ACQUISITION BY LEASE OF OFFICE SPACE FOR UNC-CH, OFFICE OF RESEARCH INFORMATION SYSTEMS (ORIS)

This request is for approval to lease approximately 2,400 SF of office space at a location to be determined for the UNC-CH, Office of Research Information Systems (ORIS). The lease term is for a three-year period commencing September 1, 2009, or as soon as possession is taken. The initial rent shall not exceed $48,800 per annum or $19.50 per SF not including utilities and janitorial services. Rent shall not increase more than 3% per annum both in the base lease and the renewal options.

RECOMMENDED ACTION

A motion to recommend approval to acquire by lease office space not to exceed 2,400 SF as described above.
SITE APPROVAL – INTERFAITH COUNCIL COMMUNITY HOUSE

This project provides a new 16,000 SF facility for the Interfaith Council to house the Community House residential program for homeless men. The University has agreed to lease a portion of the former Duke Energy site to the Town of Chapel Hill who will then sublease the property to the Interfaith Council for the construction of the Community House.

The Chancellor's Buildings and Grounds Committee approved the site at its June 2009 meeting.

RECOMMENDED ACTION

A motion to approve the site.
PROPERTY DISPOSITION BY GROUND LEASE TO THE RONALD MCDONALD HOUSE

This request is for approval for a new ground lease to the Ronald McDonald House of Chapel Hill, Inc. for the purpose of building a new long-term stay facility. It is currently proposed that this new facility will consist of a 20,000 SF building containing 24 private guest suites and will be specifically designed for long-term use by families. The new lease area will be approximately 2.73 acres located behind and adjacent to the existing Ronald McDonald House leased property and extending beyond the former golf cart path to the new Highland Woods Road and Highland Woods subdivision lots as shown on the attached map. A site plan and other details of the proposed development, including design review of the facility, will be brought back to the Board of Trustees for review and approval.

The original lease to the Ronald McDonald house was executed in December of 1985, for a period of 20 years at a rate of $1/yr. included an area of approximately 2 acres. The lease was amended in June of 2001, to include an additional 0.4 acre area and to extend the expiration date of the lease to October 2035. The proposed new lease for this 2.73 acres would have a term of 26 years, ending in October 2035, to correspond with the terms of the existing lease. The rental rate for the new lease will also be $1/yr. The lease will contain conditions requiring that the lease will be terminated unless construction is commenced within a defined period of time and that public access across the site remain open.

RECOMMENDED ACTION

A motion to recommend approval for a new ground lease to the Ronald McDonald House of Chapel Hill, Inc. as described above.
SITE APPROVAL – SOUTH ROAD PEDESTRIAN BRIDGE

This project provides a new pedestrian bridge across South Road from the Pit to Stadium Drive.

The project budget for advance planning is $400 K with funding from the University.

The Chancellor's Buildings and Grounds Committee approved the site at its June 2009 meeting.

RECOMMENDED ACTION

A motion to approve the site.
PRELIMINARY DESIGN REVIEW – SOUTH ROAD PEDESTRIAN BRIDGE

This project provides a new pedestrian bridge across South Road from the Pit to Stadium Drive.

The project budget for advance planning is $400 K with funding from the University. The Chancellor’s Buildings and Grounds Committee reviewed the project at its June 2009 meeting.

The concept plan is presented to the Board of Trustees for review and comment.

No formal action is requested at this time.
South Road Pedestrian Bridge
East Elevation
- Minimizes Structural Depth to preserve views
- Virtually Column free to minimize impact to service drive and forest floor
- Single Mast Structure to avoid obstructing path
- Curved Path allows for more length and more tolerance clearing the road and gradual slope on south side
- Curves into Campus Path
- Minimizes Tree Removal

South Road Pedestrian Bridge Plan

July, 2009
DRAFT
BOARD OF TRUSTEES MEETING
The University of North Carolina at Chapel Hill

The Board of Trustees met in special session on Thursday, June 25, 2009, at The Carolina Inn, Chancellor’s Ballroom West, at 10:02 a.m. Chair Perry presided.

ROLL CALL

Assistant to the Assistant Secretary, Heather Galvan called the roll and the following members were present:

Roger L. Perry, Sr., Chair
Paul Fulton
Jasmin M. Jones

The following members joined the meeting via teleconference:

Karol V. Mason, Vice Chair  Sallie Shuping-Russell
Phillip L. Clay  A. Donald Stallings
J. Alston Gardner  Robert W. Winston
Nelson Schwab III

Russell M. Carter, Secretary, John G. B. Ellison, Jr., and Barbara R. Hyde were absent.

Chair Perry opened the meeting by reading the following statement regarding the State Government Ethics Act:

“As Chair of the Board of Trustees, it is my responsibility to remind all members of the Board of their duty under the State Government Ethics Act to avoid conflicts of interest and appearances of conflict of interest as required by this Act. Each member has received the agenda and related information for this Board of Trustees’ meeting. If any Board member knows of any conflict of interest or appearance of conflict with respect to any matter coming before the Board of Trustees at this meeting, the conflict or appearance of conflict should be identified at this time.”

Chair Perry thanked the Town Officials and all others who have worked on Carolina North for attending the meeting.

Chancellor Thorp thanked everyone for all of the hard work that has been done over the last two decades on Carolina North. He recognized former Chancellor Moeser, Jack Evans, Chair Perry, Trustee Winston, and all the other trustees for their involvement with Carolina North.

Jack Evans, Executive Director of Carolina North, presented the following action item to the Board:

- Carolina North. Over the course of the past academic year, the University and Town officials have been discussing the rezoning of the Chapel Hill portion of the Carolina North property to a new zoning district and the use of a Development Agreement as the land use tools pursuant to which development at Carolina North would occur. Participating in these discussions with the Town Council have been Trustees Perry and Winston and the Chancellor.

On June 22, 2009, the Town Council had on its agenda a request to adopt the new zoning district, rezone the property, and to adopt a development agreement. The agreement provides the framework for the construction of 3 million square feet on approximately 133
acres and has a term of 20 years. It also provides the University’s commitment on limited development of the remainder the tract for a time certain, the provision of perpetual conservation easements to protect certain sensitive areas, mechanisms for determining transit, parking, greenway and pedestrian facilities, a process for addressing fiscal impacts on the Town resulting from the development, and other development related mitigations.

The item will be voted on through the Resolution of Agreement.

(ATTACHMENT A)

A copy of the PowerPoint presentation is located at: http://www.unc.edu/depts/trustees/
A copy of the presentation is also filed in the Office of the Assistant Secretary.

Chair Perry read the following resolutions:

RESOLUTION OF AGREEMENT
BOARD OF TRUSTEES
THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL
June 25, 2009

WHEREAS, the Delegations of Duty and Authority from the Board of Governors of the University of North Carolina to the Boards of Trustees charges the Board of Trustees with the responsibility for “... preparing and maintaining a master plan for the physical development of the institution, consistent with the total academic and service mission of the institution...”; and,

WHEREAS, the Board of Trustees of the University of North Carolina at Chapel Hill has directed the Chancellor to proceed with the master planning of a mixed use research and academic campus to be located on the Horace Williams tract, now known as Carolina North; and,

WHEREAS, by resolutions dated May 25, 2006, and September 26, 2007, the Board of Trustees expressed its support for proceeding with Carolina North zoning and land development applications to the appropriate local government, and approved the 50 year vision and 15 year phase 1 segment of the Carolina North Plan; and,

WHEREAS, the existing zoning at Carolina North would only permit the construction of buildings to proceed using individual special use permits, a process that would not facilitate a sustainable and integrated approach to the development of a new campus with a predictable and timely review process; and,

WHEREAS, on August 28, 2008, the Board of Trustees approved the design of the Innovation Center which is anticipated to be the first building to be constructed at Carolina North; and,

WHEREAS, on November 19, 2008, the Board of Trustees approved the Carolina North Design Guidelines; and,

WHEREAS, since September 2008, the Chancellor and two members of the Board of Trustees have engaged in monthly public negotiating sessions with the Chapel Hill Town Council; and staff from the University and the Town of Chapel Hill have met regularly to support the Town/University negotiating sessions concerning a new development review process for Carolina North; and,
UNC-Chapel Hill Board of Trustees  
Special Full Board Minutes  
June 25, 2009

WHEREAS, in 2005, the General Assembly in G.S. 160A-400.20 to 400.32 authorized local governments to enter into development agreements with developers (which term by statute includes State agencies) and to use those negotiated agreements as an additional land use planning tool for large developments involving multiple phases over extended periods of time; and,

WHEREAS, a new zoning district for Carolina North and the use of a development agreement were determined by the parties to be appropriate development tools for Carolina North; and,

WHEREAS, on April 29, 2009, the University submitted to the Town of Chapel Hill a zoning atlas amendment application and proposed development agreement along with additional supporting materials for the Carolina North Project, and the text for a new zoning district (U-1) was proposed by the Town staff; and,

WHEREAS, the Executive Director for Carolina North has provided regular updates to the Board of Trustees through the Buildings and Grounds Committee on the progress of negotiations with the Town of Chapel Hill on zoning and related matters; and,

WHEREAS, at its June 22, 2009, business meeting, the Chapel Hill Town Council approved both the rezoning of the portion of the Carolina North property in Chapel Hill to the new U-1 zone and the Development Agreement dated July 1, 2009, for Carolina North.

NOW THEREFORE BE IT RESOLVED, the Board of Trustees of the University of North Carolina at Chapel Hill finds that the Development Agreement dated July 1, 2009, is an appropriate tool for working cooperatively with the Town of Chapel Hill for the development of Carolina North in an integrated and sustainable manner with predictable and timely review processes; and

NOW THEREFORE BE IT FURTHER RESOLVED, the Board of Trustees approves the Development Agreement dated July 1, 2009, with the Town of Chapel Hill and authorizes either the Chancellor or the Vice Chancellor for Finance and Administration: (i) to execute the Development Agreement on behalf of the University; (ii) to approve minor, non-substantive adjustments to the language that do not affect the meaning of any term of the Development Agreement prior to execution of the Development Agreement; and (iii) to do all things necessary to implement the Development Agreement.

The Board of Trustees unanimously approved the resolution, followed by a round of applause for the work done on Carolina North.

RESOLUTION OF APPRECIATION  
JOHN P. EVANS, EXECUTIVE DIRECTOR,  
AND STEERING COMMITTEE MEMBERS,  
CAROLINA NORTH

WHEREAS, in July 2006, Chancellor James Moeser appointed Dr. John P. Evans, Hettleman Professor of Business, to serve as executive director of Carolina North, leading the planning and implementation for the new campus, an assignment that has continued under the leadership of Chancellor Holden Thorp; and

WHEREAS, Dr. Evans and the members of the Carolina North Steering Committee, whose names appear on the attached list, using the work of the Horace Williams Citizens Committee,
UNC-Chapel Hill Board of Trustees  
Special Full Board Minutes  
June 25, 2009

the Leadership Advisory Committee, other University and Town representatives, Carolina North consultants, and the public developed a framework that led to the Board of Trustees adoption of the Carolina North Plan in September 2007; and

WHEREAS, Dr. Evans and the Steering Committee worked with University and Town officials to organize a process whereby a new zoning district and Development Agreement have been proposed for authorization; and

WHEREAS, University staff from the offices of Facilities Planning, Finance and Administration, University Counsel, Research and Economic Development and University Relations worked tirelessly and intelligently to inform a successful process and collaborative atmosphere; and

WHEREAS, the hard work and dedication of everyone involved in the process, especially Dr. Evans, helped to bring the endeavor to this point;

NOW THEREFORE BE IT RESOLVED that members of the Board of Trustees of the University of North Carolina at Chapel Hill express their great appreciation to Dr. Evans and other members of the University staff for their work on Carolina North, and thanks them for their service.

CAROLINA NORTH STEERING COMMITTEE
John P. Evans, Hettleman Professor of Business, Chair
Richard Mann, Vice Chancellor for Finance and Administration
Leslie Strohm, Vice Chancellor and General Counsel
Tony Waldrop, Vice Chancellor for Research and Economic Development
Neil C. Caudle, Associate Vice Chancellor for Research
Linda Convissor, Director of Local Relations
Patricia C. Crawford, Associate Vice Chancellor and Deputy General Counsel
Nancy Davis, Associate Vice Chancellor for University Relations
Carolyn W. Elliland, Associate Vice Chancellor for Campus Services
Kevin M. Fitzgerald, Executive Associate Dean for Finance and Administration, School of Medicine
Susan Houston, Outreach Editor
Jonathan B. Howes, Special Assistant to the Chancellor
Mike McFarland, Director of University Communications
David W. Owens, Gladys H. Coates Distinguished Professor of Government
Dwayne Pinkney, Assistant Vice Chancellor for Finance and Administration and Special Assistant to the Chancellor for State and Local Relations
Bruce L. Runberg, Associate Vice Chancellor for Facilities Planning and Construction
Carol Tresolini, Associate Provost for Academic Initiatives
Will Tricomi, Associate University Counsel
Jesse L. White, Director, Office of Economic and Business Development
Anna Wu, University Architect and Director of Facilities Planning

The Board of Trustees unanimously approved the resolution, followed by a round of applause for Jack Evans.

RESOLUTION OF APPRECIATION  
TOWN OF CHAPEL HILL OFFICIALS  
June 25, 2009
UNC-Chapel Hill Board of Trustees
Special Full Board Minutes
June 25, 2009

WHEREAS, since September 2008, representatives from the University of North Carolina at Chapel Hill have engaged in monthly public negotiating sessions with representatives from the Town of Chapel Hill and the Town Council, concerning a new development review process for the proposed Carolina North campus; and, subsequently have reached agreement on a new zoning district and a Development Agreement; and

WHEREAS, these negotiations, which profited from many years of planning, public input and discussions, marked a new spirit of cooperation and collaboration between the University and the Town; and

WHEREAS, the process was enhanced significantly by the leadership of Mayor Kevin Foy, Town Manager Roger Stancil, and members of the Town Council; and

WHEREAS, members of the Board of Trustees have approved the Development Agreement, a product of a process that will set a high standard for future discussions and work at Carolina North; a standard that will benefit not only the University community and the Town’s citizens, but the entire State of North Carolina as well;

NOW THEREFORE BE IT RESOLVED that members of the Board of Trustees of the University of North Carolina at Chapel Hill express their great appreciation to Mayor Foy, Town Manager Stancil and members of the Town Council for their leadership and thanks them for their thoughtful collaboration.

The Board of Trustees unanimously approved the resolution, followed by a round of applause for the Town Officials.

Chair Perry also recognized David Owens for his role in Carolina North.

CHANCELLOR’S REMARKS
Chancellor Thorp announced the search for a new Executive Vice Chancellor and Provost. As we conduct the search, Bruce Carney, the Samuel Baron Distinguished Professor of Physics and Astronomy, will serve as interim executive vice chancellor and provost. Through the years Bruce has held a number of key leadership roles at Carolina, most recently as interim dean of the College of Arts and Sciences for the past year.

The search committee is working toward my goal to name a new chief academic officer by next spring. The committee will recommend a final slate of candidates to me, and I will forward my recommendation to our Board of Trustees for approval.

Shelton Earp, professor of medicine and pharmacology, Lineberger Professor of Cancer Research and director of the UNC Lineberger Comprehensive Cancer Center, has agreed to lead a 17-member search committee that will conduct a national search for our next executive vice chancellor and provost. The committee’s work will be supported by R. William Funk and Associates, a nationally known search firm specializing in higher education.

We are pleased that Shelley, who has served on past chancellor, provost and dean searches, will lead this process. Assisting Shelley on the committee is Lissa Broome, the Wachovia Professor of Banking Law, who will serve as vice chair. Joining them are:
- Valerie Ashby, Gordon and Bowman Gray Distinguished Term Professor of Chemistry;
- Jane Brown, James L. Knight Professor of Journalism and Mass Communication;
- John Ellison, a member of our Board of Trustees;
UNC-Chapel Hill Board of Trustees  
Special Full Board Minutes  
June 25, 2009

- David Gerber, associate professor of surgery;  
- Jonathan Hess, Moses M. and Hannah L. Malkin Term Professor of Jewish History and Culture;  
- Jasmin Jones, student body president and a member of the Board of Trustees;  
- Keith Lee, president of the Graduate and Professional Student Federation;  
- Sarah Michalak, associate provost and University librarian;  
- Shirley Ort, associate provost and director of scholarships and student aid;  
- Lou Perez, J. Carlyle Sitterson Professor of History;  
- Bert Peterson, professor and chair of maternal and child health;  
- Terry Rhodes, professor of music;  
- Ned Sharpless, associate professor of medicine; and  
- Jay Swaminathan, senior associate dean of academic affairs in the Kenan-Flagler Business School; and  
- Stephanie Thurman, business officer for the provost's office.

**MOTION TO CONVENE IN CLOSED SESSION**
On motion of Chair Perry, and duly seconded, the Board voted to convene in closed session pursuant to North Carolina General Statutes Section 143-318.11 (a) (1) (to prevent the disclosure of privileged information under Section 126-22 and the following); and also pursuant to Section 143-318.11 (a) (2), (3), (5), and (6).

**CLOSED SESSION**

**LEGAL ADVICE**
General Counsel Leslie Strohm advised the Board on several legal matters.

**EXECUTIVE CLOSED SESSION**
Chair Perry convened the Board in Executive Closed Session to discuss personnel and legal matters.

**RECONVENE MEETING IN OPEN SESSION**
Chair Perry reconvened the meeting in open session.

**OPEN SESSION**

**ADJOURNMENT**
There being no further business to come before the Board, Chair Perry adjourned the meeting at 11:16 a.m.

______________________________
Assistant Secretary
June 17, 2009

Members of the Board of Trustees  
The University of North Carolina at Chapel Hill

Dear Members of the Board:

You have authorized me to poll you by mail concerning personnel matters which require attention by the Board. Accordingly, I am transmitting to you herewith personnel matters in the following categories:

- For Information  
  - Appendix A
- For Action – Academic Affairs  
  - with Selection of Distinguished Chairs  
  - Appendix B
- For Action – Health Affairs  
  - Appendix C
- For Action – Tenured Personnel Actions  
  - Appendix D

Please mark and return the enclosed ballot indicating whether or not you agree with the actions proposed in Appendices B, C, and D. Appendix A requires no action on your part; it is submitted for information only. Thank you.

Sincerely,

[Signature]

Holden Thorp

Enclosures

Re 6/17/09 mail ballot: (Personnel)

A quorum was received on 6/19/09:  
Sallie Shuping-Russell  
Roger L. Perry, Sr.  
Russell M. Carter  
Paul Fulton  
A. Donald Stallings  
J. Alston Gardner  
Nelson Schwab III

Additional approvals received:  
Robert W. Winston III  
Phillip L. Clay  
Karol V. Mason  
Jasmin M. Jones  
John G. B. Ellison, Jr.  
Barbara R. Hyde
June 17, 2009

The undersigned votes as follows with respect to the recommendations proposed in Chancellor Thorp's letters dated June 17, 2009.

Appendix B, for action

Approve  Disapprove

Appendix C, for action

Approve  Disapprove

Appendix D, for action

Approve  Disapprove

________________________
signed

________________________
date

PLEASE RETURN BALLOT TO
FAX #919-962-8464
June 17, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

I submit the following personnel changes at the University of North Carolina at Chapel Hill for your information.

RESIGNATIONS

PAUL TIESINGA, Associate Professor, Department of Physics and Astronomy, resigns effective June 30, 2009, to accept employment elsewhere.

JAIR SOARES, Assistant Professor, Department of Psychiatry, resigns effective May 31, 2009, to accept a position at the University of Houston.

RICHARD RIPPE, Professor, Department of Medicine, resigns his position effective May 31, 2009, to accept employment elsewhere.

ANNA MARIE PARKINSON, Assistant Professor, Department of Germanic Languages, resigns effective June 30, 2009, to accept a faculty position at Northwestern University.

Respectfully submitted,

Holden Thorp
June 17, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

I submit the following personnel changes in Academic Affairs at the University of North Carolina at Chapel Hill with request for your approval.

NEW APPOINTMENTS

SCOTT ROCHART, as Assistant Professor, Kenan-Flagler Business School, effective July 1, 2010, on a nine months' basis. The recommended salary for this appointment is $150,000.

   Personal: Born September 4, 1968, Boston, MA.

   Educational background: BA, 1990, Princeton University; MBA, 1996, and PhD, 2001, Sloane School of Management, MIT.

   Teaching and other vocational experience: Visiting Lecturer, 1992-1993, Economic University, Slovakia; Research and Teaching Assistant, 1994-1999, MIT; Assistant Professor, 2000-2002, London Business School, University of London; Assistant Professor, 2002-present, Fuqua School of Business, Duke University.

   Publications: Five individually written articles in refereed journals, three working papers, and two papers in edited volumes.

Professor Rochart was interviewed and recommended by a faculty search committee in the Strategy and Entrepreneurship Area, and Professor James Dean, Jr., Dean.

HOLNING LAU, as Associate Professor, School of Law, effective July 1, 2009, on a nine months' basis. The recommended salary for this appointment is $114,000.


   Educational background: BA, 2000, University of Pennsylvania College of Arts and Sciences; JD, 2005, University of Chicago Law School.
Teaching and other vocational experience: Public Policy Fellow, 2005-2006, and Teaching Fellow, 2006-2007, UCLA; Teaching Fellow, 2007, University of Hong Kong; Associate Professor, 2007-present, Hofstra University School of Law, Chicago.

Publications: Seven Op-Eds, and Public Policy Reports, and eight individually written publications in scholarly journals.

Professor Lau was interviewed and recommended by Law School faculty and Professor John Charles Boger, Dean.

DEBORAH GERHARTDT, as Assistant Professor, School of Law, effective July 1, 2009, on a nine months’ basis. The recommended salary for this appointment is $110,500.


Teaching and other vocational experience: Attorney, 1992-1998, Jones, Day, Reavis, and Pogue, Cleveland, OH; Attorney, 1998-2000, Hutton and Williams, Richmond, VA; Adjunct Professor, 2002-2004, College of William and Mary; Associate Director, 2004-2005, The Intellectual Property Project, University of Richmond; Senior Lecturer, 2004-2005, College of William and Mary; Copyright and Scholarly Communications Director, 2005-2006, University Libraries, and Director of Intellectual Property Initiatives & Adjunct Professor of Law, 2005-present, UNC School of Law.

Bar and Court Admissions: Ohio, Virginia, United States District for the Northern District of Ohio, United States District for the Eastern District of Michigan and the United States Court of Appeals for the Sixth Circuit.

Publications: Eight individually written articles on legal profession web sites and in professional publications.

Professor Gerhardt was interviewed and recommended by Law School faculty and Professor John Charles Boger, Dean.
COYTE COOPER, as Assistant Professor, Department of Exercise and Sports Science, effective July 1, 2009, on a nine months' basis. The recommended salary for this appointment is $70,000.


Teaching and other vocational experience: Sport Management Assistant, Professor, 2007-2009, Bowling Green University; Sport Management Assistant Professor, 2008-2009, College of Physical Activity and Sports Studies, West Virginia University.

Scholarly and other professional organization memberships: Sport Management Association and the Sport Marketing Association.

Publications: One book chapter, four individually written articles in refereed journals and six abstracts.

Professor Cooper was interviewed and recommended by a faculty search committee in the Department of Exercise and Sports Science, and Professor Kevin Guskiewicz, Chair.

PAMELA JAGGER, as Assistant Professor, Department of Public Policy, effective January 1, 2010, on a nine months' basis. The recommended salary for this appointment is $75,000.

Personal: Born May 25, 1971, Canada.

Educational background: BA, 1994, and MSc, 1998, University of Alberta; PhD, (expected 2009), Indiana University.


Scholarly and other professional organization memberships: African Studies Association, American Political Science Association, Association for Public Policy Analysis and
Management, International Association for the Study of the Commons and the International Society of Tropical Forests

Publications: Nine refereed journal articles.

Professor Jagger was interviewed and recommended by a faculty search committee, Department of Public Policy, and Professor Richard Andrews, Chair.

Evyatar Marienberg, as Assistant Professor, Department of Religious Studies, effective July 1, 2009, on a nine months' basis. The recommended salary for this appointment is $65,000.

Personal: Born December 22, 1971, Israel.


Teaching and other vocational experience: Assistant Professor, 2001-2002, McGill University, Montreal; Scholar in Residence, 2003, Paideia Institute, Stockholm, Sweden; Postdoctoral Fellow, 2003-2006, Tel Aviv University, Israel; Assistant Professor, 2007-present, Department of Talmud and Rabbinics, The Jewish Theological Seminary, New York; Affiliated Scholar, 2009, The Center for Jewish Law and Contemporary Civilization, Cardozo Law School, Yeshiva University, New York.

Scholarly and other professional organization memberships:
The American Academy of Religion and the Association of Jewish Studies.

Publications: Three books, two book chapters, seven refereed articles and five encyclopedia entries.

Professor Marienberg was interviewed and recommended by faculty from the Department of Religious Studies and Professor Laurie Maffly-Kipp, Chair.

Justin Sawon, as Assistant Professor, Department of Mathematics, effective January 1, 2010, on a nine months' basis. The recommended salary for this appointment is $78,750.

Personal: Born September 3, 1975, Australia.
Educational background: BSc, 1994 and MSc, 1996, University of Adelaide; PhD, 2000, University of Cambridge, UK.

Teaching and other vocational experience: Junior Research Fellow, 1999-2002, New College University of Oxford; Simons Instructor, 2002-2006, Stony Brook University; Assistant Professor, 2006-present, Colorado State University.

Publications: One individually written book chapter and eight individually written articles in refereed journals.

Professor Sawan was interviewed and recommended by the faculty in Department of Mathematics and Professor Patrick Eberlein, Chair.

COLIN WEST, as Assistant Professor, Department of Anthropology, effective July 1, 2009, on a nine months’ basis. The recommended salary for this appointment is $65,000.


Teaching and other vocational experience: Adjunct Instructor, 2005, Pima Community College; Graduate Research Assistant and Associate, 1999-2006, University of Arizona; NOAA Global and Climate Change Postdoctoral Fellow, Institute of Social and Economic Research, 2006-2008, and Research Assistant Professor of Anthropology, 2008-present, University of Alaska.

Publications: One book chapter and four collaboratively written articles in refereed journals.

Professor West was interviewed and recommended by faculty from the Department of Anthropology, and Professor Paul Leslie, Chair.

KAREN O’BRIEN, as Assistant Professor, Department of Dramatic Art, effective July 1, 2009, on a nine months’ basis. The recommended salary for this appointment is $60,000.

Personal: Born October 17, 1965, Chicago.
Educational background: BFA in Electronic Media, 1991 and MFA in Directing, 1994, College Conservatory of Music, University of Cincinnati; PhD, 2009, Claire Trevor School of the Arts, University of California-Irvine.

Teaching and other vocational experience: Instructor, 1998-2000, and Fine Arts Manager, 1999-2000, Northern Kentucky University; Teaching Assistant and Instructor, 2002-2004, University of Illinois; Teaching Assistant and Instructor, 2004-present, University of California-Irvine.

Scholarly and other professional organization memberships: American Conference for Irish Studies, American Society for Theater Research, Association for Theater Higher Education, and the International Association for the Study of Irish Literature.

Other Acting and Theatrical Experience: Part-time Director, Center Theater Ensemble and ’Second City, Chicago; Production Assistant, Looking-Glass Theater Company, Chicago; Performer on Stage and Film, (1995-2000), live theater, improvisation groups, television commercials, and independent cable network productions.

Publications: Two book reviews, one performance review and two program notes for Plays.

Professor O’Brien was interviewed and recommended by faculty from the Department of Dramatic Art and Professor Anne MacKay Coble, Chair.

MIGUEL LA SERNA, as Assistant Professor, Department of History, effective July 1, 2010, on a nine months’ basis. The recommended salary for this appointment is $66,000.

Personal: Born January 12, 1980, Sacramento, CA.


Scholarly and other professional organization memberships:
American Historical Association, International Oral History
Association and the Latin American Studies Association.

Publications: Seven professional publications.

Professor La Serna was interviewed and recommended by faculty from the Department of History, and Professor Lloyd Kramer, Chair.

NIKHIL KAZA, as Assistant Professor, Department of City and Regional Planning, effective July 1, 2009, on a nine months’ basis. The recommended salary for this appointment is $70,000.


Teaching and other vocational experience: Teaching Assistant, 2001-2007, University of Illinois; Faculty Research Associate, 2007-present, University of Maryland-College Park.

Publications: Six refereed articles and book chapters.

Professor Kaza was interviewed and recommended by a faculty search committee in the Department of City and Regional Planning and Professor Emil Malizia, Chair.

FABIAN HEISTCH, as Assistant Professor, Department of Physics and Astronomy, effective July 1, 2009, on a nine months’ basis. The recommended salary for this appointment is $73,000.


Teaching and other vocational experience: Research Assistant, 2003, University of Wisconsin; Research Staff Scientist, 2003-2006, University of Munich; Research Fellow, 2006-2009 and Assistant Research Scientist, 2009, University of Michigan.
Board of Trustees
June 17, 2009

Appendix B
Page Eight

Publications: Thirty collaboratively written articles in refereed journals.

Professor Heitsch was interviewed and recommended by a faculty search committee in the Department of Physics and Astronomy and Professor Laurie McNeil, Chair.

APPOINTMENTS OF INSTRUCTORS

BENJAMIN MEIER, as Instructor, Department of Public Policy, effective July 1, 2009, through June 30, 2010, on a nine months' basis. This appointment is made on the specified condition that automatically upon conferral of the PhD degree, the Instructor will be reappointed at the rank of Assistant Professor. The recommended salary for this appointment is $75,000.

Personal: Born December 6, 1976, Baltimore.


Publications: Twenty four individually written and collaboratively written articles in refereed journals.

Mr. Meier was interviewed and recommended by faculty members from the Department of Public Policy, and Professor Richard Andrews, Chair.

JUSTIN GROSS, as Instructor, Department of Political Science, effective January 1, 2010, through December 31, 2010, on a nine months' basis. This appointment is made on the specified condition that automatically upon conferral of the PhD degree, the Instructor will be reappointed at the rank of Assistant Professor. The recommended salary for this appointment is $75,000.

Personal: Born December 7, 1972, Bronx, NY.


Publications: Two working papers.

Mr. Gross was interviewed and recommended by faculty members from the Department of Political Science, and Professor Evelyne Huber, Chair.

REAPPOINTMENTS AT THE SAME RANK

DONALD WITTEKIND, as Assistant Professor, School of Journalism and Mass Communication, effective July 1, 2010, on a nine months’ basis. The recommended salary for this appointment is $68,458.

S. NILAY TANIK ARGON, as Assistant Professor, Department of Statistics and Operations Research, effective January 1, 2011, on a nine months’ basis. The recommended salary for this appointment is $94,000.

LAURA MILLER, as Assistant Professor, Department of Mathematics, effective January 1, 2011, on a nine months’ basis. The recommended salary for this appointment is $77,844.

MAI THI NGUYEN, as Assistant Professor, Department of City and Regional Planning, effective January 1, 2011, on a nine months’ basis. The recommended salary for this appointment is $73,000.

PROMOTION TO PROFESSOR

LUCIA VARGAS, to Professor, School of Journalism and Mass Communication, effective July 1, 2009, on a nine months’ basis. The recommended salary for this appointment is $81,162.

DESIGNATIONS TO DISTINGUISHED PROFESSORSHIPS

GUANG GUO, as Odum Distinguished Term Professor, School of Social Work, effective July 1, 2009, through June 30, 2014, on a nine months’ basis. The recommended salary for this appointment is $126,100 of which $6,000 is from non-state funds.
ROBERT McMURRAY, as Kay Smith Gunter Term Professor, Department of Exercise and Sports Science, effective July 1, 2009, through June 30, 2014, on a nine months’ basis. His current salary is $106,576 which will change once the endowment amount is determined.

Respectfully submitted,

Holden Thorp
June 17, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

I submit the following personnel changes in Health Affairs at the University of North Carolina at Chapel Hill with request for your approval.

NEW APPOINTMENTS

ZHUANG ANDREW WANG as Assistant Professor, Department Radiation Oncology, effective June 30, 2009, on a twelve months basis contingent on the continuation of funds from non-state sources. The recommended salary for this appointment is $230,000 from non-state funds.

Personal: Born August 27, 1977, China.


Scholarly and other professional organization memberships: American Association for Cancer Research, American Society for Therapeutic Radiology and Oncology; American Society for Clinical Oncology and the Radiological Society of North America.

Publications: One patent, four original reports, four invited reviews and book chapters, one collaboratively written book and four abstracts.

Professor Wang was interviewed and recommended by faculty from the Department of Radiation Oncology and Professor Lawrence Marks, Chair.
DONITA LYNN ROBINSON, as Assistant Professor, Department of Psychiatry, effective July 1, 2009, on a twelve months' basis contingent on the continuation of funds from non-state sources. The recommended salary for this appointment is $76,323 from non-state funds.

**Personal:** Born November 4, 1968, Flint, Michigan.

**Educational background:** BA, 1991, University of Texas, MA, 1993, University of Michigan –Ann Arbor; PhD, 3000, University of Texas –Austin.

**Teaching and other vocational experience:** Postdoctoral Research Associate, 2000-2002, Department of Chemistry, Research Associate, 2002-2003, Department of Chemistry, Research Assistant Professor, 2003-present, Department of Psychiatry, University of North Carolina at Chapel Hill.

**Publications:** Five books and chapters, eleven collaboratively written articles in refereed journals, and twenty-nine published abstracts.

Professor Robinson was interviewed and recommended by faculty from the Department of Psychiatry and Professor David Rubinow, Chair.

LISA RAHANGDALE, as Assistant Professor, Department of Obstetrics and Gynecology, effective July 1, 2009, on a twelve months basis contingent on the continuing availability of funds. The recommended salary for this appointment is $140,000.

**Personal:** Born May 9, 1973, Pennsylvania.


**Teaching and other vocational experience:** Residency in OB/GYN, 2000-2004, Northwestern University; Fellowship in Reproductive Infectious Disease, 2004-2006, University of California-San Francisco; Women’s Reproductive Health Research Scholar, 2007-present, Stanford University Medical Center.

**Scholarly and other professional organization memberships:**
Association of Professors of Gynecology and Obstetrics and the American College of Obstetricians and Gynecologists.
Board of Trustees
June 17, 2009

Publications: Two collaboratively written book chapters, eight published refereed articles and nine abstracts.

Professor Rahangdale was interviewed and recommended by faculty from the Division of Women’s Primary Health Care, Professor John Thorp and Professor Daniel Carle-Pearson, Chair, Department of Obstetrics and Gynecology.

JONATHAN HANSEN, as Assistant Professor, Department of Medicine, effective July 1, 2009, on a twelve months basis contingent on the continuation of funds from non-state sources. The recommended salary for this appointment is $150,000.

Personal: Born September 29, 1972, Washington, DC.

Educational background: BS, 1996, Brigham Young University; PhD, 2001 and MD, 2003, Indiana University.

Teaching and other vocational experience: Residency training in Internal Medicine, 2003-2005, and Fellowship in Gastroenterology and Hepatology, 2005-present, UNC-Chapel Hill.

Publications: One collaboratively written book chapter, ten collaboratively written articles in refereed journals, one editorial and two abstracts.

Professor Hansen was interviewed and recommended by faculty from the Division of Gastroenterology and Hepatology, Professors Robert Sandler, Balfour Sartor and Professor Marschall Runge, Chair, Department of Medicine.

CHARLES EBERT JR., as Assistant Professor, Department of Otolaryngology, effective July 20, 2009, on a twelve months’ basis contingent on the continued availability of funds from non-state sources. The recommended salary for this appointment is $180,000 from non-state funds.

Personal: Born March 13, 1969, Sherman, TX.


Scholarly and other professional organization memberships:
American College of Surgeons, American Medical Association, 
American Academy of Otolaryngology, and the Association for 
Research in Otolaryngology.

Publications: Three collaboratively written book chapters and 
twenty-six collaboratively written articles in refereed journals.

Professor Ebert was interviewed and recommended by faculty from the Department of 
Otolaryngology and Professor Rick Pillsbury, Chair.

SPENCER DORN, as Assistant Professor, Department of Medicine, effective July 1, 
2009, on a twelve months’ basis contingent on the continued availability of funds from 
non-state sources. The recommended salary for this appointment is $150,000 from non-
state funds.

Personal: Born December 16, 1976, New York City.

Educational background: BA, 1998, University of Michigan; MD, 

Teaching and other vocational experience: Residency in Internal 
Medicine, 2002-2005, Brigham and Women’s Hospital; 
Postdoctoral Research Fellow in Digestive Disease Epidemiology, 
2005-2007, and Fellowship in Gastroenterology and Hepatology, 
2007-present, UNC School of Medicine, Chapel Hill.

Publications: Eight collaboratively written papers and articles in 
refereed journals, two editorials and eight published abstracts.

Professor Dorn was interviewed and recommended by faculty from the Division of 
Gastroenterology and Hepatology, Professors Robert Sandler, Balfour Sartor, Douglas 
Drossman, and Nicholas Shaheen.

DEREK CHIANG, as Assistant Professor, Department of Genetics, effective July 1, 
2009, on a twelve months basis contingent on the continuation of funds from non-state 
sources. The recommended salary for this appointment is $110,000.

Personal: Born February 14, 1979, Kingston, Canada.

Educational background: BA, 2000, UNC-Chapel Hill and PhD, 
2005, UC-Berkeley.
Teaching and other vocational experience: Bioinformatics Analyst, 2000, Novartis Agriculture and Biotechnology Research Institute; Research Associate, 2005-present, Dana Farber Cancer Institute.

Publications: Thirteen collaboratively written articles in peer-journals.

Professor Chiang was interviewed and recommended by Professor Shelton Earp and Professor Terry Magnuson, Chair, Department of Genetics.

BHISHAMJIT CHERA, as Assistant Professor, Department of Radiation Oncology, effective June 30, 2009, on a twelve months' basis contingent on the continued availability of funds. The recommended salary for this appointment is $230,000 from non-state funds.

Personal: Born October 31, 1979, India.

Educational background: BS, 2000, Winthrop University, SC, and MD, 2005, Medical University of South Carolina.

Teaching and other vocational experience: Internship, 2004-2005, Medical College of South Carolina and Residency in Radiation Oncology, 2005-present, Shands Hospital, University of Florida.

Scholarly and other professional membership organizations: American Society for Therapeutic Radiology and Oncology, Radiological Society of North America and the American Society of Clinical Oncology.

Publications: One collaboratively written book chapter and eleven collaboratively written articles in refereed journals.

Professor Chera was interviewed and recommended by faculty in the Department of Radiation Oncology and Professor Lawrence Marks, Chair.

KRISTINA ABEL, as Assistant Professor, Department of Microbiology and Immunology, effective July 1, 2009, on a twelve months basis contingent on the continuation of funds from non-state sources. The recommended salary for this appointment is $90,000.

Personal: Born September 28, 1961, Berlin, Germany.
Educational background: BS, 1984, and MS, 1986, Martin Luther University, Germany; PhD, 2002, University of California at Davis.

Teaching and other vocational experience: Research Immunologist, 2002-2005, Staff Scientist, 2005-present, and Adjunct Assistant Professor, 2005-present, University of California at Davis.

Scholarly and other professional organization memberships: American Association of Immunologists, American Society for Microbiology and the American Association for the Advancement of Science.

Publications: Thirty-six individually written and collaboratively written articles in refereed journals.

Professor Abel was interviewed and recommended by faculty from the Department of Microbiology and Immunology and Professor William Goldman, Chair.

RONALD CHEN as Assistant Professor, Department Radiation Oncology, effective June 30, 2009, on a twelve months basis contingent on the continuation of funds from non-state sources. The recommended salary for this appointment is $230,000 from non-state funds.

Personal: Born February 5, 1976, Taiwan.


Scholarly and other professional organization memberships: American Society for Therapeutic Radiology and Oncology; American Society for Clinical Oncology and the Radiological Society of North America.

Publications: Six collaboratively written articles in refereed journals and ten abstracts.
Professor Chen was interviewed and recommended by faculty from the Department of Radiation Oncology and Professor Lawrence Marks Chair.

JONATHAN BERG, as Assistant Professor, Department of Genetics with a joint appointment as Assistant Professor, Department of Medicine, effective July 1, 2009, on a twelve months basis contingent on the continuation of funds from non-state sources. The recommended salary for this appointment is $145,000 from on-state funds.

**Personal:** Born February 21, 1972, Gainesville, FL

**Educational background:** BS, 1994, Emory University; PhD, 2001 and MD, 2004, UNC-Chapel Hill.

**Teaching and other vocational experience:** Residency in Medical Genetics, 2003-2007, Baylor College of Medicine; Visiting Assistant Professor, 2007-2009, Departments of Medicine and Genetics, UNC-Chapel Hill.

**Scholarly and other professional organization memberships:** American Society for Cell Biology, American Association for the Advancement of Science, and the American Society for Human Genetics

**Publications:** Seventeen collaboratively written articles in peer-journals.

Professor Berg was interviewed and recommended by Faculty from the Department of Genetics and Department of Medicine and Professor Terry Magnuson, Chair, Department of Genetics.

**REAPPOINTMENT AT THE SAME RANK**

SUK-WON JIN, as Assistant Professor, Department of Cell and Molecular Physiology, effective January 1, 2010, on a twelve months’ basis contingent on the continued availability of funds from non-state sources. The recommended salary for this appointment is $95,245.

MARK J. ZYLKA, as Assistant Professor, Department of Cell and Molecular Physiology, effective January 1, 2010, on a twelve months’ basis contingent on the continued availability of funds. The recommended salary for this appointment is $94,808.
PROMOTION TO PROFESSOR

SUSAN T. ENNETT, to Professor, Department of Health Behavior and Health Education, effective July 1, 2009, on a twelve months’ basis contingent on the continued availability of funds. The recommended salary for this appointment is $125,148 of which $48,798 is from non-state funds.

REAPPOINTMENTS OF DEPARTMENT CHAIRS

TIMOTHY TURVEY, Professor and Chair, Department of Oral Surgery, School of Dentistry, as Chair, Department of Oral Surgery, effective July 1, 2009 through June 30, 2014, on a twelve months’ basis. The recommended salary for this appointment is $362,027 of which $5,000 is the administrative supplement for serving as Chair.

JOHN TIMOTHY WRIGHT, Professor and Chair, Department of Pediatric Dentistry, School of Dentistry, as Chair, Department of Pediatric Dentistry, effective July 1, 2009, through June 30, 2014, on a twelve months’ basis. The recommended salary for this appointment is $230,758 of which $5,000 is the administrative supplement for serving as Chair.

GARY JOHNSON, Professor and Chair, Department of Pharmacology, as Chair, effective June 1, 2009, through May 31, 2014, on a twelve months’ basis. The recommended salary for this appointment is $275,991 of which $40,056 is the administrative supplement for serving as Chair.

Respectfully submitted,

Holden Thorp
June 17, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

I submit for your review and approval the following personnel actions at the University of North Carolina at Chapel Hill.

APPENDIX D

APPOINTMENT OF A DEAN

KRISTEN M. SWANSON, as Alumni Distinguished Professor and Dean, School of Nursing, effective August 1, 2009, on a twelve months' basis. The recommended salary for this appointment is $270,000, of which $230,000 is the base salary with $40,000 as the administrative supplement for serving as Dean.

Personal: Born January 13, 1953, Providence, RI.

Educational background: BSN, 1975, University of Rhode Island; MSN, 1978, University of Pennsylvania; PhD, 1983, University of Colorado.


Publications: Twenty-four refereed journal articles, three non-refereed professional publications, and nine books and edited volumes.

Professor Swenson was interviewed and recommended by a University search committee chaired by Professor Robert Blouin, Dean, School of Pharmacy and Professor Bernadette Gray-Little, Executive Vice-Chancellor and Provost.
NEW APPOINTMENT CONFERRING TENURE

SHEILA SANTACROCE, as Associate Professor and Beerstecher Blackwell Scholar, School of Nursing, effective July 1, 2009, on a nine months’ basis contingent on the continued availability of funds. The recommended salary for this appointment is $101,000.


Educational background: BSN, 1976, Hunter College; MSN, 1981, Catholic University, Washington, DC; PhD, 1997, UNC-Chapel Hill.

Teaching and other vocational experience: Postdoctoral Fellow, 1997-1999; and Clinical Instructor, 1999-2000, University of Pennsylvania; Assistant Professor, 2000-2005, and Associate Professor, 2005-present, Yale University.

Scholarly and other professional organization memberships: American Nurses Association, Association of Pediatric Hematology-Oncology Nurses, Association of Nurses in AIDS Care, and the Oncology Nursing Society.


Professor Santacroce was interviewed and recommended by a faculty search committee in the School of Nursing and Professors Maria Van Riper, Margarete Sandelowski, and Professor Linda Cronenwett, Dean.

PROMOTIONS CONFERRING TENURE

DEBRA BARKSDALE, as Associate Professor, School of Nursing, effective July 1, 2010, on a nine months’ basis. The recommended salary for this appointment is $76,317.

AMER KHANDANI, as Associate Professor, Department of Radiology, effective July 1, 2009, on a twelve months’ basis contingent on the continued availability of funds. The recommended salary for this appointment is $200,000 of which $167,510 from non-state funds.
ELIZABETH K. DOUGALL, as Associate Professor, School of Journalism and mass Communication, effective July 1, 2009, on a nine months’ basis. The recommended salary for this appointment is $76,160.

INGER BRODEY, as Associate Professor, Department of English and Comparative Literature, effective January 1, 2010, on a nine months’ basis. The recommended salary for this appointment is $71,708.

FRED NAIDEN, as Associate Professor, Department of History and Adjunct Associate Professor, Classics Department, effective January 1, 2010, on a nine months’ basis. The recommended salary for this appointment is $64,650.

Respectfully submitted,

Holden Thorp
June 22, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

You have authorized me to poll you by mail ballot concerning personnel matters which require attention by the Board. With the departure of Bernadette Gray-Little, I have recommended that Bruce Carney, Professor of Physics and Astronomy and Interim Dean, College of Arts and Sciences, be named Interim Executive Vice Chancellor and Provost, effective July 1, 2009, while a national search is being conducted. In order to compensate Professor Carney for these additional duties, I am recommending that his current salary of $207,000 as Interim Dean be increased to $267,000 as Interim Executive Vice chancellor and Provost. At the conclusion of the search, Professor Carney’s salary will be $200,000. Thank you.

Sincerely,

[Signature]
 Holden Thorp

Enclosures

Re 6/22/09 mail ballot: (Personnel)
A quorum was received on 6/24/09:
Roger L. Perry, Sr.
Russell M. Carter
Paul Fulton
Nelson Schwab III
Robert W. Winston III
Salie Shuping-Russell
J. Alston Gardner

Additional approvals received:
A. Donald Stallings
Karol V. Mason
Jasmin M. Jones
John G. B. Ellison, Jr.
Phillip L. Clay
Barbara R. Hyde
MAIL BALLOT

June 22, 2009

The undersigned votes as follows with respect to the recommendation proposed in Chancellor Thorp's letter dated June 22, 2009.

Approve

Disapprove

Signed: ________________________________

Dated: ________________________________

PLEASE RETURN BALLOT TO
FAX #919-962-8464
The University of North Carolina at Chapel Hill

Cost Diagnostic: Final Report Summary
July 2009

Meeting agenda

- Introductions
- Project objectives and scope
- Key findings
- High potential options
- Next steps
Project objective and guiding principles

Objective

Identify options to improve UNC-Chapel Hill's operating cost structure through more efficient and effective operations to facilitate long-term growth, within boundaries of guiding principles

Guiding principles

- Options must comply with regulatory, statutory, and policy environments under which the university operates
- Academic quality must be maintained
- Carolina's reputation as a leading public institution must be preserved
- Must sustain sound internal control and compliance environment
- Costs must be evaluated against relative value they generate in return

Project scope

- Diagnostic included University Administration and all 14 Schools
- Increased focus on expenses paid for by General Institutional Support Funds (GISF)
  - GISF includes State Funds and F&A (i.e., overhead)
- Auxiliary Enterprises that impact the use of GISF were analyzed more closely
  - Energy Services, Facilities Services, Printing, Tar Heel Temps
- Some areas were out of scope for the 5-month diagnostic:
  - UNC Health Care System and UNC Physicians & Associates
  - New sources of revenue
  - Capital projects
We used a rigorous and collaborative process to identify, design, and vet options.

- Gathered data from a variety of sources
- Codified long list of ideas
- Used Guiding Principles to identify highest potential options
  - Costs evaluated against relative value
- Worked with key stakeholders to define and vet options, articulating likely benefits and risks
- Summarized options in this report
- Chancellor will lead selection and prioritization of ultimate options to pursue

Report description and disclaimer

- The final report is a compilation of potential options to improve efficiency and effectiveness, but should not be viewed as final recommendations for initiatives
- All options were designed and authored with input and consultation from the UNC leadership team
- Potential financial values and timelines are estimates
  - Value and timelines are dependent on option selection, leadership approach, and implementation
  - Savings could be reallocated to support Carolina’s core mission (i.e., teaching, research, and public service) or address budget concerns
- In general, organizations rarely achieve 100% of identified savings options
  - 60-80% is more common based on a variety of factors
  - 40-60% more likely at UNC given regulatory constraints
- Many options are difficult to implement and will require significant time and investment
### Focused on 10 potential options

**Overall University Structure and Strategy**
- Organization re-design
- Spans and layers optimization

**Area Deep Dives**

<table>
<thead>
<tr>
<th>Admin Support</th>
<th>Teaching, Research, and Public Service</th>
<th>University Operations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procurement</td>
<td>Centers &amp; Institutes</td>
<td>Utilities</td>
</tr>
<tr>
<td>IT</td>
<td>Research &amp; Compliance</td>
<td>Facilities services</td>
</tr>
<tr>
<td>Finance</td>
<td></td>
<td>Space utilization</td>
</tr>
<tr>
<td>HR</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### High-level description of 10 potential options (1 of 4)

<table>
<thead>
<tr>
<th>Area</th>
<th>Opportunity/Options</th>
<th>Estimated Annual Value</th>
<th>Estimated Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Org. structure</strong></td>
<td>- Reduce organizational layers and expand average spans of control</td>
<td>$3 - 12M</td>
<td>1 - 2 years</td>
</tr>
<tr>
<td></td>
<td>- Establish policies and guidelines to maintain ‘flattened’ organization structure</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Procurement</strong></td>
<td>- Invest in adequate systems for data capture, process automation</td>
<td>$40 - 45M</td>
<td>2 - 5 years</td>
</tr>
<tr>
<td></td>
<td>- Restructure procurement organization to more heavily invest in strategic (vs., purely transactional) support of distributed units</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Information Technology</strong></td>
<td>- Consolidate ‘hidden’ IT infrastructure from within departments to school or division level</td>
<td>$12 - 19M</td>
<td>2 - 3+ years</td>
</tr>
<tr>
<td></td>
<td>- Invest in central capabilities and further resolve past trust/performance hurdles to facilitate migration of IT services into ITS</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Organization likely achieve 100% of identified savings. Additional details in complete final report.
Further information contained in this document are for executive purposes only.
High-level description of 10 potential options, July 2010. Only major elements are identified in the summary table.
### High-level description of 10 potential options (2 of 4)

<table>
<thead>
<tr>
<th>Area</th>
<th>Opportunity/Options</th>
<th>Estimated Annual Value</th>
<th>Estimated Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administrative Support</td>
<td>• Near-term (before ERP) platform consolidation and process simplification</td>
<td>$4.5 - 9M</td>
<td>1 - 2+ years</td>
</tr>
<tr>
<td></td>
<td>• Restructure distributed Finance organization to automate clerical task execution and consolidate core finance activities to realize benefits of scale</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance</td>
<td></td>
<td>$3.5 - 5M</td>
<td>1 - 3+ years</td>
</tr>
<tr>
<td>Human Resources</td>
<td>• Early focus on platform consolidation and process simplification</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Restructure distributed HR organization to streamline communication and realize benefits of scale</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### High-level description of 10 potential options (3 of 4)

<table>
<thead>
<tr>
<th>Area</th>
<th>Opportunity/Options</th>
<th>Estimated Annual Value</th>
<th>Estimated Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Centers &amp; Institutes</td>
<td>• Reduce CAI dependence on state funds, including use of shared resources</td>
<td>$14 - 53M</td>
<td>1 - 3 years</td>
</tr>
<tr>
<td></td>
<td>- Automate appropriate allocation of F&amp;A for operating budget</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Create standard policies on CAI start-up, funding, and review processes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Research &amp; Compliance</td>
<td>• Invest in automation and resources to meet expected increases in sponsored research awards and ensure compliance with regulations</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Restructure research support offices to eliminate redundancies and provide better service to campus</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: Organizations vary in the extent to which they have identified savings. Additional detail is in complete final report.
### High-level description of 10 potential options (4 of 4)

<table>
<thead>
<tr>
<th>Area</th>
<th>Opportunity/Options</th>
<th>Estimated Annual Value</th>
<th>Estimated Timing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy Services</td>
<td>Focus on utilization of assets and decreasing energy consumption</td>
<td>$11 - 10M</td>
<td>3 - 7+ years</td>
</tr>
<tr>
<td>Facilities Services</td>
<td>Little in the way of significant &quot;low-hanging fruit&quot;</td>
<td>$1 - 2M</td>
<td>1 - 4 years</td>
</tr>
<tr>
<td>Space Utilisation (classrooms)</td>
<td>Some opportunity to optimize procurement spend and practices</td>
<td>$1 - 2M</td>
<td>1 - 4 years</td>
</tr>
<tr>
<td>Space Utilisation (classrooms)</td>
<td>Sufficient classroom space should exist for expected future growth (through 33K students)</td>
<td>$1 - 2M</td>
<td>1 - 4 years</td>
</tr>
<tr>
<td>Space Utilisation (classrooms)</td>
<td>Key lever for sustaining growth is better utilization of classroom space:</td>
<td>$1 - 2M</td>
<td>1 - 4 years</td>
</tr>
<tr>
<td>Space Utilisation (classrooms)</td>
<td>- Standardising class times</td>
<td>$1 - 2M</td>
<td>1 - 4 years</td>
</tr>
<tr>
<td>Space Utilisation (classrooms)</td>
<td>- Increasing utilization of classrooms during peak and non-peak times</td>
<td>$1 - 2M</td>
<td>1 - 4 years</td>
</tr>
</tbody>
</table>

Note: Organization needs to achieve 100% of identified savings. Additional detail in complete final report.

### While financial benefits could be significant, "soft" benefits can be equally or more important

- Better communication and information for decision-making and execution
- Schools, Departments, Centers/Institutes able to focus on core missions
- Simpler, more responsive systems and processes
- Reduced bureaucracy and corresponding frustration
- Increased focus on core elements of their job that they like
- Greater sense of connectedness to leadership and University
- More empowerment

These observations contained in this document are for discussion purposes only.

This information not approved within the Office of the University of North Carolina at Chapel Hill. It is not to be used for any other purpose.
Where are the next steps for Carolina?

- Chancellor to lead selection of options
  - Align key stakeholders and university around which options to pursue and relative priority

- Establish program management, process and tools to lead and track change initiatives

- Identify and assign sponsors and owners for initiatives to drive change

- Bain has committed to return for a pro bono engagement to help measure progress of initiatives
July 22, 2009

Mr. Frank Daniels
UNC Board of Governors
P. O. Box 2688
Chapel Hill, North Carolina 27515-2688

Dear Mr. Daniels:

In accordance with the Best Financial Practices Guidelines adopted by the Board of Governors in November 2005, I confirm that the Board of Trustees (BOT) Audit and Finance Committee of the University of North Carolina at Chapel Hill is in compliance with the following (any exceptions must be identified and explained in an accompanying statement):

1. Met at least four times this year.

2. Reviewed the results of the annual financial audit with the State Auditor or his designated representative.

3. Discussed the results of any other audit performed and report/management letter (i.e. information system audits, investigative audits, etc.) issued by the North Carolina Office of the State Auditor with either the State Auditor or his staff, the Director of Internal Audits or appropriate campus official.

4. For any audit finding contained within a report or management letter issued by the State Auditor, reviewed the institution’s corrective action plan and received a report once corrective action has taken place.

5. Discussed the results of any audit performed by independent auditors and, if there were audit findings, reviewed the institution’s corrective action plan and received a report once corrective action has taken place.

6. Reviewed all audits and management letters of University Associated Entities as defined in Section 600.2.5.2 [R] of the UNC Policy Manual.
7. Received four reports from the institution’s Director of Internal Audit that, at a minimum, reported material (significant) reportable conditions, the institution’s corrective action plan for these conditions and a report once these conditions have been corrected. There were no material reportable conditions in fiscal year 2009.

8. The institution’s Director of Internal Audit reports directly to the Chancellor with a clear and recognized reporting relationship to the chair of the BOT Audit Committee.

9. Received, reviewed, and approved the annual audit plan for the internal audit department.

10. Received and reviewed an annual summary of the audits performed by the internal audit department.

11. The institution’s Director of Internal Audit has sent a copy of the summary of internal audit results to UNCGA in the prescribed format. The approved audit plan for fiscal year 2000/10 will be sent in September 2009 after it has been reviewed and approved by the Audit and Finance Committee.

Chair of Audit and Finance Committee

c: H. Holden Thorp
Roger L. Perry, Sr.
Phyllis C. Petree
TRANSFER TO THE UNIVERSITY OF THE ENDOWMENT'S DISTRIBUTION FROM THE INVESTMENT FUND

Annually the Chapel Hill Investment Fund authorizes a distribution to its participating investors, including the Endowment Fund. Exhibit 1 is a table showing the proposed transfer of that distribution from the Endowment to the University, by category, for expenditure during the 2009-2010 fiscal year as well as a page of explanatory notes. Regulations adopted by the Board of Governors require that the Trustees approve any transfer of Endowment principal or income to the useful possession of the institution. The Board of Trustees of the Endowment Fund approved, by mail ballot, the proposed transfer for University expenditure during the 2009-2010 fiscal year.

Exhibit 2 provides a flowchart of the approval process as background information.

RECOMMENDED ACTION:

A motion to approve the transfer from the Endowment to the University of the amounts shown on Exhibit 1 for University expenditure during the 2009-2010 fiscal year.
<table>
<thead>
<tr>
<th>Transfer</th>
<th>Occurring June 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted Funds:</td>
<td></td>
</tr>
<tr>
<td>Kenan Professorships</td>
<td>$2,760,414</td>
</tr>
<tr>
<td>William R. Kenan, Jr. Professorships</td>
<td>2,003,930</td>
</tr>
<tr>
<td>Johnston Professorships</td>
<td>3,170,623</td>
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<tr>
<td>Other Professorships</td>
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<td>Visiting Professors and Lectures</td>
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<td>Scholarships</td>
<td>5,984,450</td>
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<tr>
<td>Fellowships</td>
<td>2,544,279</td>
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<td>Prizes and Awards</td>
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<tr>
<td>Departmental Uses</td>
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<td>Library</td>
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<tr>
<td>Miscellaneous</td>
<td>260,583</td>
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<tr>
<td>Total Restricted</td>
<td>40,967,872</td>
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<tr>
<td>Unrestricted Funds:</td>
<td></td>
</tr>
<tr>
<td>Pogue Fund:</td>
<td></td>
</tr>
<tr>
<td>Development Program</td>
<td>1,550,000</td>
</tr>
<tr>
<td>Library Acquisitions</td>
<td>267,500</td>
</tr>
<tr>
<td>Approved Research/Study Programs</td>
<td>165,000</td>
</tr>
<tr>
<td>Scholarships</td>
<td>583,000</td>
</tr>
<tr>
<td>Fellowships</td>
<td>210,000</td>
</tr>
<tr>
<td>Unallocated</td>
<td>392,271 (1)</td>
</tr>
<tr>
<td>Subtotal - Pogue Fund</td>
<td>3,167,771</td>
</tr>
<tr>
<td>Clayton Fund:</td>
<td></td>
</tr>
<tr>
<td>Chancellor's Carolina Scholars Program</td>
<td>936,893</td>
</tr>
<tr>
<td>Undergraduate Advising</td>
<td>250,000</td>
</tr>
<tr>
<td>Chancellor's Discretionary</td>
<td>1,248,194 (1)</td>
</tr>
<tr>
<td>Subtotal - Clayton Fund</td>
<td>2,435,087</td>
</tr>
<tr>
<td>Other Unrestricted</td>
<td>785,437</td>
</tr>
<tr>
<td>Total Unrestricted</td>
<td>6,388,295</td>
</tr>
<tr>
<td>Grand Total</td>
<td>$47,356,167</td>
</tr>
</tbody>
</table>

(1) Some of this allocation has been previously committed by the Chancellor.
NOTES TO THE PROPOSED ENDOMENT TRANSFER OF FUNDS JUNE 2009

Consistent with the procedures for implementing the Uniform Prudent Management of Institutional Funds Act (UPMIFA) presented to the Board of Trustees of the Endowment Fund on May 14 and June 18, 2009, the recommended distribution and transfer exclude any invasion of principal. Therefore, the distribution and transfer were reduced by a total of $5,026,311 from the calculated payout distribution. At the November 2009 meeting, the Board will receive a report of any principal invasions consistent with its action on June 24, 2009.

The Restricted Funds amount is a direct pass through of the approved Investment Fund distribution. Unlike previous years, the distribution and transfer for certain Unrestricted Funds do not include previously approved increased transfers. Due to the downturn in the financial markets during fiscal year 2008-09, the allowable increased transfers are being suspended for the June 2009 distribution but may continue in subsequent years consistent with previous Board actions.

Unrestricted Funds in the *Pogue Fund – Unallocated*, the *Clayton Fund - Chancellor’s Discretionary*, and the *Other Unrestricted* categories are allocated by the University Budget Committee. The Unrestricted Funds category reflects allocations as recommended by University management to the Board for approval. Unspent prior year allocations are not carried forward for use by the campus unit but are available for reallocation by the University’s Budget Committee.

The recent history of the unrestricted allocations follows:

<table>
<thead>
<tr>
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<tr>
<td><strong>Unrestricted Funds:</strong></td>
<td></td>
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<tr>
<td><strong>Pogue Fund:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Development Program</td>
<td>$1,550,000</td>
<td>$1,550,000</td>
<td>$1,550,000</td>
<td>$1,550,000</td>
<td>$1,550,000</td>
</tr>
<tr>
<td>Library Acquisitions</td>
<td>267,500</td>
<td>267,500</td>
<td>267,500</td>
<td>267,500</td>
<td>267,500</td>
</tr>
<tr>
<td>Approved Research/Study Programs</td>
<td>165,000</td>
<td>165,000</td>
<td>165,000</td>
<td>165,000</td>
<td>165,000</td>
</tr>
<tr>
<td>Scholarships</td>
<td>583,000</td>
<td>583,000</td>
<td>283,000</td>
<td>283,000</td>
<td>283,000</td>
</tr>
<tr>
<td>Fellowships</td>
<td>210,000</td>
<td>210,000</td>
<td>210,000</td>
<td>210,000</td>
<td>210,000</td>
</tr>
<tr>
<td>Unallocated</td>
<td>392,271</td>
<td>1,329,489</td>
<td>1,563,771</td>
<td>1,164,151</td>
<td>718,273</td>
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<tr>
<td><strong>Subtotal - Pogue Fund</strong></td>
<td>3,167,771</td>
<td>4,104,989</td>
<td>4,039,271</td>
<td>3,639,651</td>
<td>3,193,773</td>
</tr>
<tr>
<td><strong>Clayton Fund:</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chancellor’s Carolina Scholars Program</td>
<td>936,893</td>
<td>936,893</td>
<td>936,893</td>
<td>936,893</td>
<td>-</td>
</tr>
<tr>
<td>Merit Scholarships</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>600,000</td>
</tr>
<tr>
<td>Undergraduate Advising</td>
<td>250,000</td>
<td>250,000</td>
<td>250,000</td>
<td>250,000</td>
<td>250,000</td>
</tr>
<tr>
<td>Chancellor’s Discretionary</td>
<td>1,248,194</td>
<td>1,046,310</td>
<td>994,197</td>
<td>894,701</td>
<td>989,999</td>
</tr>
<tr>
<td><strong>Subtotal - Clayton Fund</strong></td>
<td>2,435,087</td>
<td>2,233,203</td>
<td>2,181,090</td>
<td>2,081,594</td>
<td>1,839,999</td>
</tr>
<tr>
<td><strong>Other Unrestricted</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>785,437</td>
<td>997,007</td>
<td>976,136</td>
<td>830,407</td>
<td>734,103</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$6,388,295</td>
<td>$7,335,199</td>
<td>$7,196,496</td>
<td>$6,551,651</td>
<td>$5,767,875</td>
</tr>
</tbody>
</table>
UNC-CHAPEL HILL FOUNDATION INVESTMENT FUND, INC.

The Investment Fund's purpose is to support the University by operating an investment fund for charitable, nonprofit foundations, associations, trusts, endowments and funds that are organized and operated primarily to support the University.

Pay its earnings to its participating investors on a total return basis.

Annually authorizes a distribution (or payout) to its participants according to a formula adopted by the Investment Fund Board.

Rate is set a year in advance and is approximately 5% of the Fund.

Distribution is paid to participants on 6/30.

UNC-CHAPEL HILL FOUNDATION, INC.

The Foundation's purpose is to aid, support, and promote teaching, research and service in the various educational, scientific, scholarly, professional, artistic and creative endeavors of the University.

Board of Directors approves the transfer of all (or a portion) of its distribution from the Investment Fund to the University for expenditure during the fiscal year (7/1 - 6/30) after the Investment Fund distributes.

The retained portion may be expended by the Foundation on behalf of the University.

Potential expenditures are categorized by donor restrictions (or lack thereof).

UNC-CHAPEL HILL ENDOWMENT FUND

Pursuant to N.C. statutes and Board of Governors regulations, the Board of Trustees of each constituent UNC institution must establish and maintain an endowment fund for the institution.

Board of Trustees of Endowment Fund approves the transfer of the distribution from the Investment Fund to the University for expenditure during the fiscal year (7/1 - 6/30) after the Investment Fund distributes.

Potential expenditures are categorized by donor restrictions (or lack thereof).

UNC-CHAPEL HILL BOARD OF TRUSTEES

Pursuant to Board of Governors regulations, the Board of Trustees must approve the transfer of the distribution from the Endowment to the University.

The Board of Trustees does not approve the Foundation or the Investment Fund actions.
REVISION TO ORDINANCE REGULATING TRAFFIC AND PARKING

At its May meeting, the Board of Trustees approved changes in the 2009-2010 Ordinance Regulating Traffic and Parking, effective August 15, 2009, to regulate motorized two-wheeled vehicles. These changes included setting parking permit fees for these vehicles at motorcycle rates.

Since that time, research on parking permit fees for these vehicles at other institutions has shown annual parking permit fees ranging from $25 to $300. Since we have no way of estimating the number of motorized two-wheeled vehicles that will be registered, or their impact on the parking system overall, and since 2009-2010 is the final year of the currently approved five-year parking permit pricing schedule, we are proposing to change the annual permit fee to $24 for all motorized two-wheeled vehicles (other than motorcycles) for 2009-10, with no sliding scale related to income. Parking permit fees for motorcycles will remain at the levels approved in March. Recommended parking permit fees for motorized two-wheeled vehicles for future years will be included in the overall five-year plan to be proposed in the spring of 2010, once the impact of these vehicles on the parking system and the associated costs can be assessed.

RECOMMENDED ACTION

Approval of the amendments to the 2009-2010 Traffic and Parking Ordinance, as described in the proposed 2009-2010 Ordinance Insert.
By action of the Board of Trustees of The University of North Carolina at Chapel Hill on July 23, 2009, the 2009-2010 Ordinance Regulating Traffic and Parking on the Campus of the University of North Carolina at Chapel Hill (the “Ordinance”), effective as of August 15, 2009, was amended as follows:

I. Section 1.1 of the Ordinance is amended by inserting the following definition of “Motorcycle” as subsection 1-1.12:

“12. ‘Motorcycle’ means any Motorized Two-Wheeled Vehicle that is required to be registered with the North Carolina Division of Motor Vehicles in order for the operator to lawfully drive it, pursuant to Chapter 20, Article 3, Part 3 of the North Carolina General Statutes.”

II. Section 3.4 of the Ordinance is amended by inserting a new, lower pricing tier for Motorized Two-Wheeled Vehicle (non-Motorcycle) parking permits for both students and employees, as set forth below:

<table>
<thead>
<tr>
<th>Student Pricing</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td>Motorized Two-Wheeled Vehicles (non-Motorcycle) Permit</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>2009-10</td>
</tr>
<tr>
<td>$ 24</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Employee Pricing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Permit</td>
</tr>
<tr>
<td>Scale in Thousands (Based on Salary)</td>
</tr>
<tr>
<td>2009-10</td>
</tr>
<tr>
<td>Motorized Two-Wheeled Vehicle (non-Motorcycle) Permit</td>
</tr>
<tr>
<td>&lt;$25</td>
</tr>
<tr>
<td>$25-$&lt;50</td>
</tr>
<tr>
<td>$50-$100</td>
</tr>
<tr>
<td>&gt;$100</td>
</tr>
</tbody>
</table>

III. Section 6.1 of the Ordinance is amended by deleting the phrase “Violation of Sec. 3-18, Two-Wheeled Motorized Vehicle parked in zoned space,” and inserting, in substitution thereof, the phrase “Violation of Sec. 3-18, Two-Wheeled Motorized Vehicle parking violation.”
MEMORANDUM

July 13, 2009

To: The Board of Trustees

From: Bruce W. Carney

Leslie Chambers Strohm

Re: Proposed Revisions to the Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill

Following a UNC System-wide study, the UNC Board of Governors approved a number of changes to its policies governing various faculty issues. Each constituent campus was then requested to review and revise its faculty promotion and tenure policies to bring them into conformity with the Board of Governors' guidance.

The Board of Trustees approved changes to our campus's Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill during its January 2009 meeting. Those changes were then submitted to the Senior Vice President for Academic Affairs at UNC General Administration for review and comment. On June 2, 2009, we received follow-up correspondence from UNC General Administration commending the campus for its work but requesting a few additional revisions.

Attached for your review is a redlined copy of revised Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill that we believe addresses all of the changes necessary to meet the Board of Governors' requirements and to respond to the comments we received from UNC General Administration. The redlining highlights those changes we propose be made to the document approved by the Board of Trustees in January.

The substantive changes are as follows:

1. **Special Faculty** (Section 2.b.5). The new language makes clear that all special faculty appointed to part-time or intermittent salaried positions shall be appointed for a specified term of service, which shall be set out in the appointment letter. (The January 2009 document had provided that special faculty working on an intermittent basis could be appointed either for a specified term of service or at will.)
2. **Process to be Followed When a Faculty Member Appeals a Decision Not to Reappoint.** (Sections 4.c, 4.e, and 4.f). The University’s current policy provides that the Faculty Hearings Committee’s decision is the final campus decision when the Faculty Hearings Committee concludes: (a) that a faculty member has not alleged sufficient grounds to be granted a hearing challenging the decision not to reappoint the faculty member, or (b) that a faculty member has not presented sufficient evidence during the first phase of his or her hearing to establish that the decision not to reappoint him or her was impermissibly based. This has been changed in the attached draft to provide instead that the Faculty Hearings Committee’s decision serves as a recommendation to the Chancellor to uphold the decision not to reappoint. The purpose of the revision is to make sure that our campus policy dovetails smoothly with Board of Governors’ policy on appeal rights to the Board of Governors.

3. **Retirement Policy for Members of the Faculty.** Sections (b) and (c) of Section 5 were deleted. They reflect outdated provisions that are no longer effective.

4. **Faculty Involvement in Decisions Related to Financial Exigency or Program Change.** (Section 6.c). Current campus policy provides that, should the Chancellor determine that (a) a state of financial exigency exists or is imminent, or (b) a program change has occurred or should seriously be considered and that termination of one or more faculty members may be required, then the Chancellor must consult with a faculty committee empowered to deal with these kinds of issues and shall publish a summary statement calculated to bring the matter to the attention of all members of the faculty in residence. The new revision makes clear that the Chancellor shall also undertake to obtain advice and recommendation with respect to the matter from the faculty whose units might reasonably be expected to be affected by the proposed action.

We welcome your questions and comments and look forward to discussing these revisions with you at next week’s meeting.
Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill

These policies and regulations were adopted by the Board of Trustees of the University of North Carolina at Chapel Hill on April 9, 1976, were approved by the President and the Board of Governors of the University of North Carolina on May 14, 1976; and became effective on June 18, 1976. They have been amended December 1978, June 1980, June 1982, January 1987, June 1987, February 1994, April 9, 1998, September 9, 2000, January 2004, May 2004, and ________, 2009.

They were adopted by the Board of Trustees pursuant to and in subordination to Chapter Six of The Code of the University of North Carolina, which is set forth in the Appendix hereto. References in this document to any decision or action as being "final," or "without further recourse," or as being terminal by any other form of words, are made in relation to the processes of the University of North Carolina at Chapel Hill. Each is subject to any further review procedures which may be provided by law or by The Code of the University of North Carolina.

Section 1. Academic Freedom

Academic freedom is the right of a faculty member to be responsibly engaged in efforts to discover, speak and teach the truth. It is the policy of the University to maintain and encourage full freedom, within the law, of inquiry, discourse, teaching, research, and publication and to protect any member of the faculty against influences, from within or without the University, which would restrict the faculty member in the exercise of these freedoms in his or her area of scholarly interest.

The University recognizes that in his or her role as citizen, as to matters outside the area of his or her scholarly interest, the faculty member has the right to enjoy the same freedoms as other citizens, without institutional censorship or discipline, though he or she should avoid abuse of these freedoms. The faculty member should recognize that accuracy, forthrightness, and dignity befit his or her association with the University and his or her position as a person of learning. Except when officially authorized, a faculty member should not represent himself or herself as a spokesman for the University.

Section 2. Academic Tenure

a. In general

Academic tenure refers to the conditions and guarantees that apply to a faculty member's employment. More specifically, it refers to the protection of a faculty member against involuntary suspension, demotion, discharge, or termination from employment by the University except upon specified grounds and in accordance with specified procedures.
Those grounds and procedures are exclusively as provided in Section 3 (suspension, demotion, and discharge) and Section 6 (termination for financial exigency or elimination or major curtailment of a program) hereof.

The purposes intended to be served by according the protections of academic tenure to faculty members are to secure their freedom and to aid this University in attracting and retaining faculty members of the high quality it seeks. While academic tenure may be withheld on any grounds other than those specifically stated to be impermissible under Section 4 hereof, its conferral requires an assessment of institutional needs and resources and evidence of service to the academic community, potential for future contribution, commitment to the welfare of the University, and demonstrated professional competence, including consideration of commitment to effective teaching, research, or public service.

b. In relation to faculty ranks

Academic tenure, as herein defined, pertains exclusively to the employment of members of the faculty by appointment to specified faculty ranks. Such appointments may be for fixed terms of employment, automatically terminable upon their expirations; or they may be for renewable probationary terms (“probationary term appointment”); or they may be continuous until retirement or earlier resignation or death (“tenured appointment” or “appointment with permanent tenure”).

The faculty ranks to which appointments may be made, and the incidents of academic tenure applicable to each, are as follows:

1. Professor. Either promotion or initial appointment to the rank of professor confers permanent tenure from the effective date of the promotion or appointment.

2. Associate Professor. A promotion at any time to the rank of associate professor confers permanent tenure from the effective date of the promotion.

Initial appointment to the rank of associate professor is ordinarily for a probationary term of five years. With the written approval of the immediate supervisor of the department chair obtained in advance of the initiation of formal appointment procedures, an initial appointment to the rank of associate professor with permanent tenure may be initiated and made effective upon subsequent approval of the appointment by the regularly prescribed procedures for initiation, review and final approval.

No less than 12 months before the end of a five year probationary term appointment as associate professor, a decision shall be made and communicated in writing to the associate professor as to whether he or she will be reappointed upon expiration of the current term. This decision shall be made and communicated as provided in Section 2.c. hereof. No decision need then be made as to the rank to be had upon reappointment. If a decision is made to reappoint
and no promotion has been made prior to expiration of the five year term, the associate professor is thereupon reappointed at the rank of associate professor, with permanent tenure.

3. **Assistant Professor.** Initial appointment to the rank of assistant professor is for a probationary term of four years. No less than 12 months before the end of this term a decision shall be made and communicated in writing to the assistant professor as to whether he or she will be reappointed upon expiration of the current term. The decision shall be made and communicated in the manner provided in Section 2.c. hereof. No decision need then be made as to the rank to be had upon reappointment. If a decision to reappoint is made and no promotion is then made prior to the expiration of the current term, the assistant professor is thereupon reappointed for a second probationary term of three years at the rank of assistant professor.

No less than 12 months before the end of such a second term, a decision shall be made and communicated in writing to the assistant professor as to whether he or she will be reappointed upon expiration of the current term. The decision shall be made and communicated as provided in Section 2.c. hereof. If the decision is to reappoint, the notice thereof shall also inform the faculty member whether reappointment will be at the same rank or with promotion to the rank of associate professor; and a faculty member given notice that reappointment will be at the same rank shall be then informed by his or her chair whether he or she will be reconsidered for promotion prior to the effective date of the reappointment. If a decision to reappoint is made and no promotion is then made prior to the expiration of the current term, the assistant professor is thereupon reappointed at the rank of assistant professor with permanent tenure. Reappointment at the rank of assistant professor following expiration of the second probationary term should be made only in clearly exceptional circumstances.

4. **Instructor.** This rank is appropriate for one appointed to the faculty with the expectation that in normal course he or she will progress to the professional ranks in this or another institution.

Initial appointment to the rank of instructor is for a probationary term of one year. The instructor may be reappointed successively for three further one year terms, a total of four such terms. At least 90 calendar days before the end of the first term, 180 calendar days before the end of the second term, and 12 months before the end of the third term, a decision shall be made and communicated in writing to the instructor as to whether upon expiration of that term he or she will be reappointed at the rank of instructor for another term, promoted to the rank of assistant professor, or not reappointed. At least 12 months before the end of a fourth successive term a decision shall be made and communicated in writing to the instructor as to whether upon expiration of that term he or she will be promoted to the rank of assistant professor, or not reappointed. No reappointment to the rank of instructor may be made after four years' employment at that rank. The
decisions herein required and the communication thereof shall be made as provided in Section 2.c.

Promotion at any time from the rank of instructor to that of assistant professor constitutes an initial appointment at the latter rank, with the incidents described in Section 2.b.(3) hereof. An appointment or reappointment at the rank of instructor may be made on the specified condition that automatically upon the conferral of a specified academic degree the instructor shall be reappointed at the rank of assistant professor. In such cases the effective date of the appointment at the rank of assistant professor shall be retroactive to the effective date of the current appointment as instructor, or to the July 1st or January 1st immediately preceding the conferral of the specified academic degree, whichever is nearest in point of time. [See Section 7.c.]

5. **Fixed-term faculty and other special faculty ranks:** Appointments may be made to fixed-term faculty and other special faculty ranks with title designations “Professor of the Practice,” “Lecturer,” “Senior Lecturer,” “Artist in Residence,” “Writer in Residence,” and any of the faculty rank designations provided in paragraphs (1) through (4) of this subsection with the prefix-qualifier “Adjunct,” “Clinical,” or “Research,” under the conditions and with the incidents herein provided. Such an appointment, utilizing any of the foregoing title designations, is appropriate for one who possesses unusual qualifications for teaching, research, academic administration, or public service from an academic base, but for whom none of the professorial ranks nor the instructor rank is appropriate because of the limited duration of the mission for which appointed, or because of concern for continued availability of special funding for the position, or for other valid institutional reasons.

(i) **Fixed-term faculty:** Faculty members covered by this paragraph (5) who are appointed to full-time salaried positions shall be appointed for a fixed term of not less than one nor more than five years. Subsequent appointments for fixed terms of up to five years' duration may be made either in direct succession or at intervals. Faculty members covered by this paragraph (5) who are appointed to part-time or intermittent salaried positions shall be appointed for a specified term of service, as set out in the letter of appointment. All faculty appointed pursuant to this subparagraph (5)(i) shall be referred to as “fixed-term faculty.”

(ii) **Special faculty members who are unpaid** may be appointed for a specified term of service or at will.

The term of appointment of any faculty member covered by this paragraph (5) who has been appointed for a specified term of service ends when that term expires, and the appointment letter constitutes full and timely notice that a new appointment will not be offered when that term expires. The term of appointment of a faculty member covered by this paragraph (5) who has been appointed to
serve at will may be terminated at any time without prior notice and shall be reviewed no less frequently than every five years.

The pay, if any, and appointment status of a faculty member covered by this paragraph (5) shall be described in the letter of appointment.

No obligation exists on the part of the University to give any notice in advance of expiration of a current term as to whether appointment will be offered for a succeeding term. But upon request of the faculty member made in writing to the chair of the department concerned not earlier than 180 calendar days nor later than 90 calendar days before the expiration of a current term, the department chair shall within 20 calendar days thereafter communicate in writing to the faculty member a decision whether such an offer will be made, and if so, its terms. Failure to communicate a decision constitutes notice that no offer will be made.

Faculty members covered by this paragraph (5) may seek recourse to the Faculty Grievance Committee under Section 607 of the Code of the University of North Carolina during their term of employment. Faculty members covered by this paragraph (5) who are paid may be suspended, demoted, discharged, or terminated during the term of their appointment only in compliance with Sections 3 or 6 hereof. However, such faculty members do not have any rights to review of a University decision not to grant a new appointment at the end of a specified fixed term, and they are not covered by Section 4 hereof.

Except as otherwise provided and modified hereinabove, the decisions herein required shall be made as provided in Section 2.c. hereof. [Amended May 20, 2004, _________ 2009]

c. General provisions

(1) Initiation, review, and approval of appointments, promotions, and reappointments

Each initial appointment with permanent tenure or for a fixed or probationary term longer than one year, each promotion in rank, and each reappointment of an instructor, assistant professor or associate professor shall be initiated by recommendation of the chair of the department concerned after consultation with the assembled full professors of that department. [See Section 7.d.] Each such recommendation shall be based upon considerations of the demonstrated professional competence and the potential for future contribution of the faculty member, and of the needs and resources of the institution. Initial appointments to terms not exceeding one year may be initiated by the department chair acting on his or her own initiative. Each such recommendation shall then be reviewed in accordance with prescribed procedures for the particular action, which procedures shall provide for final approval by a designated authority. Final authority for approving any action which confers permanent tenure is in the President and
Board of Governors unless by that Board delegated. Final authority for approving all other actions above enumerated is in the Board of Trustees unless delegated.

(2) Decisions not to reappoint upon expiration of probationary terms

A decision not to reappoint upon expiration of a probationary term at the rank of instructor, assistant professor or associate professor may be made in the first instance by the chair of the department after consultation with the assembled full professors of the department; or it may be made, following a recommendation to reappoint by the department chair, by any other officer of administration[2] charged with reviewing such a recommendation. By whatever officer of administration made, a decision not to reappoint is final except as it may subsequently be reviewed in accordance with the provisions of Sections 4 and 8. Permissible and impermissible grounds for making a decision not to reappoint are as provided in Section 4.a. hereof. Each decision not to reappoint shall be communicated for information through the administrative channels prescribed for review of a recommendation to reappoint; and notice thereof shall be communicated in writing to the faculty member by the department chair within the times prescribed by Sections 2.b.(2), (3), and (4) hereof. [Amended 6/20/80]

(3) Failure to give timely notice

i. If a decision not to reappoint is timely made but not timely communicated as herein required, a one year terminal appointment commencing on the date of expiration of the current term of appointment shall be offered in writing. This offer shall serve as timely notice of nonreappointment upon expiration of the terminal year appointment.

ii. If no decision whether to reappoint has been made at the time notice thereof is required, the Chancellor (or his or her delegate) shall, immediately upon discovery of the failure, direct the department chair concerned to initiate the consultation procedure required to make the decision. The decision shall be made within 60 calendar days after the date of direction. If the decision is to recommend reappointment the department chair shall forward the recommendation through the channels provided for review of such a recommendation. If the decision is not to reappoint, the department chair shall forward notice thereof for information through the channels for review and shall forthwith give written notice of nonreappointment to the faculty member. If a recommendation to reappoint is given final approval, it operates with the same effect as would have a decision to reappoint timely made and communicated. If a final decision not to reappoint is made at any level, written notice thereof shall forthwith be given to the faculty member by the department chair. Such notice operates as an offer of a terminal appointment, commencing at the expiration of the current term of appointment and running for one year or, if the most recent term of
appointment has expired, commencing with the giving of the notice and expiring one year from the beginning of the regular semester which next follows the giving of notice.

(4) **Timing of permanent tenure actions**

No recommendation for a promotion or reappointment which under the provisions hereof will confer permanent tenure may be initiated until the faculty member has been in the active employment of the University for at least 18 months. No such recommendation may be initiated which would have an effective date more than 18 months after its initiation. Except as thus expressly limited, promotions in rank may be made at any time during a faculty member’s employment.

(5) **Visiting faculty members**

Persons other than regular members of the faculty may be appointed as visiting members of the faculty with rank designations, prefixed by the word “Visiting,” appropriate to their status in their regular employment. Such appointments shall be for a term of not more than one year. One successive appointment for a term of not more than one year may be made. Appointments are made in accordance with the procedures for appointment of an instructor. During such terms of appointment the visiting faculty member may not be suspended, demoted, discharged, or terminated except upon the grounds and by the procedures provided respectively in Sections 3 and 6 hereof.

(6) **Terms and conditions of appointments**

The terms and conditions of each initial appointment and of each reappointment to the faculty shall be set out in writing. A copy thereof, signed by the Chancellor (or his or her delegate), shall be delivered to the faculty member and a copy shall be retained for the Chancellor. The general terms and conditions of such appointments, including those provided herein, shall either be set out in the document of appointment or incorporated therein by clear reference to specified documents which shall be readily available to the faculty member.

Except as may be otherwise expressly provided in the documents of appointment, all appointments to any faculty rank are on the basis of a full-time employment obligation and confer the full incidents of academic tenure pertinent to the particular appointment. [Amended 2/18/94]

Any special terms and conditions shall be clearly stated in the written appointment. Special terms and conditions added by memorandum of amendment must be approved by signature of the Chancellor (or his or her delegate) and the faculty member, with a copy to be retained by each. Except as herein provided, no special terms or conditions may be included which vary the general terms and conditions stated herein. The responsibility for initiating the inclusion of special
terms and conditions in documents of appointment is with the chair or dean recommending the appointment. [Amended 2/18/94]

(i) Continued availability of special funding

The appointment, reappointment, or promotion of a faculty member to a position funded in whole or in substantial part from sources other than continuing State budget funds or permanent trust funds shall specify in writing that the continuance of the faculty member’s services, whether on tenured, probationary or fixed term appointment, shall be contingent upon the continuing availability of funds from sources other than continuing State budget funds or permanent trust funds. Such contingency shall not be included in a promotion to a higher rank if, before the effective date of the promotion, the faculty member had permanent tenure with no such condition attached to his or her tenure; nor shall such a contingency be attached to the appointment of a faculty member if he or she held permanent tenure in the institution on July 1, 1975, and his or her appointment was not then contingent upon the continuing availability of funds from sources other than continuing State budget funds or permanent trust funds.

Further exceptions to this requirement may be made with respect to faculty members in the Division of Health Affairs in accordance with the following policies and procedures. Each year there shall be established for each School in the Division of Health Affairs a maximum amount of funds from sources other than continuing State budget funds, permanent trust funds, and clinical income (treated for this purpose as though it were income from permanent trust funds) which may be used in compensating faculty members without including contingency clauses in their appointments. This maximum amount shall be established for each School in consultations among the Executive Vice Chancellor and Provost, the Vice Chancellor for Finance and Administration, and the dean of that School, with the approval of the Chancellor. The dean of each School may recommend that an individual appointment be made without inclusion of a contingency clause notwithstanding it is funded in whole or in part from sources other than continuing State budget funds, permanent trust funds, or clinical income, and though it is not covered by either of the exceptions stated in the preceding paragraph, if the amount of funding from such other sources does not cause the agreed maximum for the School to be exceeded. Approval of such recommendation may be declined on any grounds deemed appropriate by the reviewing officers of administration, but in no event shall it be given if the proposed funding of the appointment would cause the maximum applicable to the School to be exceeded.

(ii) Provisions for less than full-time employment

Special terms for less than full-time employment with commensurate compensation, or for relief from all employment obligations for a specified
period, may be included in an appointment or reappointment to any faculty rank, or may be added by written memorandum of amendment during the term of an appointment. For reasons of health, requirements of childbirth or child care, or similar compelling circumstances, such terms may, with the concurrence of the faculty member, include extensions of the period of a current probationary term of appointment at the rank of assistant professor or associate professor, and thereby the maximum probationary period, to coincide with the extent and duration of the relief from employment obligations. Extensions under this subsection (ii) may be granted in increments not to exceed 12 months, up to a maximum of 24 months (including any extensions that may have been granted under subsection (iii), below). [Amended May 20, 2004]

(iii) Special provisions for extending the maximum probationary period

For reasons of health, requirements of childbirth or child care, or similar compelling circumstances, a faculty member holding a probationary term of appointment at the rank of assistant professor or associate professor may request a written memorandum of amendment extending the term of the current appointment and thereby the maximum probationary period with no resulting change in normal employment obligations, in order to provide the faculty member additional time to demonstrate fully his or her professional qualifications for reappointment or permanent tenure. Extensions under this subsection (iii) may be granted in increments not to exceed 12 months, up to a maximum of 24 months (including any extensions that may have been granted under subsection (ii), above). [Amended May 20, 2004.]

(iv) Extensions and special assignment

If possible under the circumstances, requests pursuant to subsection (ii) or (iii) above should be initiated not later than 24 months before the end of the term to which it is to apply and must be initiated before the process for evaluating the faculty member for reappointment has begun. All such extensions must be approved by the Chancellor (or his or her delegate) before becoming effective. The total of all extensions granted under subsection (ii) and subsection (iii) above cannot exceed 24 months. [Amended May 20, 2004]

The provisions of subsections (ii) and (iii) above do not apply to informal temporary adjustments of the regularly assigned duties of faculty members by the department chair who is responsible for their direct supervision; nor to the granting by the University of extended leaves of absence with or without compensation. [Amended 2/18/94]

(7) Joint appointments
A faculty member may at one time hold but one faculty appointment at the rank of professor, associate professor, or assistant professor. This appointment may be held in a single department, or, by joint appointment, in more than one department.

Joint appointments may be made in which the appointee holds in addition to a professorial rank in one department a fixed-term rank in another department, or different fixed-term ranks in different departments. A joint appointment to the faculties of more than one department may be made in accordance with the provisions of this subsection. When an initial joint appointment is to be made, the regular procedures prescribed herein for initial appointment to the rank proposed shall be followed simultaneously by the departments involved in making a joint recommendation for appointment. The joint recommendation shall designate one of the departments as the unit of base appointment, and shall set forth as special terms and conditions for inclusion in the appointing document: the basis of initial funding of the appointment; the procedures agreed to be followed by the departments in making joint decisions respecting promotion, reappointment, and tenure of the joint appointee; and the procedures to be followed by the chairmen in respect of salary adjustments for the joint appointee. If the joint appointment is approved, thereafter the base department is responsible for processing personnel actions affecting the joint appointee, but in respect of each such action the recommendation put forward shall be one jointly concurred in by the departments concerned as required by their agreed procedures for joint consultation and decision.

An appointment to a single department may be converted into a joint appointment. The department chairmen concerned shall jointly put forward through the regular channels for review of initial appointments a recommendation that the existing appointment be converted into a joint appointment. The joint recommendation shall include the same elements required in respect of a recommendation for initial joint appointment. Upon approval of such a recommendation, the joint appointee retains the single rank with the same incidents of academic tenure already possessed. Thereafter, all personnel actions affecting his or her academic tenure shall be processed as provided in the case of an initial joint appointment.

(8) Post-tenure review

The chair of the department shall conduct periodic reviews of each tenured faculty member’s performance in accordance with the requirements of the University’s Post-Tenure Review Policy. Reviews must involve faculty peers, examine all aspects of the faculty member’s academic performance, and be conducted no less often than every five years. The goal of the review is to promote faculty development, ensure faculty productivity and provide accountability. Comprehensive reviews conducted for other purposes, such as consideration for promotion, may constitute a review under this Section. On petition of the chair,
the Provost may grant permission to delay a review if the number of reviews to be conducted by a department during a given year would create a burden that would impair the department’s educational mission, or for other compelling cause. Faculty members may grieve matters related to post-tenure review to the Faculty Grievance Committee under Section 607 of the Code of the University of North Carolina during their term of employment. [Amended 9/29/00 and ___/___/2009]

(9) Resignations

A faculty member shall give prompt written notice of his or her resignation, with its effective date, to the chair of his or her department. 

Section 3. Suspension, Demotion, and Discharge of Faculty Members

Effective ________ 2009: During any fixed or probationary term appointment and while on permanent tenure, a faculty member may be suspended, demoted, or discharged from employment only on the grounds and in accordance with the procedures herein provided.

a. Grounds for suspension, demotion, or discharge

As specified in Section 603 of the Code of the University of North Carolina, the permissible grounds for suspension, demotion, , or discharge are:

1. misconduct of such a nature as to indicate that the faculty member is unfit to continue as a member of the faculty, including, but not limited to, violations of professional ethics, mistreatment of students or other employees, research misconduct, financial fraud, criminal, or other illegal, inappropriate or unethical conduct. To justify serious disciplinary action, such misconduct should be either (i) sufficiently related to a faculty member’s academic responsibilities as to disqualify the individual from effective performance of university duties, or (ii) sufficiently serious as to adversely reflect on the individual’s honesty, trustworthiness or fitness to be a faculty member;

2. incompetence, including, but not limited to, significant, sustained unsatisfactory performance after the faculty member has been given an opportunity to remedy such performance and fails to do so within a reasonable time; and

3. neglect of duty, including, but not limited to, sustained failure to meet assigned classes or to perform other significant faculty professional obligations.

b. Procedures for discharge

1. The Provost or his or her delegate shall send the faculty member a written notice of intention to suspend, demote, or discharge the faculty member together with a written specification of the reasons. The notice and specification of reasons shall be sent by a method of mail or delivery that requires a signature for delivery. The statement shall include notice of the
faculty member's right, upon request, to a hearing by an elected standing faculty committee on hearings.

2. If, within fourteen calendar days after he or she receives the notice and specifications referred to in paragraph (1) above, the faculty member makes no written request for a hearing, he or she may be suspended, demoted, or discharged without recourse to any further institutional procedure by a written letter from the Provost.

3. Repealed.

4. If the faculty member makes a timely written request for a hearing, the Chancellor or his or her delegate shall ensure a process is in place so that the hearing is accorded before a standing committee of the faculty composed of at least five faculty members who had permanent tenure when elected by the voting members of the general faculty. The hearing shall be on the written specification of reasons for the intended discharge, suspension, or demotion. The hearing committee shall accord the faculty member thirty calendar days from the time it receives his or her written request for a hearing to prepare his or her defense. The hearing committee may, upon the faculty member's written request and for good cause, extend this time by written notice to the faculty member. The hearing committee will ordinarily endeavor to complete the hearing within 90 calendar days except under unusual circumstances such as when a hearing request is received during official university breaks and holidays and despite reasonable efforts the hearing committee cannot be assembled. 

[Amended 6/20/80 and __/__/09]

5. The hearing shall be closed to the public unless the faculty member and the hearing committee agree that it may be open. The faculty member shall have the right to counsel, to present the testimony of witnesses and other evidence, to confront and cross-examine adverse witnesses, to examine all documents and other adverse demonstrative evidence, and to make argument. A written transcript of all proceedings shall be kept; upon request, a copy thereof shall be furnished to the faculty member at the University's expense.

6. The Provost, or his or her delegate and/or counsel, may participate in the hearing to present evidence, cross-examine witnesses, to examine all documents and other evidence, and to make argument.

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1 To meet this deadline, faculty are encouraged to consider scheduling hearings during the evening, weekend, or other non-class time. It is strongly recommended that several days be established for the hearing when scheduling the first day, for the eventuality that the hearing may take two or more sessions.
7. In reaching decisions on which its written recommendations to the Chancellor shall be based, the committee shall consider only the evidence presented at the hearing and such written and oral arguments as the committee, in its discretion, may allow. The University has the burden of proof. In evaluating the evidence, the committee shall use the standard of "clear and convincing" evidence in determining whether the University has met its burden of showing that permissible grounds for serious sanction exist and are the basis for the recommended action. The committee shall make its written recommendations to the Chancellor within fourteen calendar days after its hearing concludes or after the full transcript is received, whichever is later.

8. In reaching a decision, the Chancellor shall consider only the written transcript of the hearing and the report of the hearing committee. If the Chancellor intends to reject the recommendation of the hearing committee, the Chancellor shall communicate that intention to the affected faculty member and to the committee along with his or her reasons and provide an opportunity for committee response before taking final action. In such a case the committee shall reconsider its recommendation, taking account of the Chancellor's stated objections and receiving new evidence if the committee deems it necessary. The committee shall transmit its response to the Chancellor within ten days of the committee's receipt of the Chancellor's communication. After considering the committee response, the Chancellor shall issue a decision either concurring in or declining to accept the committee's recommendation. The Chancellor's decision shall be conveyed in writing to the affected faculty member and to the hearing committee. If the Chancellor concurs in a recommendation of the hearing committee that is favorable to the faculty member, his or her decision shall be final. If the Chancellor either declines to accept a hearing committee recommendation that is favorable to the faculty member or concurs in a hearing committee recommendation that is unfavorable to the faculty member, the faculty member may seek review of the Chancellor's decision by the Board of Trustees, as provided in Section 8. [Amended 6/20/80; 1/9/87; 4/9/98; __/__/2009]

9. When a faculty member has been notified of the University's intention to discharge him or her, the Chancellor may reassign the individual to other duties or suspend him or her at any time and continue the suspension until a final decision concerning discharge has been reached by the procedures prescribed herein. Suspension shall be exceptional and shall be with full pay.

Section 4. Nonreappointment of Tenure Track Faculty Members

a. Permissible and impermissible grounds for nonreappointment
Except as herein provided, the decision not to reappoint a tenure track faculty member upon expiration of a probationary term of appointment is committed, without further recourse, to the judgment of the officers of administration authorized to make it, acting in accordance with prescribed procedures. In exercise of their judgment, whether in the first instance or in review of a recommendation to reappoint, such officers may take into account and use as the basis of decision, in whole or in part, any factors deemed relevant to total institutional interests; except that the decision may not be based upon: (1) exercise by the faculty member of rights guaranteed by the First Amendment to the Constitution of the United States or by Article I of the Constitution of North Carolina; or (2) discrimination based upon the race, color, sex, sexual orientation, religion, creed, national origin, age, disability, or veteran status, or other forms of discrimination prohibited under policies adopted by the Board of Trustees; or (3) personal malice. For purposes of this section, the term "personal malice" means dislike, animosity, ill-will or hatred based on personal characteristics, traits, or circumstances of an individual that are not relevant to valid University decision making. See section 101.3.1.II.B of the UNC Policy Manual for details. [Amended May 20, 2004, effective July 1, 2004; Amended __________, 2009, effective __________, 2009]

[Note: The 5/20/04 amendment added sexual orientation to the list of impermissible bases of discrimination.] [Note: The __________, 2009 amendment added "creed" and "other forms of discrimination prohibited under policies adopted by the Board of Trustees" to the list of impermissible bases of discrimination and added a definition of "personal malice."]

b. Administrative conferences following decision not to reappoint

Within 14 calendar days after receiving written notice of nonreappointment, a faculty member may in writing request a private conference with the officer of administration who made the decision, to discuss the reasons for nonreappointment. If the identity of the officer is not known to the faculty member, the department chair shall provide the information forthwith upon request of the faculty member. The request for conference shall be granted and the conference held forthwith, within 7 calendar days after receipt of the request if possible. Within 7 calendar days after completion of the conference the officer of administration shall give a simple unelaborated written notice to the faculty member as to whether the original decision remains in effect.

If the notice is that the original decision remains in effect, the faculty member may proceed as follows. When the decision not to reappoint was made by an officer of administration in review of the recommendation of a department chair to reappoint, the faculty member may thereupon proceed, in accordance with succeeding subsections, to request review by the standing committee of the faculty charged with reviewing discharges under Section 3 hereof.

When the decision was made in the first instance by the department chair, the faculty member may, within 7 calendar days after receipt of the notice, in writing request a conference with the officer of administration in immediate supervision of the department chair. This request shall be granted and the conference held forthwith, within 7 calendar
days after receipt of the request if possible. Within 14 calendar days after completion of the conference, the reviewing officer of administration shall in writing communicate his or her evaluation of the matter to the faculty member and to the department chair.

The evaluation may be in the form of an unelaborated concurrence with the decision; an expression of disagreement with the decision, with or without supporting reasons; or a recommendation for reconsideration of the decision, with or without suggestions for specific procedures to be followed upon reconsideration. Whatever form the evaluation may take, it is merely recommendatory and not binding upon the department chair, nor final as to the faculty member.

Within 7 calendar days after receipt of an evaluation which involves disagreement with the decision or recommendation for its reconsideration, the department chair shall in writing notify the faculty member and his or her immediate supervisor of his or her response.

A faculty member's failure to abide by the timelines specified herein shall finalize the reappointment decision and terminate the faculty member's otherwise available recourse to further review by the hearing committee, the Chancellor, and/or the Board of Governors.

c. Request for review by hearing committee; scope of review

If the faculty member has timely requested and participated in the administrative conferences provided in subsection b. and has received notice of unfavorable action resulting therefrom, the faculty member may within 14 calendar days after receipt of such notice request a review of the decision by the standing committee of the faculty charged (under Section 3 hereof) with conducting hearings on faculty discharges. Such review may be had solely to determine whether the decision not to reappoint was (1) based upon any of the grounds stated to be impermissible in subsection a. of this Section 4, or (2) affected by material procedural irregularities. Whether procedural irregularities occurred shall be determined by reference to those procedures which were in effect when the initial decision not to reappoint was made and communicated. The hearing committee shall ask the Chancellor to certify what procedures were then in effect if that is a matter of dispute. For purposes of this Section 4, "material procedural irregularities" means departures from prescribed procedures governing reappointment that cast doubt upon the integrity of the original decision not to reappoint.

The request for review shall be in writing and addressed to the chair of the hearing committee. It shall specify the grounds upon which it is contended that the decision was impermissibly based or affected by material procedural irregularities, and shall include a short and plain statement of facts which the faculty member believes support the contention.

Submission of such a request constitutes on the part of the faculty member: (1) a representation that he or she can support his or her contention by factual proof, and (2) an
agreement that the institution may offer in rebuttal of his or her contention any relevant data within its possession.

The hearing committee shall consider the request and shall grant a hearing if it determines after a preliminary review that the request contains a contention that the decision was impermissibly based or affected by material procedural irregularities and that the facts suggested, if established, might support the contention. If the request is not granted, the committee shall make a recommendation to the Chancellor to uphold the decision not to reappoint. If the request is granted, a hearing shall be held within 14 calendar days after receipt of the request, provided that the faculty member shall be given at least 7 calendar days' notice of the hearing. [Amended 6/20/80; 1/9/87; ___/___/09]

d. Conduct of hearing

The question before the committee shall be decided by the committee. However, the committee may delegate the duty of conducting a hearing to a panel of at least three members. The hearing shall be conducted informally and in private; only the members of the committee, the faculty member, the officer of administration who made the decision, and such witnesses as may be called shall attend except that the faculty member and the officer of administration may each be assisted or, in their absence, represented by a spokesman designated in writing so to act. Committee members who hold appointments in the faculty member's department or school or who will testify as witnesses, or who have any other conflict of interest are disqualified. A professional court reporter, or similarly reliable means, shall be used to enable the production of a verbatim written transcript of the hearing and to maintain a record of the documents received by the committee. Upon the request of the faculty member, a transcript of the proceedings shall be made and provided to the faculty member at the University's expense. The committee may consider only such evidence and such written and oral arguments as is presented at the hearing, and need consider only such evidence or argument offered which it considers fair and reliable. All witnesses may be questioned by members of the committee, the faculty member, and the officer of administration or the respective spokesmen of the faculty member and the officer of administration. Except as herein provided, the conduct of the hearing is under the control of the committee chair or the member designated by the chair for this purpose. [Amended 6/20/80]

e. Hearing procedure

The hearing shall begin with the faculty member's presentation of contentions, limited to those grounds specified in the request for hearing and supported by such proof as he or she desires to offer. When he or she has concluded this presentation, the hearing committee shall recess to consider whether the proof offered in support of the contention establishes the contention unless it be now rebutted or unless the decision not to reappoint be now otherwise explained. If it determines that the contention has not been so established, it shall so notify the parties to the hearing, terminate the proceedings, and make a recommendation to the Chancellor to uphold the decision not to reappoint. If it determines that rebuttal or explanation is desirable, it shall so notify the parties and the
hearing shall proceed. The officer of administration may then present in rebuttal of the faculty member's contentions, or in general support of the decision not to reappoint, such testimonial or documentary proofs as he or she desires to offer, including his or her own testimony. [Amended 6/20/80]

At the end of such presentation, the hearing committee shall consider the matter in executive session. The burden of proof is upon the aggrieved faculty member to satisfy the committee by the preponderance of the evidence (which is the same as the greater weight of the evidence) that his or her contention is true. [Amended 6/20/80, __/__/200__]

**f. Procedure after the committee reaches a decision** If the hearing committee determines not to grant the faculty member a hearing or determines, following a hearing, that the contention of the faculty member has not been established, it shall make a recommendation to the Chancellor to uphold the decision not to reappoint.

If the hearing committee determines that the contention of the faculty member has been satisfactorily established, it shall so notify him or her and the officer of administration by a written notice that shall also include a recommendation for corrective action by the officer of administration.

Within seven calendar days after receiving the recommendation, the officer of administration shall notify the faculty member and the chair of the hearing committee what modification, if any, he or she will make with respect to the original decision not to reappoint.

If the officer of administration fails to make a recommended modification in the original decision, the hearing committee shall submit a report to the Chancellor containing the committee's findings and recommendation and what it considers to be appropriate action by the Chancellor to resolve the matter satisfactorily.

The Chancellor shall make a determination based on a thorough review of (1) the record evidence from the hearing, if a hearing was held, and (2) the report of the hearing committee. The Chancellor shall notify the faculty member and the officer of administration of the decision and, if the decision is adverse to the faculty member, shall inform the faculty member of the faculty member's right to request review of the decision by the Board of Governors, as provided in Section 9. The notice of decision shall be conveyed to the faculty member by a method that produces adequate evidence of delivery.

[Amended 6/20/80; 1/1/04, __/__/09]

**Section 5. Retirement Policy for Members of the Faculty**

Each member of the faculty may retire in accordance with the provisions of Chapter 135 of the General Statutes of North Carolina.
Section 6. Termination of Faculty Employment for Reasons of Financial Exigency or Program Change

a. Definitions

Within this Section 6 the following terms have the meanings indicated:

1. “Termination” means the termination of employment of a faculty member during the course of a tenured, probationary, or fixed term appointment for reasons of financial exigency or program change.

2. “Financial exigency” means a significant decline in the financial resources of the University that is brought about by decline in institutional enrollment or by other action or events that compel a reduction in its current operations budget.

3. “Program change” means elimination or major curtailment of a teaching, research, or public service program.

4. “Faculty committee” or “committee” means a committee to be constituted by the faculty of the University which shall consist of not fewer than twelve members of the faculty holding tenured or probationary appointments when elected by the faculty on a basis broadly representative of the various divisions and sub-units of the University, and which is empowered hereby to discharge the functions prescribed for it in this Section 6. [Amended 9/9/00]

b. General grounds for termination

Termination of faculty employment may be effected because of (i) demonstrable, bona fide financial exigency, or (ii) program change for demonstrable, bona fide institutional reasons, on the basis of a decision by the Chancellor, concurred in by the President and approved by the Board of Governors, that for either cause the University's contractual obligation to one or more faculty members cannot be further met. Such a decision by the Chancellor may be made, and any resulting termination effected, only in accordance with the procedure provided in this Section 6.

c. Chancellor's preliminary determination and statement

If it should appear to the Chancellor that a state of financial exigency exists or is imminent, or a program change has occurred or should seriously be considered, and that termination of the employment of one or more faculty members may be a required consequence of either circumstance, he or she shall forthwith prepare a statement which identifies with reasonable particularity the state of financial exigency or the program change, and which outlines in terms as specific as the circumstances permit the options for institutional response readily apparent to the Chancellor at the time, including any
options which would or might involve terminations of faculty employment. This statement shall be transmitted forthwith to the faculty committee, with request for its action in accordance with the provisions of subsection d. hereof. Simultaneously, a summary of the statement shall be published by any means reasonably calculated to bring it to the attention of all members of the faculty in residence, together with a statement that the subject has been referred to the faculty committee for action. Pending committee action, the Chancellor shall undertake, either directly or by delegate, to obtain advice and recommendations in respect of the matters addressed in the statement from all those officers of administration and faculty whose units might reasonably be expected to be affected by the adoption of any identified option involving terminations.

d. Committee action

Acting in accordance with procedures which may be prescribed for it by the faculty, the committee shall address the matters identified in the Chancellor's statement with a view to giving its advice and recommendations thereon to the Chancellor. In this function the committee acts as representative of the interests of the faculty at large in both its individual concerns and its concerns for the educational program of the University. The committee may obtain further information reasonably available to the Chancellor and any clarifications of the situation by the Chancellor which are reasonably possible in the light of information then available. Not later than 30 calendar days after receipt of the statement, the committee shall submit to the Chancellor its written report. The report shall contain advice and recommendations addressed to the precise circumstance and optional responses identified in the Chancellor's statement and may suggest other responses or courses of action for consideration or adoption by the Chancellor. The report may be accompanied by any communications and other data considered by the committee.

e. Chancellor's decision

Within 30 calendar days after receipt of the report, and having due regard for the advice and recommendations received from the committee and from the officers of administration, the Chancellor shall determine whether any option involving terminations must be retained as a possible institutional response. If he or she determines that it is not necessary, in view of other available options, to give further consideration to any option involving terminations, he or she shall so notify the committee and the faculty. If he or she determines that, on the basis of all information then available, it will be necessary to take action which will or reasonably might involve terminations, he or she shall request concurrence in that decision by the President and approval by the Board of Governors to take such action, and shall notify the committee and the faculty of this decision.

f. Chancellor's proposal for action following Board of Governors' approval of terminations

Within 30 calendar days after receipt of notice of approval of his or her request by the Board of Governors, if the Chancellor still considers that action involving terminations is
or may be required, he or she shall transmit to the faculty committee a statement which
(i) designates the particular departments in which terminations are to be effected and the
factors which are to be used by each of the designated departments in determining the
number, and (ii) suggests the criteria to be used by the designated departments in
selecting individual faculty members for termination of employment. Simultaneously, the
Chancellor shall publish by any means reasonably calculated to bring it to the attention of
all members of the faculty in residence a notice that a proposed course of action
involving terminations of faculty employment has been referred to the faculty committee
for action.
g. Committee action

Acting in accordance with procedures which may be prescribed for it by the faculty, the committee shall address the proposal contained in the Chancellor's statement with a view to giving its advice and recommendations thereon. Not later than 30 calendar days after receipt of the statement, the committee shall submit to the Chancellor its written report containing advice and recommendations addressed to the proposed course of action and to the criteria for determining individual faculty members for terminations of employment. It may concur in whole or in part, suggest other courses of action for consideration, or advise modifications in the proposed course of action or in the criteria for individual faculty member selection.

h. Chancellor's action following committee report

If following receipt of the committee's report, and having due regard for its contents, the Chancellor still considers that action involving terminations is required, he or she shall not later than 30 calendar days after receipt of the report so notify the committee, the chief officers of administration in the affected departments, and, by general notice, the faculty of the University. The notice to the committee and to the officers of administration shall prescribe the specific action required of each department and the criteria to be used by each in initiating termination procedures for individual faculty members. The criteria specified by the Chancellor shall include as the primary consideration the maintenance of a sound and balanced educational program that is consistent with the functions and responsibilities of the University, and shall also include tenure status, length of service in the University, and any other factors deemed relevant by the Chancellor. No final action affecting departments not previously designated for terminations shall be directed until the modified proposal shall have been re-referred to the faculty committee for its response as in the case of the original referral.

i. Individual terminations

Within 60 calendar days after receipt of notice from the Chancellor that terminations are to be effected within a department, the chair of the department, after consultation with the assembled full professors of the department and after taking such other procedures as may have been provided by the faculty of the University, shall initiate the required terminations by recommendations with respect to particular faculty members. These recommendations shall then be reviewed in accordance with the administrative procedures within the institution for reviewing appointments to the respective ranks held by the particular faculty members.

j. Notice to individual faculty members

1. Contents. Upon approval by the Chancellor of a recommendation for termination of employment, the faculty member shall be notified in writing of the termination. The notice shall include a statement of the conditions requiring termination of employment, a general description of
the procedures followed in making the decision, and a disclosure of pertinent financial or other data upon which the decision was based.

2. **Timeliness.** When termination is based upon program change unrelated to financial exigency, a faculty member on tenured appointment shall be given not less than twelve months notice in advance of its effective date, and a faculty member on probationary or fixed term appointment shall be given not less than 90 calendar days notice during the first year of service, not less than 180 calendar days notice during the second year of service, and not less than twelve months notice after two or more years of continuous service.

When termination is based upon financial exigency, the University shall make every reasonable effort, consistent with the need to maintain sound educational programs and within the limit of available resources, to give the same advance notice as is required for terminations based upon program change alone.

**k. Obligations with respect to reemployment or other employment**

For a period of two years after the effective date of a termination pursuant to the provisions of this Section 6, the University shall not replace the faculty member without first offering the position to the person whose employment was terminated. The offer shall be made by registered mail, return receipt requested, and shall provide a period for acceptance of 30 calendar days following attempted delivery. When requested by the person whose employment has been terminated, the University shall give reasonable assistance in finding other employment for him or her.

**1. Review of individual terminations**

1. **Request for hearing**

Within 30 calendar days after receipt of a notice of termination, a faculty member may request a review of the action by the standing committee of the faculty charged with conducting hearings on discharges of faculty members (under Section 3 hereof). Review may be had solely to determine whether the decision to terminate was arbitrary or capricious.

The request for review shall be in writing, addressed to the chair of the hearing committee. It shall specify the grounds upon which it is contended that the decision was arbitrary or capricious, and shall include a short and plain statement of facts which the faculty member believes support the contention.

Submission of such a request constitutes on the part of the faculty member (i) a representation that he or she can support his or her contention by
factual proof, and (ii) an agreement that the University may offer in rebuttal of his or her contention any relevant data within its possession.

The hearing committee shall consider the request and shall grant a hearing if it determines that the request contains a bona fide contention that the decision to terminate was arbitrary or capricious, and that the facts suggested, if established, might support the contention. A decision not to grant the request is not subject to review, except as provided in Section 8. If the request is granted, a hearing shall be held within 14 calendar days after receipt of the request, provided that the faculty member shall be given at least 7 calendar days' notice of the hearing. [Amended 6/20/80]

2. Conduct of hearing

The question before the committee shall be decided by the committee. However, the committee may delegate the duty of conducting a hearing to a panel of at least three members. The hearing shall be conducted informally and in private; only the members of the committee, the faculty member, an officer of administration designated by the Chancellor, and such witnesses as may be called shall attend, except that the faculty member and the Chancellor's delegate may each be assisted or, in their absence, represented by a spokesman designated in writing so to act. Hearing committee members who hold appointment in the department of the faculty member, or who will testify as witnesses or who have any other conflict of interest are disqualified. Upon request of the faculty member, a transcript of the proceeding shall be made and provided to the faculty member. The hearing committee may consider only such evidence as is presented at the hearing, and need consider only that offered which it considers fair and reliable. All witnesses may be questioned by the members of the committee, the faculty member, and the Chancellor's delegate, or the respective spokesmen of the faculty member and the Chancellor's delegate. Except as herein provided, the conduct of the hearing is under the control of the chair of the hearings committee or the member designated by the chair for this purpose. [Amended 6/20/80]

The hearing shall begin with the faculty member's presentation of contentions, limited to those grounds specified in the request for hearing and supported by such proof as he or she desires to offer. When this presentation is concluded, the hearing committee shall recess to consider whether the proof offered in support of the contention establishes the contention unless it be now rebutted. If it determines that the contention has not been so established, it shall so notify the parties and conclude the proceedings, which action is not subject to review except as provided in Section 8. If it determines that rebuttal is desirable, it shall so notify the parties and the hearing shall proceed. The Chancellor's delegate may then present, in rebuttal of the faculty member's contention or in general
support of the decision to terminate, such testimonial or documentary proofs as he or she desires to offer, including his or her own testimony. [Amended 6/20/80]

At the conclusion of the presentation by the Chancellor's delegate the hearing committee shall consider the matter in executive session. The burden is upon the faculty member to satisfy the committee by clear, cogent, and convincing evidence that his or her contention is true. [Amended 6/20/80]

3. Procedure after hearing

If the hearing committee determines that the contention of the faculty member has not been established, it shall, by a simple unelaborated statement, so notify the faculty member and the Chancellor. Such a determination is not subject to review, except as provided in Section 8. If the hearing committee determines that the contention of the faculty member has been established, it shall so notify the faculty member and the Chancellor by a written notice which shall also include a recommendation for corrective action to be taken by the Chancellor. [Amended 6/20/80]

Section 7. Effectiveness

Except as otherwise provided below, all provisions of these policies and regulations shall become operative (with respect to all existing as well as future faculty appointments) on the effective date, which shall be the date 35 calendar days after the day on which these policies and regulations shall have been approved by the President of The University of North Carolina:

The policies and regulations herein set forth shall not be applied to alter existing incidents of academic tenure to the disadvantage of any person who shall have been a member of the faculty immediately prior to the effective date.

Section 8. Review by the Board of Trustees

This section shall apply to review by the Board of Trustees of the following decisions made pursuant to these policies and regulations:

1. A decision by the Chancellor under §3(b)(8) declining to accept a recommendation of the hearings committee favorable to the faculty member.

2. A decision by the Chancellor under §3(b)(8) concurring in a hearings committee recommendation unfavorable to the faculty member.
(3) A decision by the hearings committee under §6(1)(1) rejecting a request for a hearing.

(4) A decision by the hearings committee under §6(1)(2) terminating a hearing at the conclusion of the faculty member’s proof.

(5) A decision by the hearings committee under §6(1)(3) determining that the faculty member has not established his or her contention.

(6) A decision by the Chancellor under §6(1)(3) declining to take corrective action recommended by the hearings committee in connection with a decision favorable to the faculty member.

Requests for review by the Board of Trustees of the decisions enumerated above shall be transmitted through the Chancellor and addressed to the Chair of the Board of Trustees. The request must be filed within fourteen calendar days after the date of communication to the faculty member of notice of the decision sought to be reviewed. The question under review shall be decided by the full Board of Trustees. However, the Board may delegate the duty of conducting a hearing to a committee of at least three members. The Board of Trustees, or its committee, will conduct its review on the written transcript of the hearing, the report of the hearing committee, and the decision of the Chancellor, but it may, in its discretion, hear such other evidence as it deems necessary. In all cases, review shall be limited to the question of whether the Chancellor or the hearings committee, as the case may be, committed clear and material error in reaching the decision under review. The Board shall make its decision as soon as reasonably possible after receipt of the request for review by the Chair of the Board. This decision shall be final, except that, with respect to a decision by the Chancellor under § 3(b)(8) declining to accept a recommendation of the hearings committee favorable to the faculty member or a decision by the Chancellor under § 3(b)(8) concurring in a hearings committee recommendation unfavorable to the faculty member, the faculty member may, within fourteen calendar days after receiving notice of the decision, file a written notice of appeal with The Board of Governors alleging with particularity the specific provisions of The Code of The University of North Carolina which the faculty member alleges to have been violated. All such appeals shall be transmitted to The Board of Governors by certified mail, return receipt requested, or by another means that provides proof of delivery, through the President. [Amended 6/20/80; 1/9/87; 1/1/04; __/__/09]

[Note: The 1/1/04 amendment conformed the appellate process to a change in The Code of Governors providing that appeals of nonreappointment decisions proceed from the Chancellor directly to the Board of Governors.]

**Section 9. Review by the Board of Governors**

In addition to appeals to the Board of Governors provided for in Section 8 hereof, a decision by the Chancellor not to reappoint a faculty member may be reviewed by The Board of Governors. Review by the Board of Governors is intended only to determine if
the campus-based process or decision had material procedural errors, was clearly erroneous, or was contrary to controlling law or policy. Requests for review by The Board of Governors shall be made in accordance with the requirements of The Code of The Board of Governors of The University of North Carolina and the UNC Policy Manual, including the requirement that the request be submitted to the President by certified mail, return receipt requested, or by other method that produces adequate evidence of delivery, within 14 calendar days after the faculty member’s receipt of the adverse decision. [Added 1/1/04, Amended _____. 2009]

Appendix

Provisions of The Code of the Board of Governors of The University of North Carolina Pertaining to Academic Tenure

[We will insert the provisions of Chapter VI of the Code in effect for personnel actions taken on or after September 1, 2009.]
MEMORANDUM

TO:      UNC-Chapel Hill Board of Trustees

FROM:    Holden Thorp  (name)

DATE:    July 13, 2009

RE:      Vice Chancellor for Human Resources

I write to request your approval to create a new Vice Chancellor position -- that of Vice Chancellor for Human Resources. Further, I recommend that Brenda Richardson Malone (résumé attached), who currently serves as Associate Vice Chancellor for Human Resources, be appointed to the new position of Vice Chancellor for Human Resources effective Aug. 1, 2009. Her annual salary would remain $219,000. It is understood that this is an at-will appointment and that Ms. Malone shall serve at the pleasure of the Chancellor. This action requires Board of Trustees approval.

I have come to realize that Vice Chancellor for Finance and Administration Dick Mann has an enormous scope of duties, and in many organizations, human resources would be a stand-alone unit. This is no reflection at all on Dick who does an outstanding job in his role. Rather, it is a reflection of the fact that the employees of the University are our single most important asset and resource, and it is essential that they be represented at all times at the highest levels of University leadership.

I ask the board to authorize me and the Vice Chancellor for Finance and Administration to execute and deliver such documents as may be required or as we deem necessary or advisable in order to consummate the creation of the new Vice Chancellor position and the promotion of Ms. Malone to Vice Chancellor for Human Resources.
Education-

Juris Doctorate: Hofstra University School of Law, Hempstead, NY
Bachelor of Arts: Swarthmore College, Swarthmore, PA
Bar Admission: State Bar of Michigan
Federal District Court, Eastern District

Experience-

The University of North Carolina at Chapel Hill
Chapel Hill, NC August, 2007 – Present

Associate Vice Chancellor for Human Resources:
- Responsible for the planning and delivery of human resource programs and services to
  the University's roughly 8,000 staff and non-faculty administrators. Areas of
  responsibility include benefits administration, employment and staffing, employee
  relations, classification and compensation, HRIS, work-life programs, training and
  development, and Tar Heel Temps staffing service.

The City University Of New York (CUNY)
New York, NY 1993 - 2007

Vice Chancellor for Faculty and Staff Relations:
- Responsible for the development and administration of the standards, rules and
  policies that guide the human resources and labor relations functions for the
  University system’s twenty campuses and professional schools, over 200,000 students
  and more than 30,000 full and part-time teaching and non-teaching instructional staff
  and civil service employees. Areas of responsibility include personnel, classification
  and compensation, labor relations (faculty and non-academic staff), benefits, HRIS,
  diversity and compliance, training, and payroll.

Suburban Mobility Authority For Regional Transportation (SMART)
Detroit, Michigan 1990 - 1993

Deputy General Manager and General Counsel: (1992 - 1993)
- Responsible for overseeing and directing all Authority operations on a day-to-day
  basis, as well as responsibility for all legal affairs and labor relations/HR activities of
  the Authority.
General Counsel and Director of Human Resources (1991-1993)
- Responsible for all legal affairs of the Authority including representation of the Authority before federal, state and local government agencies; legal opinions, research and analysis; contract negotiation and review; resolution of complaints and disputes. Continued responsibility for all labor relations and human resources activities.

Director, Human Resources: (May, 1990)
- Responsible for the direction, planning and coordination of all Human Resources functions, including labor relations, staff benefits, classification and compensation, personnel services, recruitment, training, unemployment compensation, organizational planning and human resource development, special programs, and EEO compliance.

Wayne State University (WSU)
Detroit, Michigan 1979 - 1990

Assistant Vice President, Labor Relations: (1987 - 1990)
- Responsible for all non-academic labor relations programs and activities. Represented the university as Chief Negotiator in negotiations with nine bargaining units.

- Served as chief University spokesperson in negotiations covering all non-academic staff represented by unions such as AFSCME, UAW, FOP, IUOE, SEIU and the Detroit Building and Construction Trades Council. Represented the University at administrative hearings, arbitrations and grievances.

Labor Relations Specialist: (1979 - 1983)
- Assisted in the negotiation of all non-academic collective bargaining agreements. Responsible for arbitrations, grievances, training, contract implementation and contract administration.

Professional Affiliations and Activities:

Boards/Councils/Activities:

Association of Women Faculty and Professionals, UNC – Board of Directors: 2008 - Present
TIAA-CREF, New York, NY – Advisory Council: 2009 - Present
Cross-Island YMCA - Bellerose, N.Y. - Board of Managers: 2000 - 2001
CUNY Campaign for Voluntary Charitable Giving - Chairperson: 1993 - 2001

**Memberships:**

College and University Professional Association for Human Resources (CUPA-HR)
State Bar Association of Michigan
National Association of College and University Attorneys (NACUA)
National Association of African Americans in Human Resources (NAAAHRR)
Society for Human Resource Management (SHRM)

**Recognition/Awards:**

York College/CUNY: President’s Medal of Honor
New York State: Governor’s Tribute to African-American Leaders of Excellence Award
Kingsborough Community College Women’s Center/CUNY: Woman of Distinction Award
Wayne State University (WSU): President’s Excellence Award
WSU Commission on the Status of Women: Recognition Award
YMCA (Detroit, MI): Minority Achievers Award

**Listed:**

Outstanding Young Women of America: 1982
July 13, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

I submit the following personnel matters in the following categories:

For Information
For Action- Academic Affairs
For Action- Health Affairs
For Action- Tenured Personnel Actions
For Action – Request for Approval
   Non-Salaried Compensation

Appendix A
Appendix B
Appendix C
Appendix D
Appendix E

Respectfully submitted,

Holden Thorp
July 13, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

I submit the following personnel changes at the University of North Carolina at Chapel Hill for your information.

RESIGNATIONS

SUZANNE KIRBY, Associate Professor, Department of Pathology and Laboratory Medicine, resigns effective July 31, 2009, to explore other employment opportunities.

JOSHUA KNOABE, Assistant Professor, Department of Philosophy, resigns effective June 30, 2009, to relocate to the New York area.

KIMBERLY KRAWIEC, Professor, School of Law, resigns effective June 30, 2009, to take a position at the Duke Law School.

PRADEEP BHARDWAJ, Assistant Professor, Kenan-Flagler Business School, resigns effective July 31, 2009, to take a faculty position at the University of British Columbia, Vancouver.

ADAM MICHAEL GRANT, Assistant Professor, Kenan-Flagler business School, resigns effective July 31, 2009, to take a faculty position at the Wharton Business School, University of Pennsylvania.

PAUL LACHIEWICZ, Professor, Department of Orthopaedics, resigns effective June 30, 2009.

OSCAR BARBARIN, Professor, School of Social work, resigns effective June 30, 2009, to accept a faculty position at Tulane University, New Orleans.

JOAN F. YOO, Assistant Professor, School of Social Work, resigns effective June 30, 2009, to relocate to Korea to teach in the Department of Social Welfare, Seoul National University.
JASON MOORE, Assistant Professor, Department of Geography resigns effective June 30, 2009. He has relocated to Sweden.

CATHERINE BLAKE, Assistant Professor, School of Information and Library Science, resigns effective June 30, 2009, to accept a faculty position at another university.

STEPHEN MEYERS, Assistant Professor, Department of Geological Sciences, resigns effective June 30, 2009, to accept a faculty position at the University of Wisconsin-Madison.

RETIREMENTS

CAROL MALLOY, Professor, School of Education, retires effective June 30, 2009.

ROBERT ROSENBERG, Professor, Department of Pharmacology, retires effective June 30, 2009.

DONALD FOX, Professor, Department of Environmental Sciences and Engineering, retires effective June 30, 2009.

KENNETH DUDLEY, Professor, Department of Pharmacology, retires effective June 30, 2009.

NON-RENEWAL

ZHENGYUAN ZHU Assistant Professor, Department of Statistics and Operations Research, effective June 30, 2009.

LEAVES OF ABSENCE

The following leaves of absence, in accord with established procedure, have been have been passed upon by the appropriate officials and endorsed by the chancellor.

The faculty listed below have been approved for a Research and Study leave with pay for the Fall Semester, July 1, 2009, through December 1, 2009.

Ted Mouw
Jonathan Hill
Elin O Slavick
Terry Sullivan
Norris Johnson
Mario Marzan, Georges Nzongola-Ntalaja

Associate Professor
Assistant Professor
Professor
Associate Professor
Professor
Assistant Professor
Professor

Sociology
Economics
Art
Political Science
Anthropology
Art
African American Studies
Continuation of the list of faculty approved for a Research and Study leave with pay for the Fall Semester, July 1, 2009 through December 1, 2009.

Stephen Anderson  Assistant Professor  Music
Joseph Viscomi  Professor  English and Comparative Literature
Anthony Perucci  Assistant Professor  Communication Studies
Yaakov Ariel  Professor  Religious Studies
Robert Peet  Professor  Biology
Jeff Sekelsky  Associate Professor  Biology
Dmytro Arimkin  Assistant Professor  Mathematics
Kenneth Lohman  Professor  Biology
Michael Shanahan  Associate Professor  Sociology
Thomas H. Oakley  Associate Professor  Political Science
Daniel Botsman  Associate Professor  History
Reyco Henning  Assistant Professor  Physics and Astronomy
Peter Ornstein  Professor  Psychology
Margarita Mooney  Assistant Professor  Sociology
Gabor Pataki  Associate Professor  Statistics & Operations Research
Fred Naiden  Assistant Professor  History
M. Gregory Forest  Professor  Mathematics
Emilio Del Valle Escalante  Assistant Professor  Romance Languages

The following faculty have been awarded competitive leaves with pay:

CHRISTOPHER ARMITAGE, Professor, Department of English and Comparative Literature, has been awarded a Bowman and Gordon Gray leave of absence with pay for the Fall semester during which he will be writing a comparative of Australian and Canadian Literatures.

DAVID PENN, Professor, Department of Psychology, has been awarded a Kenan leave with pay for the Fall semester during which time he will be writing a grant with a collaborator at the California Institute of Technology in order to update the previous review of a publication dealing with psychosocial treatment for the first episode of psychoses.

CAROL CRUMLEY, Professor, department of Anthropology, has been invited to be a guest researcher at the Resilience Center of the University of Stockholm for two consecutive years. The Resilience Center is a leader in trans-disciplinary research on complex social-ecological systems.

LARRY GRIFFIN, Professor, Department of Sociology, has been awarded a professional leave for the 2009-2010 academic year in order to write a book in collaboration with a colleague at the Georgia Southern University.
SARAH DEMPSEY, Assistant Professor, Department of Communication Studies, will be a Pardue Fellow at the Institute of Arts and Humanities for the Fall semester.

CHARLES D.C. REEVE, Professor, Department of Philosophy, has been awarded a W.N. Reynolds leave with pay for the Fall semester during which time he will be working on a book manuscript.

DOROTHY HOLLAND, Professor, Department of Anthropology, will be a Chapman Fellow at the Institute for the Arts and Humanities for the Fall semester.

JOHN KASSON, Professor, Department of History, has received and accepted a National Humanities Fellowship effective July 1, 2009, through June 30, 2010, and will be in residence at the National Humanities Center for the upcoming academic year during which time he expects to complete a book entitled “The Little Girl Who Fought the Great Depression: Shirley Temple and Thirties America.”

ALAN SHAPIRO, Professor, Department of English and Comparative Literature, has received and accepted a National Humanities Fellowship effective July 1, 2009, through December 31, 2009, and will be in residence at the National Humanities Center for the upcoming academic year during which time he expects to complete a book of poetry.

Respectfully submitted,

Holden Thorp
July 13, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

I submit the following personnel changes in Academic Affairs at the University of North Carolina at Chapel Hill with request for your approval.

REAPPOINTMENT OF AN INSTRUCTOR

PHILLIP M. EDWARDS, as Instructor with special provision, School of Information and Library Science, effective July 1, 2009, through June 30, 2010, on a nine months basis. This appointment is made on the specified condition that automatically upon conferral of the PhD degree, the Instructor will be reappointed at the rank of Assistant Professor. The recommended salary for this appointment is $65,000.

APPOINTMENT OF A DEPARTMENT CHAIR

TERRY ELLEN RHODES, Professor, Department of Music, as Chair, effective July 1, 2009, through June 30, 2014, on a twelve months’ basis. The recommended salary for this appointment is $99,200 of which $8,000 is the supplement for serving as Chair.

Respectfully submitted,

Holden Thorp
July 13, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

I submit the following personnel changes in Health Affairs at the University of North Carolina at Chapel Hill with request for your approval.

NEW APPOINTMENTS

KARYN STITZENBERG, as Assistant Professor, Department of Surgery, effective August 17, 2009, on a twelve months’ basis, contingent on the continued availability of funds. The recommended salary for this appointment is $189,000 from non-state funds.

Personal: Born March 24, 1974, Summit, New Jersey.


Publications: Thirteen collaboratively written articles in refereed journals.

Professor Stitzenberg was interviewed and recommended by faculty from the Division of Surgical Oncology, Professor Benjamin Calvo, Division Chief and Professor Anthony Meyer, Chair.

TIMOTHY GERSHON, as Assistant Professor, Department of Neurology, effective July 31, 2009, on a twelve months’ basis contingent on the continuation of funds. The recommended salary for this appointment is $110,000.


Publications: Six collaboratively written articles in peer-reviewed journals and four abstracts.

Professor Gershom was interviewed and recommended by faculty from the Department of Neurology and Professor William Powers, Chair.

JOSEPH ALEXANDER DUNCAN, as Assistant Professor, Department of Medicine, with a secondary appointment as Assistant Professor, Department of Pharmacology, effective August 1, 2009, on a twelve months’ basis contingent on the continued availability of funds. The recommended salary for this appointment is $125,000.

Personal: Born April 13, 1970, Durham, NC.

Educational background: BS, 1992, California Institute of Technology; MD/PhD, 2001, University of Texas Southwest Medical Branch, Dallas.

Teaching and other vocational experience: Internal Medicine Residency, 2001-2003, Infectious Disease Fellowship, 2003-2006, and Clinical Assistant Professor, 2006-present, UNC-Chapel Hill.

Publications: Sixteen collaboratively written articles in refereed journals, and three abstracts.

Professor Duncan was interviewed and recommended by faculty from the Department of Medicine including Professors Myron Cohen, Fred Sparling, Eugene Orringer, Jenny Ting, Alfred Gillman, Gary Johnson, Chair, Department of Pharmacology, and Marschall Runge, Chair, Department of Medicine.
TREVOR HACKMAN, as Assistant Professor, Department of Otolaryngology, effective August 1, 2009, on a twelve months’ basis contingent upon the continuing availability of funds. The recommended salary for this appointment is $180,000 from non-state funds.


Scholarly and other professional organization memberships: Academy of Otolaryngology/Head and Neck Surgery and the American Rhinologic Society.

Publications: One collaboratively written book chapter, six collaboratively written refereed articles and four abstracts.

Professor Hackman was interviewed and recommended by faculty from the Department of Otolaryngology and Professor Harold C. Pillsbury, Chair.

ADAM PATRICK JACKS, as Assistant Professor, Department of Allied Health Sciences, effective August 1, 2009, on a twelve months’ basis, contingent upon the continuing availability of funds. The recommended salary for this appointment is $80,000.

Personal: Born June 14, 1975, Missouri.

Educational background: BA, 1998, Duke University; MA, 2000, and PhD, 2006, University of Texas at Austin.

Teaching and other vocational experience: Speech-Language Pathologist, 2001-2002, Casa Colina Centers for Rehabilitation; Speech-Language Pathologist, 2002-2004, Texas Neuro Rehab Center; Graduate Research Associate, 2002-2005, UT-Austin; Post-Doctoral Fellow, 2006-2008, University of Texas Health Sciences Center; Assistant Professor, 2008-present, Texas State University College of Health Professions, San Marcos,TX.
Scholarly and other professional organization memberships:
Society for Neuroscience and the American Speech-Language-
Hearing Association.

Publications: One collaboratively written book chapter, six
collaboratively written refereed articles and seven abstracts.

Professor Jacks was interviewed and recommended by faculty from the Allied Health
Sciences, Division of Speech and Hearing Sciences, and Professor Lee McLean, Chair.

TUNG THANH NGUYEN, as Assistant Professor, Department of Orthodontics, School
of Dentistry, effective July 29, 2009, on a twelve months’ basis. The recommended salary
for this appointment is $100,000 from non-state funds.

Personal: Born August 2, 1971, Saigon, Viet Nam.

Educational background: BS, 1993, Oregon State University;
DMD, 2005, Tufts Dental School, Boston; Certificate in
Orthodontics and MS in Oral Biology, 2008, UNC-Chapel Hill.

Teaching and other vocational experience: Research Associate,
1993-1995, Oregon Health Sciences Center; and William R.
Proffit Teaching Fellow in Orthodontics, 2008-2009, UNC-
Chapel Hill.

Scholarly and other professional organization memberships:
American Dental Association and the American Association of
Orthodontics.

Publications: Five collaboratively written articles for peer-
reviewed journals.

Professor Nguyen was interviewed and recommended by faculty in the Department of
Orthodontics and Professor Ceib Phillips, Interim Chair.

REAPPOINTMENTS AT THE SAME RANK

JOHN RAWLS, as Assistant Professor, Department of Cell and Molecular Physiology
and Department of Microbiology and Immunology effective May 1, 2010, on a twelve
months’ basis contingent on the availability of funds. The recommended salary is
$104,829.
KEVIN BIESE, as Assistant Professor, Department of Emergency Medicine, effective July 31, 2010, on a twelve months’ basis contingent on the continued availability of Funds. The recommended salary for this appointment is $171,000 of which $136,800 are from non-state funds.

MOE LIM, as Assistant Professor, Department of Orthopaedics, effective September 1, 2009, on a twelve months’ basis contingent on the availability of funds. The recommended salary for this appointment is $292,785 of which $260,844 is from non-state funds.

LEE BOUSHELL, as Assistant Professor, Department of Operative Dentistry, effective September 1, 2010, on a twelve months’ basis. The recommended salary for this appointment is $113,979 of which $17,097 is from non-state funds.

PROMOTION TO PROFESSOR

ANNA MARIA SIEGA-RIZ, to Professor, Department of Epidemiology and Department of Nutrition, effective August 1, 2009, on a twelve months basis contingent on the continuation of funds. The recommended salary for this appointment is $120,645 of which $79,955 is from non-state funds.

DESIGNATION TO A DISTINGUISHED PROFESSORSHIP

JONATHAN KOTCH, Professor, Department of Maternal and Child Health, as the Carol Rimmer Angle Endowed Professor of Children’s Environmental Health, effective August 1, 2009, on a twelve months’ basis. The recommended salary for this appointment is $165,042.

Respectfully submitted,

[Signature]
Holden Thorp
July 13, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

I submit for your review and approval the following personnel actions at the University of North Carolina at Chapel Hill.

APPOINTMENTS CONFERRING TENURE

STANLEY AHLALT, as Professor, Department of Computer Science, and Director, Renaissance Computing Institute, effective August 1, 2009, on a twelve months’ basis. The recommended salary for this appointment is $245,000 of which $10,000 is the administrative supplement for serving as Director of the Institute.

Personal: November 18, 1953, Radford, VA.


Teaching and other vocational experience:
Assistant Professor, 1987-1992, Associate Professor 1992-1997, Professor, 1997-present, Department of Electrical and Computer Engineering, Ohio State University; Executive Director, 2003-present, Ohio Supercomputer Center, Columbus.

Publications: Ten bulletins and technical reports, thirty-eight peer-reviewed journal articles, four editor reviewed journal articles, and eighty-two published proceedings.

Professor Ahalt was interviewed and recommended by a University search committee comprised of faculty from Computer Science Departments at local area universities and chaired by Tony Waldrop, Vice Chancellor for Research and Economic Development.

PROMOTIONS CONFERRING TENURE

CHERIE KUZMIAK, as Associate Professor, Department of Radiology, effective August 1, 2009, on a twelve months’ basis contingent on the continuation of funds. The recommended salary for this appointment is $235,000 of which $202,510 is from non-state funds.
KA HE, as Associate Professor, Department of Nutrition and Department of Epidemiology, effective September 1, 2009, on a twelve months’ basis contingent on the continued availability of funds. The recommended salary for this appointment is $110,324 of which $98,187 is from non-state funds.

MARC SERRE, as Associate Professor, Department of Environmental Sciences and Engineering, effective September 1, 2009, on a nine months’ basis contingent on the continuation of funds. The recommended salary for this appointment is $80,000 of which $8,389 is from non-state funds.

Respectfully submitted,

[Signature]
Holden Thorp
July 13, 2009

Members of the Board of Trustees
The University of North Carolina at Chapel Hill

Dear Members of the Board:

The UNC Board of Governors required each campus of the University of North Carolina to develop a policy on deferred compensation and non-salary compensation. This policy establishes guidelines and procedures for deferred compensation and non-salary compensation at UNC-Chapel Hill. In compliance with this policy, I have attached the required form which documents proposed non-salaried compensation for Elizabeth Dunn, Senior Associate Vice Chancellor for Development. Her duties entail a significant amount of automobile travel in order to meet with prospective and current donors. As part of her overall compensation, Elizabeth receives a monthly car allowance of $500. This is noted on the attached form. Thank you.

Sincerely,

Holden Thorp
The University of North Carolina at Chapel Hill
REQUEST FOR APPROVAL OF NON-SALARY COMPENSATION
(Faculty/EPA Non-Faculty Employee)

Date of Request: 7/1/09

Requesting Unit/Department: University Advancement

Contact Person/Telephone Number for Additional Information
Name Lisa Waldeck
Telephone 962-0015

Employee Name: Elizabeth Dunn

Title: Senior Associate Vice Chancellor for University Development

Unit/Dept Name: University Advancement

School: _____

Is this request related to:

☐ New Hire
☒ Existing Employee (PID# 703686286)

Supervisor's Name: Matt Kupec

Title: VC for University Advancement

Description of Non-Salary Compensation:

Car allowance ($500 per month)

Brief Explanation of Purpose (e.g., recruitment, retention, work-related need):

Car allowance ($500 per month)

Duration of Non-Salary Compensation: Annual

Total Monetary Value of Proposed Non-Salary Compensation $6,000

APPROVALS

Requesting Official Signature

Name Tina Perkins

Title EPA Personnel Manager, Office of the Chancellor

2nd Level Manager Signature

Date: ______

VC/Exec VC Office

Date: ______

Chancellor's Office

Date: ______

Board of Trustees Action

☐ Approved
☐ Denied

Date: ______

Revised 10/07
July 15, 2009

Christopher A. Payne
Interim Director of University Career Services and
Associate Vice Chancellor for Student Affairs
The University of North Carolina at Chapel Hill
211 Carr Building
CB# 5000
Chapel Hill, NC 27599-5000

Dear Chris:

Please consider this letter as notification that I recently filed for re-election to the Carrboro Board of Aldermen. If elected, I will serve for a term of four years. The election will be held on November 2, 2009. The campaign period will begin on September 1, 2009 and continue until the day of the election.

As an EPA-Non Faculty Instructional UNC employee and an Assistant Director of University Career Services (UCS), my regular work hours are from 8:00 am until 5:00 pm, Monday through Friday. During the fall and spring semesters, I am called upon to work an average of two to four evenings per month. I have held my position with UCS for more than 17 years and have been a member of the Carrboro Board of Aldermen for 20 years.

My primary duties as an Assistant Director of University Career Services involve providing career counseling to students, presenting career related workshops and programs, and conducting outreach with employers. Except for the occasional evening or weekend, my duties are fulfilled during the 8:00-to-5:00 workday.

As a member of the Carrboro Board of Aldermen, my primary responsibility is to formulate town policies and budgets. The Carrboro Board of Aldermen meets on Tuesday nights at 7:30 pm. As a Board member, I also attend committee meetings and work groups, all of which are scheduled in the evenings or on weekends. For the past 16 years, I have made my commitments to UCS my primary priority and have insisted that committee meetings be held during times that do not interfere with my work at UCS.

My campaign for re-election will, as has been the case with my past four campaigns, be conducted during my personal time and will not interfere with my duties at UCS.
Carrboro is a small town of less than 20,000 residents, which allows campaign activities to be conducted during evening and weekend hours. In addition, if elected, I will continue to ensure that my responsibilities as an alderman are fulfilled exclusively during evening and weekend hours and that such responsibilities will not in any way hinder my commitments to UCS. I believe my ability to successfully manage my professional and my public service responsibilities is demonstrated by the fact that, during the 16 years that I have worked with UCS while serving as a member of the Carrboro Board of Aldermen, my evaluations from both students and supervisors have been high.

I would appreciate your approval of my intention to seek re-election to the Carrboro Board of Aldermen. Thank you for your consideration.

Sincerely,

Jacquelyn M. Gist

Jacquelyn M. Gist
July 15, 2009

Jacquelyn M. Gist  
Assistant Director  
University Career Services  
The University of North Carolina at Chapel Hill  
229 Hanes Hall  
CB# 5140  
Chapel Hill, NC 27599-5140

Dear Ms. Gist:

Thank you for your letter of notification dated July 15, 2009 that you recently filed for re-election to the Carrboro Board of Aldermen. This letter serves to confirm that I have reviewed and approved your intention to seek re-election to the Carrboro Board of Aldermen and, if elected, to serve as a member of the Board.

Based on how you have managed your Board of Alderman obligations and prioritized your UCS responsibilities on behalf of the students we serve over the past 17 years, I am satisfied that your role as a member of the Board of Aldermen will not interfere with your commitments to University Career Services.

Sincerely,

Christopher A. Payne, Ph.D.  
Interim Director of University Career Services and  
Associate Vice Chancellor for Student Affairs
MEMORANDUM

TO: Members of the Committee on University Governance
    Board of Governors
    The University of North Carolina

FROM: Chancellor H. Holden Thorp
    The University of North Carolina at Chapel Hill

DATE: July 29, 2009

RE: Political Activity of University Employee

I write to advise you that, on Thursday, July 23, 2009, the University’s Board of Trustees
approved a University employee’s request to seek re-election to the Town of Carrboro Board of
Aldermen and, if elected, to serve as an alderman without obtaining a leave of absence or
resigning from her University employment. This employee, Jacqueline M. Gist, has served as a
member of the Carrboro Board of Aldermen since 1989. Ms. Gist has also been employed with
University Career Services since 1992.

The Board of Trustees acted pursuant to Board of Governors Policy 300.5.1, entitled “Political
Activities of Employees,” which establishes requirements for University employees who wish to
hold public office. In general, the policy requires a non-senior administrative employee to seek
Board of Trustees’ approval before seeking a public office, such as membership on the Carrboro
Board of Aldermen, that pays more than “nominal” compensation.

The Board of Governors Policy establishes a presumption that part-time service for which
compensation is “more than nominal” interferes with the responsibilities of University
employment and requires the employee to obtain a leave of absence or to resign from University
employment. In order to rebut this presumption, the employee is required to establish that her
 candidacy will not, in fact, hinder her service to the University.

In support of her petition, Ms. Gist indicated that her public service activities have been and will
continue to be conducted during evening and weekend hours and that such activities have not
and will not interfere with her responsibilities as a University employee. Ms. Gist also submitted
a statement from her supervisor, Christopher A. Payne, Interim Director of University Career
Services and Associate Vice Chancellor for Student Affairs, supporting Ms. Gist’s intention to
seek re-election to the Board of Aldermen and, if elected, to serve on the Board.

The Policy also states that, “With respect to each such decision rendered by a Board of Trustees,
the chancellor shall transmit to the Committee on University Governance of the Board of
Governors a report, containing such information as the committee may specify, concerning the
action of the Board of Trustees.” If you have any questions regarding the Board of Trustees’
decision on this matter, please do not hesitate to call. Thank you.