

Termination of Programs

1. N.C.G.S. § 116-11(3) provides as follows:

The Board [of Governors] shall determine the functions, educational activities and academic programs of the constituent institutions. The board shall also determine the types of degrees to be awarded. The powers herein given to the board shall not be restricted by any provision of law assigning specific functions or responsibilities to designated institutions, the powers herein given superseding any such provisions of law. The board, after adequate notice and after affording the institutional board of trustees an opportunity to be heard, shall have authority to withdraw approval of any existing program if it appears that the program is unproductive, excessively costly or unnecessarily duplicative.

2. When the President determines that he should recommend to the Committee on Educational Planning, Policies, and Programs that a program be terminated, or when the committee on its own initiative tentatively determines that a program should be terminated, the President shall give written notice of that determination to the chancellor and chairman of the Board of Trustees of the affected institution, notifying them that, if they request it, they will be given a hearing on the matter before the committee. The chancellor and chairman may bring to this hearing such administrative staff members and faculty members as they may deem useful in representing the institution.

3. If a hearing is requested by the institution, the chancellor shall so notify the president within 30 days after receipt of the notice of determination to terminate an opportunity for hearing. If either the chairman or the chancellor intends to object to the proposed program termination, he shall, not later than two weeks prior to the hearing, file with the president a written statement of reasons why in his opinion the program should not be terminated, together with such supporting data as he may wish to provide. The president shall transmit this material to the committee.

4. After hearing the chancellor and chairman of the board of trustees, if a hearing is requested, the committee shall make its decision and, if its decision and recommendation to the Board of Governors are for program termination, the committee shall include in its report a summary of the objections, if any, that were filed by the chancellor or chairman with respect to the recommended program termination.

5. The foregoing procedure is in addition to and not in lieu of procedures for the termination of programs on the initiative of a chancellor.