



TRANSMITTAL LETTER

**Transmittal Number 141
September 22, 2021**

| Policy Manual Number | Title | Action |
|---------------------------------------|--|---|
| The Code Section 301. | COMMITTEES OF THE BOARD OF GOVERNORS The Standing Committees' Jurisdiction | Amended 09/16/21 <i>Redline version attached.</i> |
| 400.1.5.1[R] | Regulation on the University of North Carolina Common Numbering System | Adopted 08/25/21 |
| 700.5.1[R] | Regulation on Student Applicant Background Checks | Amended 06/29/21 <i>Redline version attached.</i> |
| 1000.1.1 | Policy on Tuition Rates | Amended 09/16/21 ¹ |
| 1000.1.1[R] | Regulation on the Fixed Tuition Benefit | Amended 09/16/21 ² <i>Redline version attached.</i> |
| Repealed | | |
| 400.1.3.1[R] | Regulation for the Second Academic Concentration Requirement | Repealed 06/14/21 |
| 1000.1.2 | Policy on Tuition with Respect to Student Exchange Program with Institutions Abroad | Repealed 09/16/21 |
| 1000.1.3 | Tuition Rates for Special Talent and Graduate Nonresident Students | Repealed 09/16/21 |
| 1000.1.3.1[G] | Guidelines Establishing Tuition Rates for Special Talent and Graduate Nonresident Students | Repealed 09/16/21 |
| 1000.1.5 | Tuition Surcharge | Repealed 09/16/21 |
| 1000.1.5[R] | Regulations on Tuition Surcharge | Repealed 09/16/21 |
| 1000.1.7 | Policy for the Tuition Guarantee Program | Repealed 09/16/21 |

The actions taken on the above policies, regulations, and guidelines were reviewed and approved by the President and the Board of Governors for inclusion in the UNC Policy Manual. The entire UNC Policy Manual is accessible at: https://www.northcarolina.edu/apps/policy/index.php?tab=policy_manual#policy-tab

¹Supersedes Section 1000.1.1 originally entitled, *Establishing Tuition and Fees*.

²Renumbered from Section 1000.1.7[R] to Section 1000.1.1[R].

CHAPTER III-
SECTION 300.

COMMITTEES OF THE BOARD OF GOVERNORS
ESTABLISHMENT AND MEMBERSHIP OF COMMITTEES.

- A. The Board of Governors may establish such standing committees as it may deem necessary. Standing committees shall be established and their duties prescribed by a vote of two-thirds of the voting membership of the Board of Governors then in office. Special committees may be created by the Board of Governors or the chair of the Board to perform specific functions not requiring the continuous existence of a committee.
- B. Each voting member of the Board shall at all times serve on no more than one of the standing committees designated in subsections 301 B through E, below.
- C. Special members of the Board may be assigned to such standing or special committees as the chair of the Board of Governors may from time to time see fit.
- D. The chair of the Board may, upon request of a standing committee chair, appoint any voting member to serve temporarily as a voting member of a subcommittee of a standing committee when the chair of the Board deems the work of the subcommittee to require such an appointment.
- E. The vice chair of the Board of Governors shall at all times be a voting member of a standing committee. The vice chair shall be assigned to a committee by the chair of the Board following consultation between the chair and the vice chair. The vice chair's membership on a standing committee shall be in addition to the prescribed regular membership of the committee.
- F. The chair of the Board of Governors shall be a voting member of all standing and special committees, but the chair's membership shall not be counted in determining a quorum.

SECTION 301. THE STANDING COMMITTEES' JURISDICTION.

301 A. The standing committees of the Board of Governors shall be: the Committee on Budget and Finance; the Committee on Educational Planning, Policies, and Programs; the Committee on University Personnel and Tenure; the Committee on University Governance; the Committee on Military and Public Affairs; and the Committee on Audit, Risk Management, and Compliance. Each of the standing committees shall consist of a number of voting members to be determined by the chair of the Board, provided that each standing committee shall have a regular membership of no fewer than five-voting members, unless otherwise specified herein.

301 B. The Committee on Budget and Finance shall advise and consult with the president concerning budget policy and preparation. The committee shall consider the budget proposed by the president and, upon its approval, shall submit the budget to the Board of Governors for final action. The

committee shall make recommendations to the Board for the allocation of funds appropriated to the Board. It shall also advise and assist the president, and submit recommendations to the Board, with respect to real property transactions, investments, endowments, and other fiscal and property matters in accordance with valuation limits established in Board policy and within the jurisdiction of the Board of Governors.

301 C. The Committee on Educational Planning, Policies, and Programs shall receive the advice and recommendations of the president and make recommendations to the Board in all areas pertaining to the development of a coordinated system of higher education in North Carolina, including: (a) the definition of mission and assignment of functions of each constituent institution; (b) the review of requests for the initiation of new degree programs and recommendations for the termination of existing programs; (c) the provision of supportive services, facilities, and other resources for the instructional, research, and public-service programs of the constituent institutions; (d) the review of policies affecting educational programs and academic affairs; (e) matters concerning the involvement of students in the University and in university life; (f) review of matters concerning health affairs in the University; and (g) review of matters concerning the utilization of information technology in furtherance of the University's mission. The committee shall also advise and assist the president and the Board in maintaining close liaison with the State Board of Education, the State Board of Community Colleges, and the private colleges and universities, including the review of all requests for state aid to the private institutions. It shall further recommend to the Board procedures and standards for the licensing of non-public educational institutions.

301 D. The Committee on University Personnel ~~and Tenure~~ shall, upon recommendation of the president, review and make recommendations to the Board with respect to the appointment and compensation of all vice chancellors, and senior academic and administrative officers, ~~and persons with permanent tenure~~. Notwithstanding the provision above, the committee shall not review or recommend the appointment and compensation of vice chancellors, and senior academic and administrative officers, ~~and persons with permanent tenure~~ for those constituent institutions delegated the authority to appoint and set compensation for such employees so long as the boards of trustees act consistently with the policy and compensation ranges established by the Board of Governors. Further, the committee shall advise and assist the president in the review and evaluation of tenure policies and regulations which the president shall periodically conduct. It shall also review all appeals from employees of the University of North Carolina System Office who are exempt from the North Carolina Human Resources Act pursuant to Section 611 of *The Code*.

301 E. The Committee on University Governance shall keep under continuous review the application and interpretation of *The Code of the University of North Carolina (The Code)* and all delegations of authority under that code, and it shall make such recommendations to the Board of Governors for the amending of *The Code* or delegations of authority as may seem appropriate for the effective and efficient operation of the University of North Carolina and its constituent institutions. The committee shall make nominations to the Board of Governors for elections to the boards of trustees of the constituent institutions. The committee shall receive all requests from students of the constituent institutions for appellate review by the Board of Governors pursuant to Section 502 D(3) of *The Code*.

301 F. The Committee on Military and Public Affairs shall consist of no fewer than three and no more than five-voting members to be determined by the chair of the Board. A voting member serving on this committee shall also serve on one or more other standing committees. The Committee on Military and Public Affairs shall assist the president and the chair of the Board in maintaining a positive relationship with the governor, the North Carolina General Assembly, the United States Congress, the United States Department of Defense and North Carolina's military constituency, and other governmental entities which affect the ability of the University to carry out its mission. The committee will review all state and federal

policy priorities of the University. The committee also will evaluate and recommend policies and practices to increase enrollment, retention, graduation, and post-graduation success of military affiliated students (defined as student veterans, active-duty service members, National Guard and Reservists, and military spouses and children), and to support military partner organizations' needs through education, research, and service missions.

301 G. The Committee on Audit, Risk Management, and Compliance (CARMC) shall consist of voting members be appointed from the membership of the other standing committees. The CARMC shall recommend a committee charter for review and approval by the Board, addressing the University's internal audit, enterprise risk management, and compliance functions; recommend for approval University-wide policies regarding internal audit, enterprise risk management, and compliance; review annual and other audit reports of the constituent institutions, the UNC System Office, and affiliated entities; review a summary of the internal audit plans and work of the audit committees of the constituent institutions; review a summary of the annual financial audit reports and management letters on University major associated entities; meet with the state auditor annually; and take such other actions as are necessary or appropriate to ensure that risks are identified and properly managed and to assure the integrity of the finances, operations, and controls of the University.

Regulation on Student Applicant Background Checks

~~1.~~ UNCI. Purpose. The purpose of this regulation is to establish procedures for conducting student applicant background checks. All University of North Carolina System (UNC System) constituent institutions will perform background checks on either (i~~a~~) all applicants offered admission, or (ii~~b~~) all applicants offered admission who indicate their intent to attend, before the applicant may matriculate, as follows:

A. The UNC Suspension and Expulsion Data Base

~~B. The National Student Clearinghouse (when a method for automated checks becomes available). Until an automated method for conducting these checks becomes available, constituent institutions may limit their checks to applicants who are neither in high school at the time of the application nor show continuous enrollment in an educational institution since graduating from high school.~~

~~NC Department of Public Instruction enrollment data base (when it becomes available). Until the DPI database becomes available, constituent institutions will check DPI enrollment records for all NC residents who do not provide a public school transcript in situations in which a high school transcript is required for admission.~~

~~B.~~ The National Student Clearinghouse

~~C.~~

A constituent institution may conduct these background checks on an applicant before deciding whether or not to offer the candidate admission.

~~2. UNC will continue to work with NC DPI and the NC Community Colleges to have a high school or community college long term suspension or expulsion record supplied to UNC along with the high school or community college transcript.~~

~~3.~~ UNCI. UNC System constituent institutions will perform criminal background checks on applicants being considered for admission, applicants admitted, or applicants offered admission who have indicated their intent to attend, before the applicant matriculates, if the application and supporting materials contain one or more of the following triggers (or red flags):

~~i~~

~~A.~~ The application together with supporting material contains materially inconsistent answers that have not been satisfactorily explained;

~~ii~~

~~B.~~ The applicant answers one or more of the ~~six~~following criminal background/~~discipline~~ questions affirmatively or submits subsequent information indicating (1) pending criminal charges, (2) acceptance of responsibility for a crime, (3) criminal convictions, or (4) school disciplinary action, unless the affirmative answer or supporting material relates to a school disciplinary action that resulted from an offense that is remote in time ~~or was insubstantial;~~

~~iii~~

1. Have you ever been found responsible for a disciplinary violation at any educational institution you have attended from 9th grade (or the equivalent) forward, related to behavioral misconduct that resulted in your long-term suspension (more than 10 consecutive days)?

Yes No

2. Excluding traffic infractions, have you ever been found guilty or convicted of a misdemeanor, felony, or other crime (including special or general court martial)?
Yes No

[Note, that you are not required to answer "yes" to this question, or provide an explanation if the criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, impounded, or otherwise ordered by a court to be kept confidential.]

3. Do you have any criminal charges pending against you? Yes No

4. Excluding traffic violations, have you ever entered a plea of no contest or nolo contendere, or an Alford plea to a misdemeanor, felony, or other criminal charge; or received a deferred prosecution or prayer for judgment continued for such a charge; or otherwise accepted responsibility for such a crime? Yes No

[Note, that you are not required to answer "yes" to this question, or provide an explanation if the criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, impounded, or otherwise ordered by a court to be kept confidential.]

C. The application omits one or more answers without an acceptable explanation for the omission;

~~iv~~

D. The application has an unexplained time period since graduation from high school during which the applicant was not, for example, ~~enrolled in higher education, enlisted in the military, or employed~~ fulltimefull-time; or

~~v~~

E. Any other reason sufficient to the constituent institution.

~~vi~~

Constituent institutions are not required to perform criminal background checks on applicants who are younger than 16 years old at the time of the acceptance ~~or on residents of North Carolina who have attained the age of 65 and are entitled to a tuition waiver under G.S. §115B-2.~~

~~4. All admissions letters for applicants who are to have criminal background checks performed will state that the admission is conditional on the results of a criminal check.~~

~~5.~~ III. A constituent institution that is going to conduct a criminal background check must obtain the applicant's consent, either in writing or electronically, to the criminal background check and to the use of the applicant's social security number for purposes of the check. Alternatively, the constituent institution may provide instructions for the applicant to initiate the criminal background check directly through a specified vendor. If legally permissible, the constituent institution will offer as an alternative to allow a fingerprint check without using a social security number. The constituent institution or vendor consent will require the applicant to list the places the applicant has lived or gone to school outside North Carolina for more than 6six months in the last 7seven years at a time that the applicant was at least 16 years old.

~~6.~~ IV. A constituent institution may either include the cost of conducting background checks in an increase to the general application fee or may charge the cost of criminal background checks to the applicant who is the subject of the check.

~~7.~~ V. The scope of the criminal background check will depend on the residential history of the applicant:

~~A.~~ A. For current ~~NC~~ North Carolina residents whose applications and release forms do not disclose more than ~~six~~ months out of ~~NC~~ North Carolina, a North Carolina criminal background check will be conducted.

~~B.~~ B. For ~~non-residents~~ nonresidents and ~~NC~~ North Carolina residents whose applications or release forms disclose significant time outside ~~NC~~ North Carolina, a residence check will be conducted, and then a criminal background check will be conducted for all appropriate states unless the applicant opts for a national FBI fingerprint check.

C. For international students, a criminal background check of appropriate scope will be conducted.

~~8.~~ VI. Students who are admitted within two weeks before classes begin and who are subject to having a criminal background check pursuant to ~~paragraph 3~~ section III., above, are allowed to be conditionally admitted and are allowed to matriculate pending the results of a criminal background check.

~~9.~~ VII. The vendor or other entity conducting the criminal background check will provide the constituent institution with a list of applicants with no criminal record, and the constituent institution will have electronic or paper access to the information for the applicants whose check shows a positive criminal record.

~~10.~~ VIII. If an applicant has a positive criminal or disciplinary record, the constituent institution must:

~~A.~~ A. Compare the results of the checks to the application and supplemental information supplied by the applicant to determine discrepancies. If there are no discrepancies and if the constituent institution has made an individual determination that the applicant does not pose a significant threat to campus safety, and there is no additional information indicating that a decision to admit should be modified, the applicant may be admitted or a previous decision to admit may stand.

~~B.~~ B. If there are discrepancies, or if there is information indicating that admission decision should be further examined, the constituent institution must provide the applicant an opportunity either to demonstrate that the report of criminal, disciplinary or other relevant history was erroneous (e.g. wrong person) or to explain the discrepancy.

~~C.~~ C. If the report is determined to be accurate and there is a discrepancy between the reported information and the application or supporting material the applicant submitted, or there is additional information that amplifies the application information or otherwise indicates that the admission should be examined further:

~~i.~~ the

1. The presumption is that the admission will be denied or withdrawn if the applicant has failed accurately to disclose relevant information in response to a question on the application. The burden is on the applicant to demonstrate that the omission or misinformation was the result of an honest mistake, that it was not intended to mislead, and that the applicant should be admitted in spite of the failure to disclose;

~~ii~~2. If the failure to disclose accurate information does not result in the denial of or withdrawal of the offer of admission, but there is information that draws the decision to admit into question, before the student may matriculate, the constituent institution must make an individual determination as to whether the nature of any crime committed or other behavior disclosed, together with other available information, suggests that the applicant will pose a significant threat to campus safety; or that the applicant's behavior violates a graduate or professional school code of professional ethics. If the constituent institution determines that there is a significant threat, the admission must be denied or withdrawn. If not, the student may be admitted in accordance with the normal admission process.

~~11-~~ ~~-IX.~~ Each constituent institution must maintain a record of the kinds of background checks, if any, conducted on each applicant and the results of those checks. If an applicant's record shows a history of conviction of, guilty plea to, or acceptance of responsibility for a crime or a significant disciplinary sanction at another educational institution, the constituent institution must maintain a record of the process used to determine whether or not the student posed a significant threat to campus safety and of the basis for that determination.

X. Other Matters

A. Effective date: This Date. The requirements of this regulation is effective will be in effect for all students who matriculate after 8/1/07 fall 2022 admissions.

B. Relation to 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 the activities of public officials.

Regulations on the Fixed Tuition Benefit

I. Purpose. Pursuant to N.C.G.S. § 116-143.9 (G.S.) and UNC Policy Section 1000.1.71, Policy for the Tuition Guarantee Program~~Policy on Tuition Rates~~, the constituent institutions must provide a fixed tuition benefit to certain qualifying students. This regulation is intended to provide guidance to the constituent institutions regarding the implementation of this fixed tuition benefit.

II. Definitions

A. Fixed Tuition Time Period. The period during which a student's tuition remains fixed, based on program length and student classification. The calculation of the fixed tuition period is described further below.

B. Continuously Enrolled. For the purposes of the fixed tuition benefit, a student is continuously enrolled at an institution if the student is enrolled for consecutive semesters (not including summer semesters) in courses creditable toward a baccalaureate degree.

C. Resident for Tuition Purposes. A student who has been determined to meet the criteria under ~~N.C.G.S. §-116-143.1(b)~~ and is therefore qualified to receive the in-state rate of tuition by virtue of having established appropriate residency in North Carolina. Students who are eligible to receive the in-state rate of tuition under an exception, without having established residency in North Carolina (e.g., military exception, university employees domiciled out of state, etc.), are not considered residents for tuition purposes. Recipients of full scholarships under ~~N.C.G.S. §-116-143.6~~ are considered residents of North Carolina for all purposes, and therefore are eligible for the fixed tuition benefit.

D. Date of Census. The conclusion of the tenth (~~10th~~) class day of the fall and spring semesters as per Section 400.1.8[R] of the UNC Policy Manual.

E. Transfer Hours. Any transferable undergraduate credits from one or more regionally accredited, post-secondary institutions as described in Section 700.1.1.2[R] of the UNC Policy Manual and any other awarded academic credit (i.e., AP, IB, credits by exam), accepted by the constituent institution. The following scale will be used to determine semester-equivalents for transferable undergraduate credits:

- 1 to 15 transferable undergraduate credits shall count as one semester
- 16 to 30 transferable undergraduate credits shall count as two semesters
- 31 to 45 transferable undergraduate credits shall count as three semesters
- 46-60 transferable undergraduate credits shall count as four semesters
- 61 to 75 transferable undergraduate credits shall count as five semesters
- 76 to 90 transferable undergraduate credits shall count as six semesters
- 91 to 105 transferable undergraduate credits shall count as seven semesters

- 106 to 120 transferable undergraduate credits shall count as eight semesters
- 121 to 135 transferable undergraduate credits shall count as nine semesters
- 136 to 150 transferable undergraduate credits shall count as ten semesters

III. Fixed Tuition Benefit Applicability. The fixed tuition benefit applies to tuition charges only. All other fees and charges are not fixed, and may increase during the student's fixed tuition time period.

IV. Calculating the Fixed Tuition Time Period

A. First-Time Students. For first-time students at constituent institutions, the fixed tuition time period shall be for a maximum of eight consecutive semesters for a four-year program and ~~ten (10)~~ 10 consecutive semesters for a five-year program, regardless of the number of credits earned, not including summer semesters. Students must be continuously enrolled in order to maintain eligibility.

B. Currently Enrolled Students. Students who are currently enrolled at a constituent institution on the effective date of the fixed tuition policy (fall 2016 term) shall receive fixed tuition for a prorated time period based on the maximum length of their program, as described in subsection A., above, less the number of semesters they have already accrued at their current institution, and less the number of semester-equivalent transfer hours they have had accepted by their current institutions, if any.

C. Transfer Students. Transfer students shall receive fixed tuition for a prorated time based on the maximum length of their program, as described in subsection A., above, less the number of semester-equivalent transfer credit hours the receiving institution accepts.

D. Students Reclassified as a Resident for Tuition Purposes. Out-of-state students who are reclassified as "resident for tuition purposes" after their initial enrollment, will be eligible for the fixed tuition benefit starting the term in which the residency reclassification takes effect. Such students will have the balance of their fixed tuition time period prorated based on subsection B., above.

E. Students who Withdraw from Classes-

1. If a student withdraws from all classes before the date of census, that student will be deemed to have broken continuous enrollment.
2. Students who break continuous enrollment and then re-enroll at the same institution will be granted fixed tuition based on the current tuition rate, for a prorated fixed tuition time period calculated pursuant to subsection B., above.
3. If a student withdraws from all classes after the date of census, and then re-enrolls the following semester (not including summer semesters), the student will not be deemed to have broken continuous enrollment, and may re-enroll at the same fixed tuition rate. The semester during which the student withdrew will be counted against the student's fixed tuition time period unless a waiver is granted.

V. Early College High School Students. Early ~~c~~College ~~h~~High ~~s~~School students are not eligible for fixed tuition benefits unless and until they enroll at a constituent institution after high school completion as degree-seeking college students. Semesters attended at the ~~e~~Early ~~c~~College ~~h~~High ~~s~~School shall not count in the calculation of the fixed tuition period.

VI. Study Abroad Students. Semesters spent in a study abroad program while continuously enrolled will count against a student's remaining tuition periods as would any other semester.

VII. ~~Waivers.~~

~~A. Students who have a break in enrollment and re-enroll at their original constituent institution may seek a waiver to allow them to retain their original fixed tuition rate. Additionally, students who withdraw from all classes after the date of census and subsequently re-enroll may seek a waiver to prevent the semester during which they withdrew from counting against their fixed tuition time period.~~

~~AB. Grounds for Granting a Waiver. The following are grounds for granting a waiver are identical to the grounds for waiver from the tuition surcharge, as described in Section 1000.1.5[R] of the UNC Policy Manual: (1) military service obligation, (2) serious medical debilitation, (3) short-term or long-term disability, or (4) other extraordinary hardship.~~

~~B. Policies and Procedures. The constituent institutions shall implement policies and procedures for considering waiver requests modeled on the tuition surcharge waiver process outlined in Appendix A, Section 1000.1.5[R] of the UNC Policy Manual.~~

VIII. 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 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 which may govern or relate to the subject matter of this regulation.~~

¹~~Renumbered from Section 1000.1.7[R] to Section 1000.1.1[R].~~