The Board of Trustees of The University of North Carolina at Chapel Hill met in regular session on June 22, 1990, at 10:30 a.m. in the UN Ballroom of The Carolina Inn.

ROLL CALL

Members present: Earl N. Phillips, Jr., Chairman
Elizabeth S. Dowd, Vice Chairman
William A. Darity, Secretary
Arch T. Allen, III
Thos. E. Capps
Robert C. Eubanks, Jr.
William H. Hildebolt
Richard H. Jenrette
John W. Pope
Robert L. Strickland
David L. Ward, Jr.

Members absent: John W. Harris
John G. Medlin, Jr.

MINUTES

Chairman Phillips asked for a motion to approve the Minutes of the regular meeting of April 27, 1990, as distributed. Dr. Darity so moved, seconded by Mr. Strickland. The motion carried unanimously.

CHAIRMAN’S REPORT

Chairman Phillips made the following report:

Let me thank The Carolina Inn and its staff for hosting our meeting today. Director Ed Rahkof and his team have done an outstanding job of revitalizing this aging facility and reinvigorating the staff and attitudes.

There are several updates I would like to report to this Board:

1. Flexibility Legislation for the UNC System was introduced in the N.C. Legislature several weeks ago by Representative George Miller and Senator Kenneth Royall. I thank all of you for responding so positively and making the many contacts with your Legislative friends in Raleigh. This has the potential to be the most important work this Board has done in many years.

The bill currently is in the Appropriations Committee for study, and based on some conversations I had yesterday with some of the bill’s sponsors, I believe the bill is receiving strong and favorable consideration. However, things often take strange twists and turns in Raleigh. I ask all of you to continue your lobbying efforts. This is not a "done deal," and we must stay behind this legislation.

2. Yesterday afternoon I spent some distressing time with three faculty leaders:

    Harry Goeder, Chairman of the Faculty
    George Fishman, Chair, Conference of Chairpersons in the College of Arts and Sciences
    Laurence Avery, Secretary of the Faculty
Never in my seven years on this Board have I heard so much deep concern about the impact of proposed budget cuts on the quality of education at Chapel Hill. I don't have any quick fixes or easy answers. But I do want the faculty to know that we Trustees hear their pleas, their concerns; we share these concerns and we will continue to push for growth in support from both the public and the private sector. That, in reality, is the only long-term solution!

Let's leave the issues of flexibility and budgets and let me report that two of this University's highest profile persons are making important career changes.

Our University's best-known letter writer, Director of Admissions Dick Cashwell, is leaving his post after twenty-one years of bringing joy or bringing disappointment into the lives of thousands and thousands of 18-year-olds. Dick, we thank you for your role in the constantly improving caliber and quality of our student body.

Resolution of Appreciation for Richard G. Cashwell

Chairman Phillips called on Trustee Elizabeth S. Dowd to read the following Resolution of appreciation:

WHEREAS, DR. RICHARD G. CASHWELL, a nationally recognized professional in the field of admissions, soon will leave The University of North Carolina at Chapel Hill where he has performed with great distinction as director of undergraduate admissions since 1969;

WHEREAS, he has served with the full understanding and confidence of students, parents, and high school guidance counselors across the State of North Carolina and beyond in a process that is the first step in making sure we continue our position as a great University;

WHEREAS, Dr. Cashwell demonstrated excellent leadership skills in running an office that coped commendably with events in the University's history such as the addition of women to a four-year undergraduate experience in the 1960's and a record surge in admissions applications in the 1980's;

WHEREAS, Dr. Cashwell, who is a former Morehead Scholar at Chapel Hill, has represented the University successfully in numerous professional activities, including service as a member of the College Entrance Examination Board;

AND WHEREAS, the Board of Trustees would like to go on record in wishing Dr. Cashwell well in his future endeavors as director of college counseling at the Flint Hill School in Oakton, Virginia;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of The University of North Carolina at Chapel Hill expresses its genuine gratitude to Dr. Richard G. Cashwell for his steadfast loyalty and dedicated service to the University.

Board members gave Dr. Cashwell a round of applause.
Resolution of Appreciation for Coach William E. Scroggs

Chairman Phillips asked Trustee Elizabeth S. Dowd to read the following Resolution of appreciation for retiring lacrosse coach William E. Scroggs, who will take the new position of Assistant Athletic Director for Operations:

WHEREAS, William E. Scroggs, coach of The University of North Carolina at Chapel Hill’s lacrosse team, will soon retire from coaching to assume full-time responsibilities as associate athletic director the the University;

WHEREAS, he has brought national recognition to the lacrosse program, establishing a 12-year record of 120-37, including 11 successive appearances in the National Collegiate Athletic Association Tournament with nine appearances in the NCAA Final Four;


WHEREAS, Coach Scroggs has achieved these athletic accomplishments while maintaining an unblemished record of fostering the graduation of student-athletes in a program acclaimed for its integrity;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of The University of North Carolina at Chapel Hill expresses its deepest appreciation to Coach Willie Scroggs for his efforts in placing the University prominently on the map of intercollegiate lacrosse and wishes him continued success in his future service to the University.

Board members gave Coach Scroggs a round of applause.

Nominating Committee

Chairman Phillips reminded members that he had appointed a nominating committee composed of Trustees Allen, Capps, and Strickland at the Board meeting of April 27, 1990, and called on Chairman Thos. E. Capps for a report.

Chairman Capps stated that the committee had sent letters and had conversations with each member of the Board of Trustees soliciting nominations. He reported that committee members unanimously presented the following slate of officers for the Board of Trustees for 1990-91:

Chairman: Earl N. Phillips, Jr.
Vice Chairman: Elizabeth S. Dowd
Secretary: William A. Darity
Assistant Secretary: Brenda Kirby

Mr. Capps moved that the slate be accepted, seconded by Mr. Pope. The motion carried unanimously.
Mr. Ward asked if the Board could vote today. Ms. Ehringhaus replied that according to the Bylaws, the election must be held after July 1. It is permissible to take a vote to accept the slate of nominees today so long as the actual election is held after July 1.

Chairman Phillips thanked Chairman Capps for the report and the other Trustees for serving on the committee.

CHANCELLOR'S REPORT

Chancellor Hardin began his report by recalling that it was almost two years ago to the day when he undertook the exciting adventure of serving this University as Chancellor. He commented that, with the Board's permission, he would like to stay a little longer, as being Chancellor is never easy, but neither is it ever dull. This University deserves all that we can give—energy, wisdom, imagination, and financial support.

Speaking of past Chancellors, Chancellor Hardin stated that Dr. Fordham has become a valued colleague. He mentioned that former Chancellor Aycock is hospitalized with a broken ankle and requested the Secretary to send greetings and best wishes for a speedy recovery from Board members.

The Chancellor mentioned a number of happenings around the campus. Commencement was a memorable event, with Hugh McColl as speaker, several distinguished Honorary Degree recipients, and some 5,000 graduates.

Many faculty members have received a host of honors, among them:

Dean Michel A. Ibrahim of the School of Public Health has become the 12th Editor of the Journal of Public Health, a great honor.

Dr. Charles R. Evans, Assistant Professor of Physics and Astronomy, received the prestigious 1990 Presidential Young Investigator Award. This national award carries a large research grant for up to five years.

The PlayMakers Repertory Company received the Governor's Business Award from the Governor's Council on Arts & Humanities for contribution to North Carolina's cultural climate.
Dr. Glenn H. Snyder, Professor of Political Science, has won the Guggenheim Fellowship, one of 50 recipients at UNC-CH since 1951, a remarkably consistent recognition of our faculty by the Guggenheim Foundation.

Professor Charles E. Daye, School of Law, is president-elect of the National Law School Admission Council. He previously chaired the Council's Minority Enrollment Task Force and Minority Affairs Committee.

The Chancellor mentioned several searches in progress to replace important members of the administrative team:

Vice Chancellor of Development and University Relations Gary Evans is leaving September 1. The search committee for his replacement is chaired by Professor Bill Little, and includes Trustee Robert C. Eubanks, Jr.

Searches are under way for Director of Admissions, Trustee David Ward having been appointed to this search this committee, and Deans of the Schools of Nursing and Education.

The recommendation for appointment of Barbara B. Moran as Dean, School of Information and Library Science, will come before the Board today to be forwarded to the Board of Governors.

Dr. Mary Sue Coleman has been appointed as Associate Provost and Dean of Research. Chancellor Hardin praised her as "one of our own" who earned a Ph.D. in Biochemistry at Carolina and is returning to UNC-CH along with her husband, Dr. Kenneth M. Coleman, who joins the Department of Political Science.

Chancellor Hardin referred to the ongoing budget agonies, remarking that many other states, as well as the Federal Government, seems to have serious budgetary problems. Conscientious faculty representatives have addressed urgent and specific concerns to his office and to President Spangler and expressed fears that no one is shouting on their behalf. The Chancellor assured his faculty colleagues and Board members that these urgent concerns are shared by all and are being represented in the Legislature. In the Chancellor's opinion, he has never seen the University of North Carolina's General Administration work
harder in the General Assembly than during this short session, both on the budget and on management flexibility. Much attention is being paid to other areas of State services: education, prisons, and highways. The Chancellor stressed how short-sighted it would be to neglect the conspicuous arena of success in North Carolina’s public higher education and asked everyone to maintain confidence that North Carolina’s 200-year-old investment in this great University will not be neglected. Chancellor Hardin reiterated that these matters are being carefully considered, and resources must and will be found. All 16 campuses have strong friends and ardent supporters around the State and in the General Assembly.

With reference to the subject of management flexibility, the Chancellor stated that as it is not feasible to appropriate all funds requested, many Legislators now see the wisdom of letting the University use all resources appropriated. The flexibility initiatives sponsored by Representative Miller and Senator Royall are doing well in both houses of the Legislature and have a host of supporters and strength in the Appropriations Committee. The Chancellor stated that the final legislation may achieve what the Board of Trustees and he have recommended: reduce by half the line items and permit shifting of funds from non-academic to academic and library Codes. Chancellor Hardin thanked the Board of Trustees, President Spangler and the Board of Governors, and members of both Houses of the Legislature for tackling this problem of management flexibility. He commented that unity is hard to achieve under adverse circumstances; and while he does not belittle the present budget crisis, he cannot be gloomy about the long range when he sees that the leaders of the State seem to be moving forward together.

Chancellor Hardin mentioned that the one-time student fee may be extended by the year and observed that Representative Jim Crawford should be commended for his honesty in articulating this fact. All groups must work together for re-examination of the tuition policy.
With regard to Athletics, the Chancellor announced another strong year competitively for Carolina's teams and, more importantly, National academic recognition for the graduation rates of the University's student-athletes. Last year the Faculty Council discussed at great length the proper role of athletics in the academy and certain reform recommendations made by the Ad Hoc Committee on Athletics. The discussion emphasized that Carolina's athletic programs are being conducted in complete compliance with the Constitution and rules of the NCAA, the ACC, and other appropriate bodies.

Chancellor Hardin concluded his report by stating that he concurred both in the finding of integrity in our own intercollegiate athletics programs and in the need for reform Nationwide. He stated that one of his summer projects is the preparation of his own paper on that subject, which may be long, as the subject is large and important.

Chairman Phillips thanked Chancellor Hardin for his report.

AMENDMENT TO TRUSTEE POLICIES

Chairman Phillips asked Ms. Susan Ehringhaus to explain a required change in the Trustee Policies and Regulations Governing Academic Tenure at The University of North Carolina at Chapel Hill, Sections 5.b and 5.c.

Ms. Ehringhaus informed Board members that The Code was changed May 8, 1987, to comply with a Federal law controlling retirement. The Trustees passed a resolution on June 26, 1987, to reflect this change, but a typographical error listed the date when the mandatory retirement would be in effect as January 1, 1993, when in fact the correct date is January 1, 1994. This is a request for the Board of Trustees to ratify a technical amendment to the Tenure Regulations to bring them into conformity with The Code.
Chairman Phillips asked for a motion to approve the amendments to Section 5.b and Section 5.c of the Trustee Policies, substituting the conforming year, 1994, for the erroneous year, 1993, in both Sections of the Trustee Policies. Mr. Ward so moved, seconded by Mr. Capps. The motion carried unanimously.

(Attachment A)

NEPOTISM REPORT

In accordance with the policy concerning the employment of related persons adopted by the Board of Governors of The University of North Carolina on April 13, 1973, Chancellor Hardin presented a report of appointments where the terms of the policy were applied during the past year.

(Attachment B)

REPORT OF THE ACADEMIC AND STUDENT AFFAIRS COMMITTEE

Chairman Phillips called on William A. Darity, Chairman of the Academic and Student Affairs Committee.

Chairman Darity reported that the Committee met this morning and heard a good report from Student Body President William H. Hildebolt, who also distributed a written report, a copy of which is on file in the office of the Assistant Secretary.

Mr. Hildebolt raised questions about certain situations and current issues on campus. He emphasized the following points: (1) dismay that the "one-time fee" imposed by the Legislature will become a permanent fee; (2) fear on the part of graduate students and teaching assistants that budget cuts will cause layoffs; (3) unhappiness with the proposed site of the new School of Business Administration building; and (4) continuing dissatisfaction among students about the site of the Alumni Center. Mr. Hildebolt also mentioned that the drug-testing program has not gained much attention, students are excited about the Legislative budget flexibility bill, and the class guide is being assem' 3d.

Chairman Darity reported that Dean Cell presented an update on the Curriculum in African and Afro-American Studies.
Approval of Student Fee Schedule for 1990-91 Academic Year

Chairman Darity reported that the Committee recommended that the Board authorize the Chancellor to submit Fee Increases to the President and Board of Governors for the 1990-91 Academic Year. Chairman Darity moved that the Board approve this action, seconded by Mr. Ward. The motion carried unanimously.

(Attachment C)

Chairman Phillips thanked Chairman Darity for his report.

REPORT OF THE FINANCE AND BUSINESS COMMITTEE

Chairman Phillips called on Thos. E. Capps, Chairman of the Finance and Business Committee, for his report.

Semi-Annual Lease Report

Chairman Capps reported that the Committee met yesterday afternoon and received information about properties under lease to the University.

(Attachment D)

Site Selection for the School of Business Administration Building

Chairman Capps asked Mr. Swecker to present the background of the funding and planning of this building and a review of possible sites. The firm of Kallmann McKinnell & Wood completed preliminary planning and examined the area around the Kenan Center.

Chairman Phillips asked for a motion to recommend the area of the Kenan Center as the site for the new School of Business Administration building. Mr. Capps so moved, seconded by Mr. Strickland.

Chairman Phillips asked for discussion.

Mr. Pope voiced qualms that the University plans to phase out the undergraduate business major and concentrate on a graduate School of Business. Chairman Phillips and Chancellor Hardin stated that there is no move to do away with the undergraduate business curriculum.

Chairman Phillips asked for a vote. Mr. William Hildebolt abstained from voting. The motion carried.
(Attachment E)

Design for Student Recreation Center

Chairman Capps reported that the Committee heard a presentation from architect Norma Burns and viewed models and drawings of the Student Recreation Center.

Chairman Phillips asked for a motion to approve the design of the Student Recreation Center, as presented. Mr. Capps so moved, seconded by Mr. Hildebolt. The motion carried unanimously.

(Attachment F)

Final Plans and Specifications for the Hazardous Materials Storage Facility

Chairman Capps reported that Mr. Swecker presented the plans and specifications to the Committee.

Chairman Phillips asked for a motion to approve final plans and specifications for the Hazardous Materials Storage Building. Mr. Capps so moved, seconded by Mr. Allen. The motion carried unanimously.

(Attachment G)

Authorized Expenditure Levels of Endowment Fund

Chairman Capps asked Mr. Jones to present expenditure levels of the Endowment Fund for the fiscal year 1990-91. Mr. Jones explained that this request comes to the Trustees for approval annually. The Endowment Board has previously reviewed and endorsed the spending levels. Mr. Jones called attention to the increased payout of the Unrestricted Funds for this fiscal year to provide additional money for pressing needs in the University.

Chairman Phillips asked for a motion to approve the authorized expenditure levels of the Endowment Fund. Mr. Capps so moved, seconded by Mr. Allen. The motion carried unanimously.

(Attachment H)

Chairman Phillips thanked Chairman Capps for his report.

Chairman Phillips asked for a motion to go into executive session to consider property and personnel matters, to receive legal advice, and to elect members for the Board of Visitors as
permitted under the Open Meetings Law. The motion will specify that the following persons are to remain in executive session: Members of the Board of Trustees, Chancellor Hardin, Members of the Administrative Council, Ms. Brenda Kirby, Ms. Ann Zappa, Mr. Robert Sweeney, and Mr. John Sanders.

Mr. Ward so moved, seconded by Mr. Allen. The motion carried unanimously.

EXECUTIVE SESSION

REPORT OF THE FINANCE AND BUSINESS COMMITTEE

Candidate for Honors

Chairman Capps asked Mr. John Sanders to present a candidate for honors. Mr. Sanders stated that a proposal has been made by the Chancellor, the Buildings and Grounds Committee, and the Institute Director Dirk Frankenberg to name the Visiting Investigator Facility of the Institute of Marine Sciences in Morehead City for John Charles Morrow, III. Dr. Morrow was a graduate of Carolina and served forty years as an outstanding faculty member in the Department of Chemistry and as Dean of Arts & Sciences. He was a stalwart servant of this institution and a special friend of the Institute of Marine Sciences. Honoring him in this way does not preclude recognition of him in some other manner.

Chairman Capps moved that the Visiting Investigator Facility of the Institute of Marine Sciences be named for Dr. John Charles Morrow, III, seconded by Mr. Pope. The motion carried unanimously.

Mr. Sanders left the meeting at this time.

REPORT OF THE ACADEMIC AND STUDENT AFFAIRS COMMITTEE

Personnel Matters for Information

Chairman Darity reported that the Committee received personnel matters for information not requiring action by the Board.

(Attachment I)
Personnel Matters for Consultation

Chairman Phillips asked for a motion to authorize the Chancellor to forward to the President and Board of Governors the personnel report and recommendations presented for consultation. Dr. Darby so moved, seconded by Mr. Ward. Mr. Pope voted no on appointments granting Tenure. The motion carried.

(Attachment J)

Personnel Matters for Action

Chairman Phillips asked for a motion to receive Personnel Matters for Action, to be voted on in open session. Dr. Darby so moved, seconded by Mr. Ward. The motion carried unanimously.

(Attachments K, L)

Recommendations for Exception to Employment Policies Annual Leave Provisions

Chairman Phillips asked for a motion to grant an exception from the EPA Non-Faculty annual leave provisions. Dr. Darby so moved, seconded by Mr. Strickland. The motion carried unanimously.

(Attachment M)

The Board of Governors of The University of North Carolina Press

Chairman Phillips asked for a motion to approve the names submitted by the Chancellor to be forwarded to the President and Board of Governors for election to the Board of Governors of The University of North Carolina Press:

FOR A FIVE-YEAR TERM, 1990-1995:

Professor Stephen P. Baxter,
Kenan Professor of History, UNC-CH.

Professor Edward G. Holley,
William Rand Kenan, Jr. Professor of Information and Library Science, UNC-CH.

Professor Philip A. Stadler,
Professor of Classics, UNC-CH.

Dr. Darby so moved, seconded by T.R. Ward. The motion carried unanimously.
Appeal

Chairman Phillips asked for a motion to approve the report of a committee denying the right of appeal of a faculty member to the Board of Trustees following the resignation of the faculty member after an adverse ruling to him by the Faculty Hearings Committee.

Dr. Darity so moved, seconded by Mr. Jenrette. The motion carried unanimously.

DEVELOPMENT

Chairman Phillips called on Richard H. Jenrette, Vice Chairman of the Development Committee, in the absence of Chairman John W. Harris.

Nominations for the Board of Visitors, Class of 1994

Vice Chairman Jenrette called on Mr. Evans and Mr. Sweeney, who distributed copies of biographies of nominees. A copy of this material is on file in the office of the Assistant Secretary. Mr. Evans stated that twenty nominees have accepted the invitation to join the Board of Visitors and John Ellison, Jr., has been nominated as Chair of the Board of Visitors.

Mr. Sweeney presented a list of additional candidates for consideration. There was discussion of nominees.

Mr. Capps moved approval of the following nominees to the Board of Visitors, Class of 1994, to be ranked by the Chancellor, Mr. Evans, and Mr. Sweeney, and subject to acceptance:

Joseph Carstarphen
Luther Cochrane
Sara Crown
Leonard Goodman
Peter Grauer
Thomas J. Koontz
Alice Wells Tillman

Mr. Allen seconded the motion.

Chairman Phillips called for a vote, and the motion carried unanimously.

Davie Award Nominations

Chairman Jenrette called on Mr. Evans, who referred Board members to the list of nominees for the Davie Award, previously distributed. A copy of this memorandum is on file in the office of the Assistant Secretary.
There was discussion.

Dr. Darity moved selection of four nominees to receive the Davie Award for 1990, seconded by Mr. Ward. The motion carried unanimously.

(Attachment N)

Chairman Phillips thanked Mr. Jenrette, Mr. Evans, and Mr. Sweeney.

Mr. Sweeney left the meeting at this time.

Chairman Phillips asked if there were further business in closed session. There being none, he asked for a motion to return to open session. Mr. Strickland so moved, seconded by Mr. Jenrette. The motion carried unanimously.

OPEN SESSION

REPORT OF THE ACADEMIC AND STUDENT AFFAIRS COMMITTEE

Personnel Matters for Action (Academic Affairs)

Chairman Phillips asked for a motion to approve designation to named professorship, appointments, and salary approval for appointment. Dr. Darity so moved, seconded by Mr. Allen. The motion carried unanimously.

(see Attachment K)

Personnel Matters for Action (Health Affairs)

Chairman Phillips asked for a motion to approve appointments, reappointments at same rank, promotions, a correction, and salary approval for new appointments. Dr. Darity so moved, seconded by Mr. Strickland. The motion carried unanimously.

(see Attachment L)

Ratification of Mail Ballot of May 21, 1990

Chairman Phillips asked for a motion to ratify the Mail Ballot of May 21, 1990. Dr. Darity so moved, seconded by Mr. Pope. The motion carried unanimously.

(Attachment O)
Resolution Regarding Drug Policy

Dr. Darity moved that the Board adopt the following resolution regarding the mandatory drug policy:

WHEREAS, the Board of Governors has asked the Board of Trustees of The University of North Carolina at Chapel Hill to consider a program of mandatory drug testing for student athletes, and

WHEREAS, the Board of Trustees has considered the mandatory drug-testing program for student athletes and has substantial concerns regarding the constitutionality and basic fairness of the mandatory program, and

WHEREAS, the Board of Trustees in 1988 adopted a policy on illegal drugs,

NOW, THEREFORE, the Board of Trustees of The University of North Carolina at Chapel Hill reaffirms its strong policy on illegal drugs; it expresses abhorrence of illegal drug use; and it supports a drug-free society. However, it respectfully requests that the Board of Governors reconsider its program of mandatory drug testing for student athletes, and permit The University of North Carolina at Chapel Hill to continue its successful voluntary drug-testing program. If the Board of Governors permits The University of North Carolina at Chapel Hill to continue its voluntary program, the Board of Trustees urges each student athlete to continue to participate in the voluntary program.

Mr. Allen seconded the motion.

Chairman Phillips asked for discussion.

Chairman Phillips called for a vote. The motion carried by a split vote.

DEVELOPMENT

Election to Board of Visitors, Class of 1994

Vice Chairman Jenrette moved that the following persons be elected to the Board of Visitors, Class of 1994, for four-year terms beginning July 1, 1990:

James M. Alexander
Erskine B. Bowles
Timothy B. Burnett
Frederick M. Councill
Andrew Davidson
Archibald T. Fort
J. Richard Futrell, Jr.
J. Frank Harrison, III
Frank J. Hawley, Jr.
Watts Hill, Jr.
Alice C. Kennedy
Harold L. Kennedy, III
Harvey L. Kennedy
Edgar Love, III
Edwin S. "Jim" Melvin
Macao K. Sloan
Ronald A. Strom
Nancy H. White
Dennis A. Wicker
Edwin M. Yoder, Jr.
Election of Chair for the Board of Visitors

Vice Chairman Jenrette moved that John Ellison, Jr., be elected as Chair of the Board of Visitors for a one-year term beginning July 1, 1990.

Mr. Ward seconded both motions. The motions carried unanimously.

ADJOURNMENT

Chairman Phillips asked if there were other matters to come before the Board.

There being no further business, Chairman Phillips asked for a motion to adjourn the meeting. Mr. Ward so moved, seconded by Mrs. Dowd. The motion carried unanimously.

The meeting was adjourned at 12:16 p.m.

[Signature]
Assistant Secretary