

THE UNIVERSITY OF NORTH CAROLINA
OFFICE OF THE PRESIDENT

ADMINISTRATIVE MEMORANDUM

SUBJECT Eligibility of Senior Academic
and Administrative Officers
to be enrolled in the Optional
Retirement Program

NUMBER 391

DATE January 8, 1999

By Administrative Memorandum Number 387, we informed you that a moratorium had been placed on enrollment in the Optional Retirement Program of otherwise eligible senior administrative officers of the University who do not hold faculty rank of instructor or above, due to unresolved questions about the proper interpretation of the enabling statute, G.S. 135-5.1. Following additional discussion with interested State officials and the receipt of an opinion from the Attorney General, we are now prepared to implement the deferred November 13, 1998, authorization by the Board of Governors to offer enrollment in the ORP, without reference to concurrent faculty status, to:

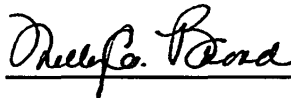
- (a) those persons who heretofore [prior to November 13, 1998] were appointed to a permanent full-time or permanent three-quarter-time employment position within the University now designated [on or before November 13, 1998] as a senior academic or administrative office and who hereafter properly elect to participate in the Optional Retirement Program; and
- (b) those persons who hereafter are appointed to a permanent full-time or permanent three-quarter-time employment position within the University now designated or hereafter designated as a senior academic or administrative office and who hereafter properly elect to participate in the Optional Retirement Program.

The board's provisos to that authorization, embodied in its November 13, 1998, resolution and discussed in Administrative Memorandum Number 387, remain in effect.

It is to be clearly understood that authority within the University to interpret the enabling ORP statute rests with the Board of Governors, and no variance from the board's policies and prescriptions is to be undertaken, with respect to eligibility for enrollment or other aspects of administering the ORP, without the express permission of this office, consistent with the requirements of the Board of Governors. The current, essential understanding, in that regard, is that only occupants of senior administrative positions approved pursuant to board definitions through implementing procedures mandated by this office may be offered enrollment in the ORP.

By separate communication to you, to your senior academic officers, and to your directors of human resources, this office will provide guidance in the near future concerning procedures required to make the ORP enrollment choice available to incumbent employees, both those within the enlarged cohort of such positions that was approved on November 13, 1998, and those occupying positions that previously were identified as being within the senior administrative cohort of employment.

Questions concerning this Administrative Memorandum may be addressed to Vice President Richard H. Robinson, Jr., of this office.



Molly Corbett Broad