in the best interest of students and the state that UNC System undergraduate students who prove that they have completed college-level work via one of these state-supported Advanced Course examinations receive credit so that they might complete a degree in a timelier manner.

Accordingly, the constituent institutions shall adopt policies governing the awarding of undergraduate credit on the basis of Advanced Course examination scores not inconsistent with this policy.

A. Awarding Credit. UNC System constituent institutions shall award appropriate credit to undergraduates who have earned a Qualified Advanced Course Examination Score, as defined in the Regulation on Awarding Undergraduate Credit for Prior Learning, Section 700.10.1[R] of the UNC Policy Manual. Any exceptions to this policy must be approved by the institution's board of trustees in accordance with the guidance described in Section 700.10.1[R] of the UNC Policy Manual.

B. Report on Exceptions Granted. An institution must report any exceptions granted by its board of trustees, and the reasons and evidence for those exceptions, to the president annually no later than July 1.

C. Relationship to Other Credit Programs. This policy provides a standard minimum consideration of college credit for Advanced Courses, as defined by G.S. 115C-174.26. This policy does not preclude UNC System constituent institutions from electing to award additional college credit for other scores on the AP, IB, Cambridge A-Level, or Cambridge AS-Level exams, or for acceptable performance in other programs as identified by the constituent institution.

V. Other Matters

A. Effective Date. The requirements of this policy with regard to AP examinations shall be effective as of the 2019-20 academic year and thereafter; the requirements of this policy with regard to IB and Cambridge AS-Level and A-Level examinations shall be effective as of the 2020-21 academic year and thereafter. All other requirements of this policy shall be effective on the date of adoption of this policy by the Board of Governors. Requirements are stipulated further in Section 700.10.1[R] of the UNC Policy Manual.

B. Relation to Federal and State Laws. The foregoing policy as adopted by the Board of Governors is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern or relate to the subject matter of this policy.

C. Regulations and Guidelines. This policy shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.

### **Regulation on Engagement of Private Counsel and Designation of Litigation Counsel**

I. Purpose. The following regulation (“this regulation”) establishes procedures by which (a) private counsel may be engaged and/or (b) litigation counsel may be designated on behalf of the University by constituent institutions and the UNC System Office in accordance with the authority delegated by the Board of Governors to the president, pursuant to N.C. Gen. Stat. § 116-11(13b) (hereinafter G.S.), and in accordance with Section 200.5 of the UNC Policy Manual. These procedures will be administered by the Office of Legal Affairs at the University of North Carolina System Office (“UNC System Office”).

II. Definitions. The following operational definitions apply to the policy and this regulation:

A. “Chancellor” means the administrative and executive head of a constituent institution of the University of North Carolina, as described in Section 502 of *The Code*.

B. “Constituent institution” means one of the 17 degree/diploma-granting institutions that comprise the University of North Carolina.

C. “President” means the chief administrative and executive officer of the University of North Carolina, as described in Section 501 of *The Code*.

D. “Office of Legal Affairs” means the Office of Legal Affairs within the University of North Carolina System Office.

E. “University” means the University of North Carolina, a body politic and corporate defined as a single public multi-campus University composed of 17 constituent institutions and other educational, research, and public service organizations.

F. “UNC System Office” means the University of North Carolina System Office.

G. “NC DOJ” means the North Carolina Department of Justice.

III. Authorization of Private Counsel Engagements. Engagements of private counsel for the University, by the constituent institutions and the UNC System Office, must be authorized in accordance with the requirements of this section or must otherwise be authorized by the president.

A. On a periodic basis and with input and participation from the general counsels of the constituent institutions, the UNC System Office shall maintain one or more panels of private law firms to be readily available to provide legal services to the University. Firms on the approved panels shall provide legal services under a master agreement approved by the chief financial officer of the UNC System. Selection of panel firms shall be based on a best value methodology, through which consideration shall be given to the firms’ qualifications, the competitiveness of the firms’ billing rates and charges to the University, and other material information. Preference will be given to North Carolina-based law firms, or firms with substantial operations in North Carolina.



B. A constituent institution or the UNC System Office shall be deemed to have authorization to engage and pay private counsel to provide legal services to the entity concerning a specific legal matter without further approval from the president, provided all of the following requirements are met:

1. The general counsel of the University entity (either the constituent institution or the UNC System Office) that is engaging private counsel has approved and will direct the engagement, after reasonably concluding that there are insufficient legal and personnel resources within the Education Section of the North Carolina Department of Justice (“NC DOJ”) and the University entity to meet the needs presented by the specific legal matter;
2. The chief financial officer of the University entity (either the constituent institution or the UNC System Office) that is engaging private counsel has verified that sufficient funds exist for the engagement and has approved the engagement;
3. The engagement will be with a law firm selected from a pre-approved panel of private counsel assembled by the UNC System Office in accordance with section III.A., of this regulation, using the current master agreement in place with the UNC System Office and the firm, the terms of which will govern the legal representation and include the appropriate State of North Carolina and University terms for the engagement of vendors;
4. The engagement is subject to a maximum fee for the entirety of the representation in the specific legal matter, which does not exceed the institution’s purchasing benchmark, as approved by the Board of Governors in accordance with G.S. 116-31.10. The institution’s purchasing benchmark may not be exceeded without prior approval from the president;
5. If private counsel is expected to be designated as litigation counsel, the University entity has complied with section IV of this regulation; and
6. The University entity engaging private counsel notifies the Office of Legal Affairs of the engagement within five (5) business days after the commencement of work on the engagement.

C. Any engagement of private counsel that does not meet or is expected to no longer meet all criteria listed above in section III.B., requires prior approval from the president. Requests for approval to engage private counsel under this section should be submitted to the Office of Legal Affairs and will be considered based on factors including:

1. Whether there exist sufficient and appropriate legal resources available through the Education Section of the NC DOJ;
2. The time and labor required; the novelty and complexity of the legal needs of the institution; the difficulty of the questions involved; and the skill requisite to perform the attorney services properly;
3. The geographic area where the attorney services are to be provided; and

4. The amount of experience desired for the particular kind of legal services to be provided and the nature of attorney experience with similar issues or cases.

Any request submitted to the president under this section must state that the constituent institution's general counsel and chief financial officer have approved the engagement and that the general counsel will direct the engagement.

IV. Designation of Litigation Counsel. Designation of litigation counsel to represent the University, including the constituent institutions, must be authorized in accordance with the requirements of this section.

A. The Education Section of the NC DOJ serves as the primary outside litigation counsel for the University, including the constituent institutions and the UNC System Office. The general counsels for each of the constituent institutions and the UNC System Office may designate NC DOJ attorneys as litigation counsel, including lead litigation counsel, in any litigation matter for their respective institutions, subject to the acceptance of such designation by NC DOJ.

B. If after conferring with NC DOJ, the general counsel of the constituent institution or the UNC System Office that is a party in a particular litigation matter concludes that the matter requires assistance from private counsel, the general counsel may, in consultation with NC DOJ, select private counsel from a preapproved panel of private counsel assembled by the UNC System Office in accordance with section III.A., to serve as litigation counsel, including lead litigation counsel, for the institution.

C. Those few constituent institutions that generate a significant volume of potential litigation matters and can justify the employment of experienced in-house litigation counsel who devote substantially all of their practice to University litigation matters may obtain, through an agreement with the president, authorization to designate those in-house attorneys as litigation counsel for their respective constituent institutions, including as lead litigation counsel, in any litigation matter. In-house attorneys employed by University entities shall not represent University employees or officials in their personal capacities.

D. Any designation of litigation counsel, or any designation of lead litigation counsel, except as authorized by sections IV.A., IV.B., or IV.C., above, requires prior approval from the president. All other requests for approval to designate litigation counsel, or lead litigation counsel, should be submitted to the Office of Legal Affairs.

V. Additional Procedures. The Office of Legal Affairs may adopt any such other procedures for the implementation of the policy and this regulation at the discretion of the senior vice president and general counsel or his or her designee.

VI. Other Matters

A. Effective Date. This Regulation as amended takes effect on January 3025, 2024.

B. Relation to Federal and State Laws. The foregoing regulation as adopted by the president is meant to supplement, and does not purport to supplant or modify, those statutory enactments, regulations, and policies which may govern or related to the subject matter of this regulation.

## Regulation on Faculty Workload

I. Purpose. This regulation defines the authority, responsibilities, and required processes as related to institutional policy development for faculty workload, planning, training, and reporting in the University of North Carolina System (UNC System) regarding implementation of Section 400.3.4 of the UNC Policy Manual, *Policy on Faculty Workload* (“the Policy”). The Policy requires institutions to develop their own faculty workload policies and faculty workload plans and places reporting requirements on institutions and on the UNC System Office.

II. Definitions. The following definitions apply to this regulation.

A. “Academic unit” means academic department, professional school, or an equivalent constituent unit of an institution.

B. “Faculty” means employees of a constituent institution appointed to carry out responsibilities such as instruction, research/creative activity, service, clinical care, or extension. Faculty may be tenured or not and temporary or permanent, with titles, ranks, and duties defined by the constituent institution.

C. “Full Time Equivalent (FTE)” means a workload that represents a full-time effort at a given institution in keeping with the institution’s faculty workload policy. Recognizing the autonomy of institutions to determine the teaching load, a teaching load of 24 credit or contact hour equivalents per academic year, along with other routinely expected duties, generally constitutes a full workload and a 1.0 FTE appointment.

D. “Routinely expected duties” means those faculty responsibilities, as defined by a constituent institution and in accordance with Section III. A of UNC Policy 400.3.4, which are ordinarily expected of faculty members, and which ordinarily include components of research and service.

E. “Research and creative activity” includes, without limitation, those activities listed in UNC Policy Manual § 400.3.4(III)(A)(2). Institutional workload policies shall define what constitutes research and creative activity consistent with their mission and the Policy.

F. “Service” includes, without limitation, those matters found in UNC Policy Manual § 400.3.4(III)(A)(3). Institutional workload policies shall define what constitutes service according to their mission and consistent with the Policy.

G. “Teaching” has the definition found in UNC Policy Manual § 400.3.1 and includes, without limitation, those activities listed in UNC Policy Manual § 400.3.4(III)(A)(1).

III. Requirements for institutional faculty workload policies.

Institutions shall develop faculty workload policies consistent with this regulation, with UNC Policy 400.3.4, and with all other applicable statutory and regulatory authorities.

A. Institutional faculty workload policies shall include processes for training all personnel who develop and review faculty annual workload plans. Institutional Provosts shall ensure that all such personnel receive that training and that such training is aligned with guidance provided by the System Office.

B. Institutional workload policies must (1) establish ordinary percentages for faculty workload in areas such as teaching, research/creative activity, and service for each academic unit and for each faculty appointment type which together constitute the 1.0 FTE in a manner consistent with the missions of the institution and the academic unit; (2) identify with reasonable particularity guidelines under which deviations in the ordinary percentages for a given academic unit may be approved.

#### IV. Requirements for Faculty Annual Workload plans

##### A. Requirements for Annual Workload Plans

a. **Applicability.** Faculty members who are appointed for longer than one year and who are full time must have an annual workload plan, including faculty that also serve in administrative roles. Faculty members who are classified as Senior Academic and Administrative Officers (SAAO) or are in another leave-earning position shall not have an annual workload plan. Temporary faculty members, faculty members who are appointed for one year or less, and faculty members who are less than full-time may have an annual workload plan if directed by the institution.

b. **Assigning duties.** Each faculty annual workload plan shall account for one FTE by assigning duties to areas typically associated with faculty workload including teaching, research/creative activity, and service.

i. Institutions do not have to assign greater than zero percent in each category. Assigned percentages, when added together, must total one-hundred percent.

ii. Descriptions which support institutional missions must be included in institutional faculty workload policies. Some activities may be reasonably included in different categories, and in such cases, institutions shall assign the activity to a category in accordance with the institutional mission.

iii. Workload categories for faculty classified as extension faculty at North Carolina State University and North Carolina A & T State University or clinical faculty at East Carolina University and the University of North Carolina at Chapel Hill shall be determined by the institution, subject to the approval of the president or designee.

B. **Outputs.** Faculty annual workload plans shall include the specific outputs and efforts a faculty member is expected to complete in the next academic year, with a clear linkage towards long-term evaluation (e.g., reappointment, promotion, tenure, post-tenure review). Each

component of a full-time faculty member's workload plan should reflect the mission of the institution.

C. Approvals. Each faculty member's workload plan shall be developed in consultation with and approved by the academic unit head and by that academic unit's head's supervisor or designee.

#### V. Reporting Requirements.

A. Institutional annual reports will contain:

a. For each academic unit, the percentage of faculty efforts across three categories: teaching, research/creative activity, and service. When taken together, the percentages for all categories must total one-hundred percent. For faculty defined in section IV.b.iii, the categories shall be the those determined by the institution and approved by the president or designee.

b. For each academic unit, organized course sections taught, student credit hours produced, and faculty contact hours.

c. For each academic unit, those measures of research/creative activity and service that the institution shall define according to its mission.

d. Information regarding the process by which the institution implemented the provisions of their policy and evaluated individual faculty workloads relative to the standards therein.

e. Other quantitative or qualitative information that the institution determines provides additional context for faculty impact and productivity in the various realms of faculty workload in accordance with the institution's mission.

B. Each institution shall submit an annual report in the format prescribed by the President to its Board of Trustees to be approved by September 30th following the academic year. After being accepted by its Board of Trustees, each institution shall submit its annual report to the System Office President by October 15th following the academic year.

C. The System Office shall report on implementation and outcomes of the policy and regulation on faculty workload to the Board of Governors by January 2025 and each January thereafter.

VI. Implementation timeline. The timeline for development of institutional policy and annual workload plans in place for Academic Year 2024-25 and annually thereafter is as follows:

a. All faculty workload institutional policies must be approved by institutional Boards of Trustees by June 30, 2024.

b. Each faculty required to have an annual workload plan under this Regulation shall have an initial approved workload plan by January 1, 2025.

VII. Other Matters.

- A. Effective Date. The requirements of this regulation shall be effective upon the date of adoption of this regulation by the president.
- B. Relation to Federal and State Laws. The foregoing regulation as adopted by the president is meant to supplement, and does not purport to supplant or modify, those statutory enactments, regulations, and policies that may govern or relate to the subject matter of this regulation.
- C. The UNC System Office shall develop and promulgate training on the implementation of the Policy and this Regulation.
- D. Because of the differences in institutional mission and faculty workload expectations at the North Carolina School of Science and Mathematics, that institution is exempt from the requirements of this policy. The North Carolina School of Science and Mathematics shall develop institutional faculty workload policies appropriate for its respective secondary education program that align with the policy goals and objectives set forth in this regulation.