The Board of Trustees of The University of North Carolina at Chapel Hill met in regular session in the Faculty Lounge of The Morehead Building on November 18 and 19, 1993. The Academic Affairs, Student Affairs, and Finance and Business Committees all met as a committee of the whole. Chairman Harris called the meeting to order at 4:00 p.m. on November 18.

Roll Call

Members Present: John W. Harris, Chairman
                Annette Fairless Wood, Vice Chairman
                Cressie H. Thigpen, Jr., Secretary
                William J. Armfield, IV
                Angela R. Bryant
                Anne W. Cates
                James R. Copland, IV
                William R. Jordan
                Robert L. Strickland
                David J. Whichard, II

Members Absent: Thos. E. Capps
                Walter R. Davis
                Charles A. Sanders

Minutes

Chairman Harris moved that the minutes be amended to show that Mrs. Anne Cates had been asked to chair a subcommittee of the Student Affairs Committee to Study Greek Affairs. Dr. Jordan seconded the motion and it carried unanimously.

Executive Session

On motion of Chairman Harris, duly seconded, the Board voted to convene in executive session to consider those matters of personnel, property, and legal advice that it was entitled to consider in executive session under the Open Meetings Law.

Finance and Business Committee

Selection of an architect for design of a project to modernize research laboratories at the Institute of Marine Sciences, Morehead City, NC

Mrs. Cates moved approval of O'Brien/Atkins Associates, Research Triangle Park, N.C., as architects for the project to modernize the research laboratories at the Institute of Marine Sciences, Morehead City. Mr. Thigpen seconded the motion and it carried.

(Attachment A)
Development

Report of the Committee on Honorary Degrees and Special Awards

Professor George Lensing, Secretary of the Faculty, presented the nominations of the committee for honorary degrees to be presented at the 1994 Commencement.

Mr. Armfield moved approval, seconded by Mr. Whichard. The motion carried unanimously.

(Attachment B)

Academic Affairs Committee

Personnel Matters for Information

Chancellor Hardin reported on personnel matters for information not requiring action by the Board.

(Attachment C)

Personnel Matters for Consultation

Mr. Whichard moved, seconded by Mr. Armfield, to authorize the Chancellor to forward to the President and the Board of Governors the personnel report and recommendations presented for consultation. The motion carried unanimously.

(Attachment D)

Personnel Matters for Action

Chancellor Hardin presented personnel matters for Academic Affairs and Health Affairs to be voted in Open Session. Mr. Whichard moved approval, seconded by Mrs. Wood. The motion carried.

(Attachments E, F)

Legal Advice

Ms. Ehringhaus presented a request from the parents of Kelly Gore for additional compensation for Kelly. It was the expressed opinion of the Board that this request be denied.

Ms. Ehringhaus reported on the dismissal of the Housekeepers Lawsuit and explained the terms of the dismissal. There was much discussion on this subject. There was much discussion regarding personnel matters.

On motion of Chairman Harris, seconded by Mr. Whichard, the Board voted to reconvene in Open Session. The motion carried.
Open Session

Mr. Whichard moved that the Board adjourn and reconvene at 8:30 a.m. on Friday, November 19, 1993. Mr. Thigpen seconded the motion and it carried.

Open Session

Friday, November 19, 1993

The Board of Trustees of The University of North Carolina reconvened in regular session on November 19, 1993, at 8:35 a.m. in the Faculty Lounge of the Morehead Building. Chairman Harris presided.

Roll Call

Members Present: John W. Harris, Chairman, Annette Fairless Wood, Vice Chairman Cressie H. Thigpen, Jr., Secretary William J. Armfield, IV Angela R. Bryant Anne W. Cates James R. Copland, IV Walter R. Davis William R. Jordan Robert L. Strickland David J. Whichard, II

Members absent: Thos. E. Capps Charles A. Sanders

Chairman's Report

Chairman Harris commented on the recent success of the bond issue and its benefit to The University of North Carolina at Chapel Hill. He stated that the outcome showed that the people of this state understand the importance of this university and he expressed appreciation for the positive vote for the bond issue.

Chairman Harris expressed his personal excitement about the opportunity to work with the leadership of the Sonja Haynes Stone Black Cultural Center and his appreciation of the uniting of this effort to raise the funds to ensure that this new center will be the absolute best in this country.
Chancellor's Report

Chancellor Hardin commented on the recent Bicentennial Observance Celebration which included two days of celebrating the founding of this university. He highlighted the student sponsored speech by Mr. Li Lu, the hero of Tiananmen Square; the North Carolina Symphony’s performance of Richard Adler’s Bicentennial Suite, joined by the 250 voice University Choir directed by Professor Susan Klebanow; the University Day Observance at which President Harold Shapiro was the featured speaker and the Distinguished Alumni/Alumnae Awards were presented; and the presentation of William Richardson Davie’s watch by President Spangler to the University. This was followed by the reenactment of the laying of the corner stone of Old East and a Special Session of the Legislature in Gerrard Hall. The afternoon featured the Davie Poplar ceremony where Coach Dean Smith presented Davie Poplar seedlings to 102 sixth graders. President Bill Clinton delivered the major address at the Kenan Convocation on Tuesday evening. Chancellor Hardin stated that the entire affair was a moving experience for all involved. He commented on the unfortunate incident that some bands were unable to get into the stadium.

Chancellor Hardin thanked the Board and others for supporting the successful bond referendum. He stated that this is a progressive, giant step for North Carolina.

Chancellor Hardin reported on the success of the football team, the Women’s Basketball Team, the Women’s Soccer Team, Women’s Field Hockey Team, as well as the Men’s Soccer Team. UNC-CH continues to lead all public institutions in the state in overall graduation rates of student athletes.

He referred to the success of the Bicentennial Campaign and the recent contribution by Charles Kuralt for the preservation of the Historic Campus.

Chancellor Hardin reported that Professor Darryl Gless has agreed to chair the University’s Self-Study Committee for the upcoming reaccreditation. The emphasis of this study will be the teaching mission of the university.

Chancellor Hardin reported that NIH had recently designated the UNC-CH Medical School as one of three National Centers for Human Gene Therapy which will provide some 12 million dollars to support research in patient care. He reported that Dr. Jane Leserman, Research Assistant and Professor of Psychiatry, had prepared a year long study of Women’s Health in North Carolina. This study was funded in part by the General Assembly. He reported on a study prepared by UNC-CH’s School of Public Health which studied the true cost of medical care and influenced the Medicaid
officials to recompute reimbursements. This resulted in the state's Public Health Department receiving an extra 18 million dollars in Medicaid funding this year. This represents approximately 60% increase over last year. He reported that the five Health Affairs schools have formed a Center for Health Promotion and Disease Prevention which has signed a cooperative agreement with the Centers for Disease Control and Prevention in Atlanta. The Atlanta Center will provide our Center with an estimated 5 million dollars for research and demonstration programs over the next five years.

He commented briefly on the faculty accomplishments in research, teaching, and public service, and the Simon Guggenheim Fellows luncheon he attended earlier. UNC-CH has 65 winners of this award and 61 are currently on the faculty or still living in Chapel Hill.

Chancellor Hardin closed by expressing his pleasure at the unity of the students, trustees, and administration regarding the dream of the Sonja Haynes Stone Center.

Student Affairs Committee

Greek System Update

Mrs. Cates thanked Mr. Donald Beeson, Chairman of the Chancellor's Committee on Greek Affairs, for accompanying her on two information gathering trips. They visited the University of Indiana and the University of Georgia.

The changes in the legal climate on alcohol have made risk management of the utmost importance to universities. It was found that the two keys to this program are mandatory educational programs and having a full-time Greek Advisor. A search is underway presently to fill the vacant Greek Advisor position here. She reported that some very good things are going on and monthly meetings will continue. Mrs. Cates will keep the Board informed.

Update from Student Body President

Mr. Copland thanked Matt Kupec and the Development Office for assisting Student Government with the use of phones and computers in conducting a large poll of over 400 students in an effort to gauge student opinion. This poll will show with about 5% certainty what the average student does feel on a broad variety of topics. He reported on the efforts of Student Government in the housekeepers issue. He stated that the most critical issue before the students is the Pilot 24-Hour Visitation Program and made several comments regarding this issue. He expressed his thanks to members of the Board who attended the reception where this was discussed. He presented the
Board with a Resolution in Support of The Pilot Visitation Program and asked that it be made a part of the minutes.

(Attachment G)

Update from Student Affairs

Vice Chancellor Boulton commented briefly on the 24-Hour Visitation Program. He stated that this trial program was undertaken in recognition of, and in compliance with, all laws. This institution has a time-honored tradition of respecting its students and expecting them to play a meaningful role in the governance of this university community. Students, faculty, and staff spent 2 years discussing all the issues surrounding visitation, safety, and community before the trial program began. He stated that this trial program is about guests, roommate rights, and responsible decision-making -- not about sex. Responses from students in the trial program and their parents will assist in determining revisions, if any, in the current policy. Students are not required to live in residence halls. They are guaranteed a place to live and study. He then introduced Dr. Wayne Kuncl, Director of University Housing.

Dr. Kuncl apologized to the Board for not informing them about the 24 Hour Pilot Visitation Program before it was initiated. He described the process used in planning this program. He explained that this is a pilot program and a formal evaluation will begin this month. This evaluation will provide feedback from students, parents, residence hall staff, and others. The goal is to complete the evaluation and report to the Housing Advisory Board at the beginning of the spring semester. The evaluation should provide the Housing Department with the information to determine the future direction of the campus visitation policy. Dr. Kuncl stated that he was concerned about the way that young adults, students, have been characterized by some who take exception with the pilot program. He stated that these are bright young men and women, not children, who bring with them the influence and values of family, religion, schools and their communities. Those in the pilot program did not vote on whether they could sleep together, but rather on when they may have a guest with the permission of a roommate. The students do have more freedom, but they also have more responsibility. He stated that the issue is trust, not an issue of sex.

Dr. Kuncl introduced Jan Davis, President of the Residence Hall Association and a member of the Housing Advisory Board, and Ms. Kathlene Frandano, also a member of RHA. Ms. Davis referred to the process three years back when students decided that it was time for their voice to be heard and to allow themselves to vote on what type of living environment they wanted. She mentioned the recent meeting in which the process was discussed and the frustration of the Board for not being involved in the
process. She voiced the concern of the students if the decision should be overturned. She asked the Board to take a month and review the information and policy and become a integral part of this program.

Kathlene Frandano, a member of the Residence Hall Association, apologized to the Board for not informing them earlier of the visitation program. She reiterated the concerns of the students that their decisions regarding the visitation policy be respected. She discussed the issue of safety and stated that in her opinion allowing friends to stay over would make it safer than walking alone back to their residence. She asked that the Board recognize that students are adults and can make informed decisions.

Chairman Harris expressed the appreciation of the Board for the position that the students are in. He stated that the Board had tremendous respect for the leadership and the process that the students have been a part of. He explained that there are questions that the trustees must ask themselves out of respect for the job that the citizens of the state have given to them regarding this issue.

Mr. Davis expressed his understanding of the students attitude toward the visitation issue. He said that the perception of the alumni and friends of the University is being damaged by this issue. He stated that 80% of the cost of students attending UNC-CH is borne by the tax payers of the state as well as a large percentage from gifts from alumni and others that respect the university. He said that he was concerned about the legislature and felt if asked to support UNC-CH now, they would decline. He reminded the students of the serious financial status of the university which is effecting faculty salaries and the purchasing power of the libraries. He asked that the students respect the concerns that the public has expressed regarding the visitation policy and remember that their financial support is very important to the university. He said that the students are damaging the reputation of the university. He stated that he did not blame the students as much as the administration for letting the policy be implemented without the trustees being informed. Matters of major policy that affect the public in this state should be brought before the Board so that they can be prepared to defend it or change it if it will have a detrimental effect on the university. He said that he hoped his comments had not offended any one. He has worked hard for this university and only wants to protect the positive image that it has.

Mr. Armfield stated that his concern was not so much the policy, but more with the process. He stated that his problem was not with the student maturity, student judgment, or student rights, but rather that the Board is the ultimate brunt of criticism to the manner in which the university is run. He stated that the Board must be involved at
the beginning of a process involving a major policy because of its responsibility and accountability to the people of the state. He stated that because of this concern, he feels that the process must begin again with the involvement of all parties. He asked the students not to take this as criticism, taking away student rights, or diluting maturity. He respects all this and asked that the students have respect and appreciation for members of the Board who have the responsibility for what this university does.

Mrs. Wood stated that the education of students is a great concern for the Board. She stated her concern is whether the issue is rights, responsibility, or privilege. She stated that her personal concern is the rights of the minorities, those who do not feel comfortable with the policy. She said that the Board bears the responsibility for the things happening at the University and must think about all the areas in which the public is judging the university.

Ms. Bryant cautioned the Board to be mindful of how their power is used. She stated that her concern was that of a heavy hand process and not respecting the process that the students and administration had already taken.

Mr. Strickland stated that he had received many calls and letters opposing the visitation program. The concerns had been with the policy. He stated that trustees can't be asked to abdicate responsibility nor should trustees allow themselves to abdicate responsibilities. Mr. Strickland moved that the Board rescind the Pilot Program for 24-Hour Visitation and revert to the prior policy until further action is taken by the Board on this matter. Mr. Whichard seconded the motion.

Mr. Davis stated that he might be a lot closer to the views of the students than they think. He reiterated that the perception that the public has about this issue is a problem. He stated that this must be shut down as soon as possible, then look at the whole issue again and work together to find a solution that is acceptable to the students, the Board, and to the public.

Mr. Whichard stated that any action taken by the Board is not meant to be disrespectful to the students. He referred to the meeting on Thursday which was not a debate but a sharing of information. He said that the Board may delegate responsibility, but it cannot escape that responsibility.

Dr. Jordan stated his opposition to the process and stated that he questioned the policy. He said that if the Board voted the policy down, he hoped that a committee would be appointed to study it further.

Mrs. Cates stated that several weeks back, she had some problems with the policy, but after attending the National Development Council and listening to Chancellor Hardin and students describe how they felt safer on campus because of the
policy, she was reevaluating the issue. She said there were a lot of concerns, and she hoped that something could be worked out with the students.

Mr. Copland commented on three points he had heard today. He agreed that perception was important. He stated that five other schools in the system already have a 24-hour visitation policy. He stated that he did not feel that their financial support had been affected by their policy. He stated that the roommates rights had not been adversely affected. It should facilitate problems by making it easier for the RHA advisor to mediate the problem. He feels that the policy change improves the roommates rights situation. Regarding power, he stated that this is a student activity which is delegated by The Code to the Chancellor under the broad policies of the Board of Governors and the Board of Trustees. He feels that the Board, to an extent, will be micro-managing a very specific policy question that is delegated to the Chancellor. He urged the Board to take more time, set up a task force, and come to a decision with the students rather than changing the policy at this meeting. Mr. Copland made a substitute motion that this be reconsidered at the next meeting and that the Chairman appoint a group of trustees to work with the Housing Advisory Board and students to discuss the policy and to investigate it further and then act at that time. The motion did not receive a second and therefore did not come to a vote.

Chancellor Hardin made comments in defense of the trial program. He commented on the peculiar position that he had been put in by not being involved in the discussions. He stated that he was part of the administration that had apologized to the Board and he joined wholeheartedly and sincerely in that apology. He reported that he had looked into this decision and found that long-standing delegation procedures were followed carefully, and therefore he was not disturbed about the decision to go forward with the trial period. He stated that this remains his personal commitment. He expressed concerns with the immediate questions with respect to the trial period and some of the deeper underlying implications referred to by Mr. Copland, Ms. Bryant and others. He respectfully urged the trustees to support the trial period and to defeat the motion. He said that he hoped the Board would accept the apology of the Housing Director and listen carefully to the process and the substance of the trial period. He reminded the Board that the Residence Hall Advisory Board is made up of student, faculty, and administration members that made the recommendation. The staff, in hearing the recommendation, did not accept the report to open all dorms to 24-hour visitation. He noted that there has been no violation of any existing trustee policy and that care was taken by administrators to moderate the proposal that came from the representative board. The proposal that was adopted by the Housing Office was a
compromise of a trial period for six out of twenty-nine dorms for a period of one year, with tremendous safeguards. He stated that the deeper implications that he is concerned about is the long tradition of Student Government at Carolina. He referred to the book written by Albert and Gladys Coates. This is a tradition that is very much a part of the 200 year old culture of the university. With respect to housing, he stated that this is shared governance, not abandonment of responsibility to students, where students who are young adults work with faculty and administration in the evolution of housing policy. The decision to try the pilot program was developed in the normal course of shared governance pursuant to long standing delegation of authority to and by the chancellor pursuant to Section 502.D.(3) of The Code. Chancellor Hardin stated that he is concerned that we will get into the situation of administering the affairs of this university in response to public opinion, legislative opinion, and real or imagined difficulties in public perception. He feels that the record of this university, carried out over 200 years, and has earned vast respect by the majority of the North Carolina voters under difficult circumstances as represented on November 2. He reiterated that he hoped the Board would permit the trial period to go forward.

Dr. Jordan stated that he had problems with the process and the policy because he does not have all the facts. He stated that he intended to vote for the motion only if followed by another motion to study the policy and report back to the Board.

Mr. Armfield stated that the responsibility of trustees to oversee what goes on at the university is very important. He stated that this in no way dilutes the credibility of the students. It does have serious implications between students, administration, and the Board. He stated that it was not the intention of the Board to refute or rescind permanently the policy and the hard work that had gone into it. It is a matter of making sure that everyone involved knows that the Board has to be included in matters of this magnitude from the outset.

Mr. Thigpen felt that what was being said was not necessarily a knee jerk reaction to public sentiment or the concerns of members of the legislature. He feels that these are real concerns of the individual members of the Board.

Ms. Bryant expressed her concern that the students be given time to say what process would be most helpful to them should the motion pass.

Chancellor Hardin commented that the Board and administration would work with students to protect their interests.

Mr. Copland urged that this motion be defeated.

Chairman Harris expressed his sincere apology to the students because the process failed the students as it failed the trustees. He stated that it was inexcusable
that the lack of communication has gotten the issue to this point. He stated that the Board clearly has the responsibility to be involved with important decisions on the campus.

Chairman Harris called for a vote on the motion. The motion carried. Ms. Bryant and Mr. Copland voted against the motion.

Dr. Jordan moved that the Chairman appoint a sub-committee of the trustees to work with the students, administration, and parents to study the visitation issue and report back to the Board in January. Mrs. Cates seconded the motion and it carried.

Chancellor Hardin thanked the Board for the spirit in which this discussion had taken place. He said that he felt this was enormously heartening to the students and administration. He stated that he looked forward to cooperating fully with the Board.

**Academic Affairs Committee**

**Interdisciplinary Programs**

Dr. Richard McCormick gave a brief report on the interdisciplinary programs in academic and health affairs at the university. He reported this is an academic trend across the country. Interdisciplinary refers to academic activities in teaching, research, and public service that cut across traditional departments and schools. He cited examples of departments and schools in health affairs and academic affairs where these activities are currently taking place. He mentioned some areas of concern such as communication and coordination between units which are currently being worked out. He stated that resources are of great concern. This will mean reallocating current resources for these programs. Faculty time is a concern which must be coordinated carefully with all department chairs. In closing, he described steps that the administration and faculty have developed to approach the light bureaucracy in the administration of interdisciplinary programs.

**Personnel Matters for Action (Academic Affairs)**

Ms. Bryant moved approval of personnel changes in Academic Affairs: reappointment, promotion, departmental transfer, salary increases. Mrs. Wood seconded the motion and it carried unanimously.

(Attachment E)

**Personnel Matters for Action (Health Affairs)**

Ms. Bryant moved approval of personnel changes in Health Affairs: reappointments, promotion, salary approvals and increases. Mr. Thigpen seconded the motion and it carried unanimously.

(Attachment F)
Ratification of Mail Ballots

Mrs. Cates moved to ratify the mail ballots dated October 20 and 28, 1993. Mr. Thigpen seconded the motion and it carried unanimously.

(Attachments H & I)

Development

Mr. Allen distributed a report on the Bicentennial Campaign. He reported that the campaign was now approaching the four and one half year point and the total gifts and pledges are near $300,000,000. He referred to the capital and endowment components which are still at a lower pace than the overall campaign. (A copy of this is report is on file in the Office of the Assistant Secretary.)

Finance and Business Committee

Disposition of an Easement to Orange Water and Sewer Authority.

Ms. Bryant moved the approval of the disposition of a sewer easement comprising approximately 1.26 acres and running across the University’s Finley Golf Course Property to Orange Water and Sewer Authority with the amount of consideration to be determined according to the policies and procedures of the State Property Office. Mr. Whichard seconded the motion and it carried unanimously.

(Attachment J)

School of Law School Special Fee

Dr. McCormick presented the proposed fee.

Ms. Bryant moved approval of the fee, seconded by Mr. Copland. Mr. Thigpen commented on the amount of the fee and asked if it should be higher. Associate Dean Lisa Broome stated that the amount was given careful consideration. The motion carried.

(Attachment K)

Selection of an Architect for Design of a Project to Modernize Research Laboratories at the Institute of Marine Sciences, Morehead City, NC.

Mr. Armfield moved the approval of O'Brien/Atkins as architects. Dr. Jordan seconded the motion and it carried unanimously.

(Attachment A)

Mr. Davis asked that status of the Kenan Professorships be presented to the Board at the next meeting of the Board.

On motion of Chairman Harris, seconded by Ms. Bryant, the Board voted to convene in executive session to consider matters of personnel that it was entitled to consider in executive session under the Open Meetings Law.
Executive Session

Personnel matters were discussed with no action being taken.

On motion of Mr. Whichard, seconded by Mr. Thigpen, the Board voted to reconvene in Open Session.

Open Session

Adjournment

There being no further business, Mrs. Cates moved, seconded by Mr. Thigpen that the meeting be adjourned. The motion carried. The meeting was adjourned at 12:40 p.m.

[Signature]
Assistant Secretary