

September 22-23, 2021, 9:00AM
Chancellor's Ballroom, Carolina Inn

OPEN SESSION – September 22, 2021
9:00 – 11:30 a.m.

- | | | |
|----|--|--------------------|
| 1. | Delegated Authority Presentation
<i>Charles Marshall, Vice Chancellor and General Counsel</i> | Attachments
A-F |
|----|--|--------------------|

OPEN SESSION – September 23, 2021
9:00 a.m.

- | | | |
|----|---|--------------|
| 1. | Convene Meeting
<i>David L. Boliek Jr., Chair</i> | |
| 2. | Pledge of Allegiance
<i>Scouts BSA Trop 740, Haymount United Methodist Church, Fayetteville, NC</i> | |
| 3. | Roll Call
<i>Malcolm Turner, Secretary</i> | |
| 4. | Statement of Ethics | |
| 5. | Consent Agenda | |
| | I. Approval of July 14-15, 2021 Minutes (Regular Meeting) | Attachment G |
| | II. Approval of 2022 Board of Trustee Regular Meeting Dates | Attachment H |
| | III. Ratification of Written Ballot Dated August 4, 2021 | Attachment I |
| | IV. Ratification of Written Ballot Dated September 2, 2021 | Attachment J |
| | V. WUNC Board Elections | Attachment K |
| 6. | Board of Trustees Chair's Remarks
<i>David L. Boliek Jr., Chair</i> | |
| 7. | Student Body President's Remarks
<i>Lamar Richards, Student Body President</i> | |
| 8. | Chancellor's Remarks
<i>Dr. Kevin Guskiewicz, Chancellor</i> | |
| 9. | Faculty Spotlight: In Service to NC Government Officials
<i>Dean Michael R. Smith, UNC School of Government</i>
<i>Kara Millonzi, Robert W. Bradshaw Jr. Distinguished Professor of Public Law and Government</i>
<i>Jacqui Greene, Assistant Professor of Public Law and Government</i> | |

*Some of the business to be conducted is authorized by the N.C. Open Meetings Law to be conducted in closed session.

10. *Report of the Finance, Infrastructure & Audit Committee
John Preyer, Committee Chair
11. *Report of the University Affairs Committee
Rob Bryan, Committee Chair
12. *Report of the External Relations Committee
Allie Ray McCullen, Committee Chair

CLOSED SESSION

13. *Report of the University Affairs Committee
Rob Bryan, Committee Chair
14. *Report of the External Relations Committee
Allie Ray McCullen, Committee Chair
15. Legal Update
Charles Marshall, Vice Chancellor and General Counsel

OPEN SESSION

16. Report of University Affairs Committee
Rob Bryan, Committee Chair
17. Adjournment
David L. Boliek Jr., Chair

MEMORANDUM

To: Members of the Board of Trustees

From: David Boliek, Chair

Date: September 23, 2021

RE: 2022 Meeting Dates

Please see below the 2022 meeting dates for approval.

January 26-27

March 23-24

May 18-19

July 27-28

Sept. 21-22

Nov. 16-17

BOARD OF TRUSTEES MEETING
The University of North Carolina at Chapel Hill
July 15, 2021

The Board of Trustees met in regular session on Wednesday July 14, 2021, at the Carolina Inn, Chancellor's Ballroom. Interim Chair Gene Davis convened the meeting at 9:00 a.m.

ROLL CALL

Secretary Artis Neal called the roll and the following members were present:

Teresa Artis Neal
David L. Boliek, Jr.
Rob Bryan
R. Gene Davis, Jr.
Dr. Perrin Jones
Marty Kotis
Allie Ray McCullen
Ralph W. Meekins, Sr.
Vinay Patel
John P. Preyer
Lamar Richards
Ramsey White

Secretary Artis Neal indicated that there was a quorum.

STATE GOVERNMENT ETHICS ACT

Interim Chair Davis read the following statement:

As Chair of the Board of Trustees, it is my responsibility to remind all members of the Board 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.

**NOMINATION FOR OFFICES OF CHAIR, VICE CHAIR, SECRETARY AND ASSISTANT
SECRETARY**

Interim Chair Davis opened the floor for nominations for the offices of Chair, Vice Chair, Secretary and Assistant Secretary. Trustee Bryan made a motion to elect Trustee Dave Boliek to the office of Chair by acclamation and Trustee Preyer seconded the motion. Trustee Boliek was elected by acclamation.

Trustee Bryan made a motion to elect Trustee John Preyer to the office of Vice Chair by acclamation and Trustee Kotis seconded the motion. Trustee Preyer was elected by acclamation.

Trustee Bryan made a motion to elect Trustee Malcolm Turner to the office of Secretary by acclamation and Trustee Davis seconded the motion. Trustee Turner was elected by acclamation.

Bryan made a motion to elect Vice Chancellor and University Secretary Clayton Somers to the office of Assistant Secretary by acclamation and Trustee Patel seconded the motion. Vice Chancellor Somers was elected by acclamation.

COMMITTEE ASSIGNMENTS

Chair Boliek announced the following committee assignments with the Chair serving ex-officio as a voting member of all committees.

Finance, Infrastructure and Audit

John Preyer, Chair

Marty Kotis, Vice Chair

Members: Teresa Artis Neal, Perrin Jones, Ralph Meekins, Vinay Patel, Malcolm Turner, Ramsey White

University Affairs

Rob Bryan, Chair

Teresa Artis Neal, Vice Chair

Members: Gene Davis, Perrin Jones, Allie Ray McCullen, John Preyer, Lamar Richards, Malcolm Turner

External Relations

Allie Ray McCullen, Chair

Ramsey White, Vice Chair

Members: Rob Bryan, Gene Davis, Marty Kotis, Ralph Meekins, Vinay Patel, Lamar Richards

Trustee Davis made a motion for the Board to recess the full Board meeting until July 15, 2021, at 9:00 a.m. and Trustee Jones seconded the motion. The motion passed unanimously.

BOARD OF TRUSTEES MEETING The University of North Carolina at Chapel Hill July 15, 2021

The Board of Trustees reconvened its regular session meeting on Thursday July 15, 2021, at The Carolina Inn, Chancellor's Ballroom. Trustee Davis made a motion to reconvene the meeting, Trustee Bryan seconded the motion, and the motion passed unanimously. Chair Boliek reconvened the meeting at 9:00 a.m.

ROLL CALL

Trustee Turner called the roll and the following members were present:

Teresa Artis Neal

David L. Boliek, Jr.

Rob Bryan

R. Gene Davis, Jr.

Dr. Perrin Jones

Marty Kotis

Allie Ray McCullen

Ralph W. Meekins, Sr.

Vinay Patel
John P. Preyer
Lamar Richards
Ramsey White

Trustee Turner indicated that there was a quorum.

STATE GOVERNMENT ETHICS ACT

Chair Boliek read the following statement:

As Chair of the Board of Trustees, it is my responsibility to remind all members of the Board 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.

CONSENT AGENDA

The following items were presented for approval on the consent agenda

- The May 19-20, 2021 regular meeting minutes
- The June 30, 2021 special meeting minutes
- Atlantic Coast Conference Certification

Trustee Davis made a motion to for the June 30, 2021, special meeting minutes to include a full transcript of his remarks, Trustee Meekins seconded the motion and the motion passed unanimously. Secretary Davis made a motion to approve the Consent Agenda, Trustee Preyer seconded the motion, and the motion passed unanimously.

CHAIR'S REMARKS

- Chair Boliek thanked everyone for joining the meeting.
- The Chair noted that the Board may adjust committee structures and titles in the future. They may establish new, smaller committees.
- Chair Boliek outlined four focuses for the future of the Board: opening the university in the fall; harnessing the economic power of the university for the benefit of all people of North Carolina; supporting the University's Strategic Plan, particularly the "Promote Democracy" initiative; and making the tenure process clear and transparent.
- Chair Boliek concluded his remarks by calling upon Trustee Richards for his remarks.

STUDENT BODY PRESIDENT'S REMARKS

- Trustee Richards acknowledges the students, groups, and communities he represents on the board.
- Trustee Richards shares administrative goals and expectations for the university.
- Trustee Richards reflects on the challenges students have faced in the last year and shared his hope for collaboration with the board in moving forward.

[A copy of these remarks is in the Office of the Assistant Secretary and at bot.unc.edu.]

CHANCELLOR'S REMARKS AND FALL ROADMAP UPDATE

- Chancellor Guskiewicz began his remarks by sharing that the university will be receiving its largest incoming class and welcome plans for students for the Fall semester.
- Chancellor Guskiewicz provided details on the recent budget announcement.
- Chancellor Guskiewicz shared plans for renovating campus buildings and facilities.
- Chancellor Guskiewicz then shared updates on the progress of the strategic plan.
- To conclude, Chancellor Guskiewicz congratulated Dr. Leah Cox on her permanent appointment as Vice Provost for Diversity, Equity, and Inclusion and Chief Diversity Officer, then introduced the presentation.

[A copy of these remarks is in the Office of the Assistant Secretary and at bot.unc.edu.]

RETURN TO CAMPUS: FALL 2021 PLAN

The following presenters provided updates regarding the Fall 2021 plan for returning to campus:

- Amy Johnson, Vice Chancellor for Student Affairs, presented an update on student affairs and services.
- Rick Wernowski, Senior Vice Provost for Business Operations, provided an update on operations, building protocols, and resources.
- Nate Knuffman, Vice Chancellor for Finance and Operations and Chief Financial Officer, presented a dining operations update.
- Amir Barzan, Assistant Professor in the School of Medicine and the Medical Director of The Family Medicine Center at Chapel Hill, provided an update on the university testing program.
- Matthew Mauzy, Emergency Response Technology Manager, and Steven King, Associate Professor in the School of Journalism and Media, outlined the IT preparations for the fall semester.

To conclude their presentations, they entertained questions from the board. This presentation can be found on bot.unc.edu and on file in the Office of the Assistant Secretary.

Chair Boliek added an addendum to the agenda and introduces Governor Powers, liaison to the Board of Governors.

ADDENDUM

- Governor Powers thanked the board and university for their work during the previous year.
- Governor Powers welcomed new members to the board.
- Lastly, Governor Powers shared that the Board of Governors will provide details in the coming weeks for an updated method of measuring the performance of UNC System universities.

REPORT OF THE FINANCE, INFRASTRUCTURE & AUDIT COMMITTEE

Trustee Preyer presented the report from the Finance, Infrastructure and Audit Committee detailing action items, Vice Chancellor Kauffman's financial update, and Dean Shackelford of the Kenan-Flagler Business School's presentation. The following items were presented to the committee for action:

- Transfer of restricted funds from the endowment and the distribution for the investment fund.

Trustee Preyer motioned to approve the action item. Trustee Bryan seconded, and the motion passed.

- Spending authority for the Global Leadership Center at the Gillings School, Bingham Hall comprehensive renovation plan, and Coates Hall comprehensive renovation plan.

Trustee Preyer motioned to approve the action item. Trustee Davis seconded, and the motion passed.

- Approval of updated changes to the ordinance regulating traffic and parking

Trustee Preyer motioned to approve the action item. Trustee Davis seconded, and the motion passed.

A full review of the committee meeting is in the committee minutes in the Office of the Assistant Secretary.

REPORT OF THE UNIVERSITY AFFAIRS COMMITTEE

Trustee Bryan presented the report from the University Affairs Committee. There were no items for action in open session.

A full review of the committee meeting is in the committee minutes in the Office of the Assistant Secretary.

REPORT OF THE EXTERNAL RELATIONS COMMITTEE

Trustee McCullen presented the report from the External Affairs Committee. There were no items for action in open session. Trustee McCullen then shared the items presented for information:

- Clayton Somers, Vice Chancellor of Public Affairs and Secretary of the University, shared a public affairs update.
- Bubba Cunningham, Director of Athletics, provided a report on Name, Image, and Likeness opportunities for student athletes.

MOTION TO CONVENE IN CLOSED SESSION

On motion of Secretary Turner, and seconded by Trustee Bryan, 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 pursuant to Section 143-318.11 (a) (2), (3), (5), (6), (7), and (9). The motion passed.

RECONVENE MEETING IN OPEN SESSION

Trustee Turner made a motion to return to open session, Trustee Preyer seconded the motion, and the motion passed.

OPEN SESSION

REPORT OF THE UNIVERSITY AFFAIRS ITEMS

Trustee Bryan made a motion to approve the following items.

- Human Resources actions from the University Affairs Committee.

Trustee Davis seconded the motion, and the motion passed.

ADJOURNMENT

There being no further business to come before the Board, Chair Boliek called for a motion to adjourn. Trustee Davis made the motion, Trustee Preyer seconded the motion, and the motion passed. Chair Boliek adjourned the meeting at 3:20 p.m.



Written Ballot
Board of Trustees
August 4, 2021

Chancellor Kevin Guskiewicz submits for your review and approval a memo concerning the terms of appointment and compensation for Dr. Ramona Denby-Brinson as Dean of the School of Social Work. This mail ballot will be approved as part of the consent agenda at the Full Board meeting on September 26, 2021.

The undersigned votes as follows with respect to the recommendation proposed in the attached materials.

Appointment and compensation for Dr. Ramona Denby-Brinson as Dean of the School of Social Work.



Approve



Disapprove

Signature _____

Printed Name _____

Date _____

Please return to TJ Scott at tj_scott@unc.edu or fax to 919-962-1647

This ballot was approved by majority vote on August 5, 2021 by the following: Teresa Artis Neal, David Boliek, Gene Davis, Perrin Jones, Marty Kotis, Allie Ray McCullen, Ralph Meekins, Vinay Patel, Malcolm Turner, and Ramsey White.



Written Ballot
Board of Trustees
September 2, 2021

Chancellor Kevin Guskiewicz submits for your review and approval the election of John Townsend and David Carroll to the Endowment Board of Trustees. Pursuant to Bylaw Article II, Section 2.04(e) Chair Boliek has deemed appropriate the submission of this written ballot to the Board and, if approved, will be included for proposed ratification as part of the consent agenda at the Full Board meeting on September 23, 2021.

Election of John Townsend and David Carroll to the Endowment Board of Trustees, with terms commencing September 4, 2021, for a term of three (3) years.

Election of John Townsend to the
Endowment Board of Trustees



Approve



Disapprove

Election of David Carroll to the
Endowment Board of Trustees



Approve



Disapprove

Signature _____

Printed Name _____

Date _____

Please return to Clayton Somers at clayton@unc.edu or fax to 919-962-1647

The following ballot was approved by majority vote on September 3, 2021 by the following: Teresa Artis Neal, David Boliek, Gene Davis, John Preyer, Malcolm Turner, Marty Kotis, Perrin Jones, Ramsey White, Rob Bryan, and Allie Ray McCullen.

ATTACHMENT A

ELECTION OF MEMBERS TO THE BOARD OF DIRECTORS OF WUNC PUBLIC RADIO, LLC.

Section 3.2 of the Operating Agreement of WUNC Public Radio, LLC requires that the Board of Trustees elect certain members of the WUNC Public Radio, LLC's Board of Directors. Attached is a chart showing the names and terms of the current WUNC Public Radio, LLC Directors. The nominees are shown in bold on the chart.

RECOMMENDED ACTION

A motion to elect Allie Ray McCullen, John Hood, Hannah Gage, and Michael Schoenfeld to the Board of Directors of WUNC Public Radio, LLC pursuant to Section 3.2 of the LLC Operating Agreement for the terms set forth in the attached list.

**THE BOARD OF DIRECTORS OF WUNC PUBLIC RADIO, LLC
MEMBERSHIP – 9 DIRECTORS**

Nora Casper, General Manager of WUNC-FM	(Ex-Officio)
Joel Curran, Vice Chancellor of Communications	(Ex-Officio)
Teresa Artis Neal	2023
Susan King	2023
Alexia Fields	2023
Michael Schoenfeld <i>(For the unexpired term of James Moeser)</i>	2023
Allie Ray McCullen	2024
John Hood	2024
Hannah Gage	2024

* Individuals are eligible for appointment for up to three (3) consecutive three (3) year terms; all board members listed are eligible for reappointment upon expiration of stated term

Mike Smith

Dean

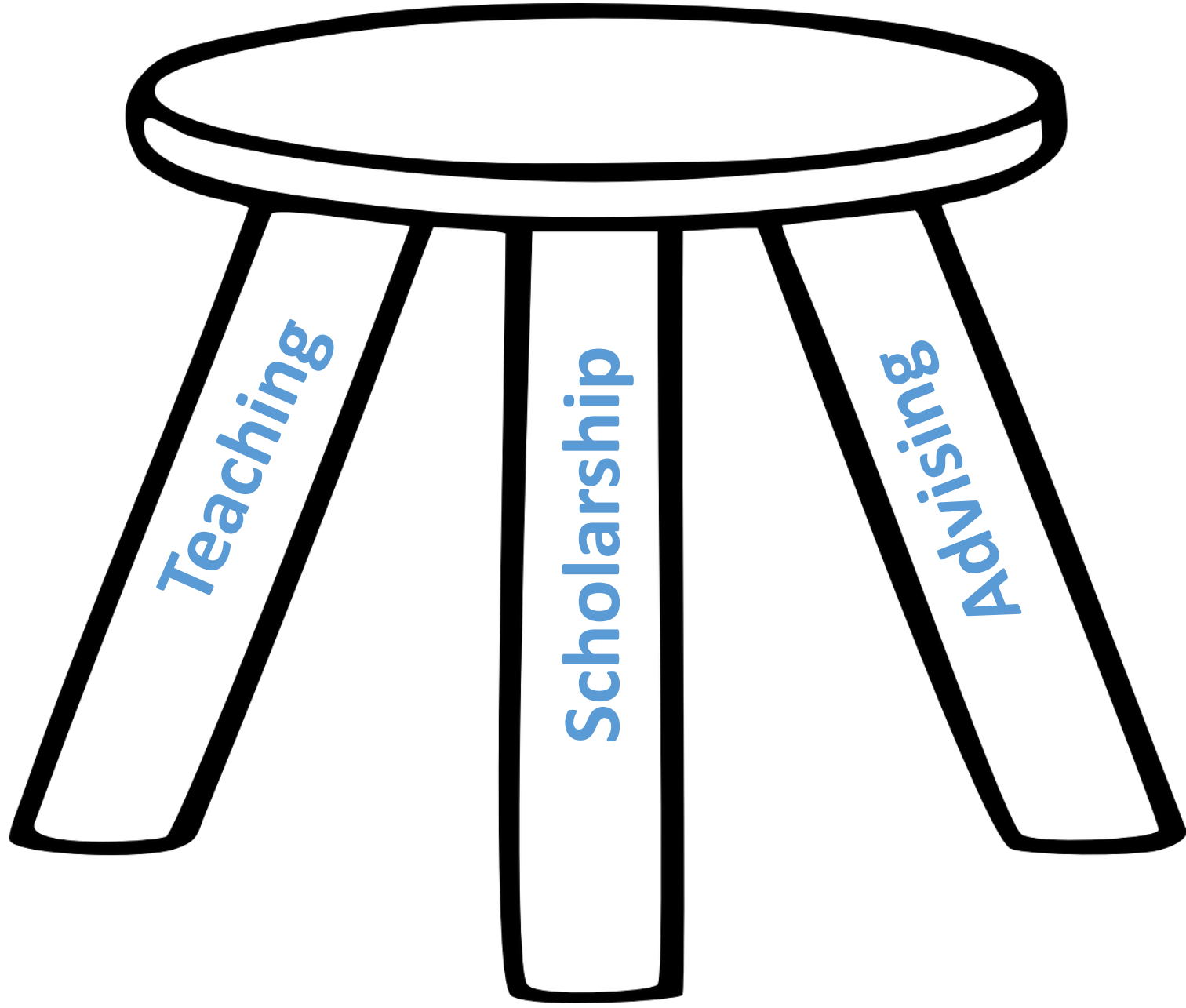
Jacquelyn Greene

Assistant Professor of Public Law and Government

Kara Millonzi

Robert W. Bradshaw Jr. Distinguished Professor of Public Law and Government

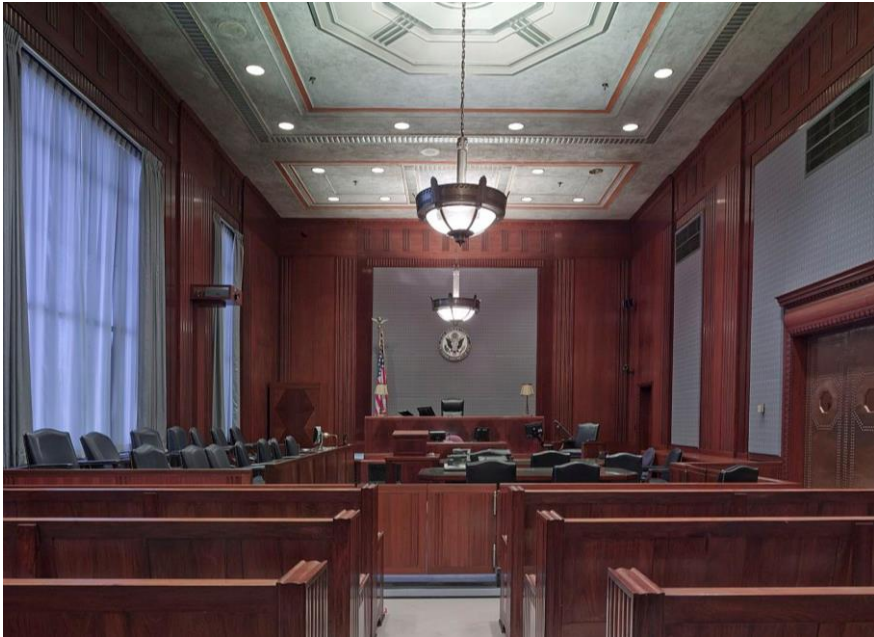
September 23, 2021





**North Carolina
Juvenile Justice**

g Together to Strengthen North Carolina's Youth and F



In Service to NC Government Officials



Juvenile Jurisdiction Advisory Committee



Including Young Children in Delinquency Jurisdiction: Issues of Infancy and Capacity

Jacquelyn Greene

CONTENTS

The Infancy Defense and the Juvenile Court 2


Supporting Legal Structure Development



SCHOOL OF GOVERNMENT

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Courses



Juvenile Delinquency

Chapel Hill, NC - [Click here to register for this course offering](#)
November 8 - 10, 2021



Overview



Register



Materials



Contact

The flowchart, titled "N.C. JUVENILE DELINQUENCY PROCESS", outlines the legal pathway for a juvenile. It begins with "Allegation of Delinquent Behavior" leading to "Intake" (where a "Role of Law Determination" occurs). From Intake, the process can lead to "No Further Action", "Informal Resolution", or "Temporary Custody". "Informal Resolution" leads to "Completable/Notable Resolution", which then leads to "Approved for Court". "Temporary Custody" leads to "Completable/Notable Resolution" or "Not Approved for Court". "Not Approved for Court" leads to "Closed and/or Referred to Resources" or "Detention". "Detention" leads to "Held for Interview" (which may require a parent/guardian after an interview) or "Completion and Closed". "Approved for Court" leads to "Court". From Court, the process can lead to "Preservation Deferred or Discretion", "New Complaint", or "Secure or Nonsecure Custody". "Preservation Deferred or Discretion" leads to "Completable and Closed". "New Complaint" leads to "First Appearance Hearing (Admonition)". "First Appearance Hearing (Admonition)" leads to "Indisposition (18B17A-2 Release)" or "Probable Cause (PC) Hearing (18B17A-3 Release)". "Indisposition (18B17A-2 Release)" leads to "Transfer to Superior Court". "Probable Cause (PC) Hearing (18B17A-3 Release)" leads to "Transfer Hearing" or "Adjudication Hearing". "Transfer Hearing" leads to "Transfer to Superior Court" or "Probation and Juvenile Court Division". "Adjudication Hearing" leads to "Dispositional Hearing". "Dispositional Hearing" leads to "Disposition". "Disposition" leads to "Level 1 Community Disposition", "Level 2 Intermediate Disposition", or "Level 3 Youth Development Center (YDC) Commitment". "Level 1 Community Disposition" leads to "Completable with Court Review" or "Violation of Court Order". "Completable with Court Review" leads to "Court Terminates". "Violation of Court Order" leads to "Return to Court". "Level 2 Intermediate Disposition" leads to "Completable with Court Review" or "Violation of Conditions". "Completable with Court Review" leads to "Court Terminates". "Violation of Conditions" leads to "Return to Court". "Level 3 Youth Development Center (YDC) Commitment" leads to "Post Release Supervision (Court monitor/Supervisor following commitment)". "Post Release Supervision" leads to "Completable with Conditions" or "Violation of Conditions". "Completable with Conditions" leads to "Court Terminates". "Violation of Conditions" leads to "Return to Court". "Return to Court" leads to "Disposition Continues" or "Disposition Modification". "Disposition Modification" leads to "Court Terminates". "Return to YDC" leads to "Other Disposition".

North Carolina Criminal Law

A UNC School of Government Blog

Questioning Youth at School: When is it a Custodial Interrogation?

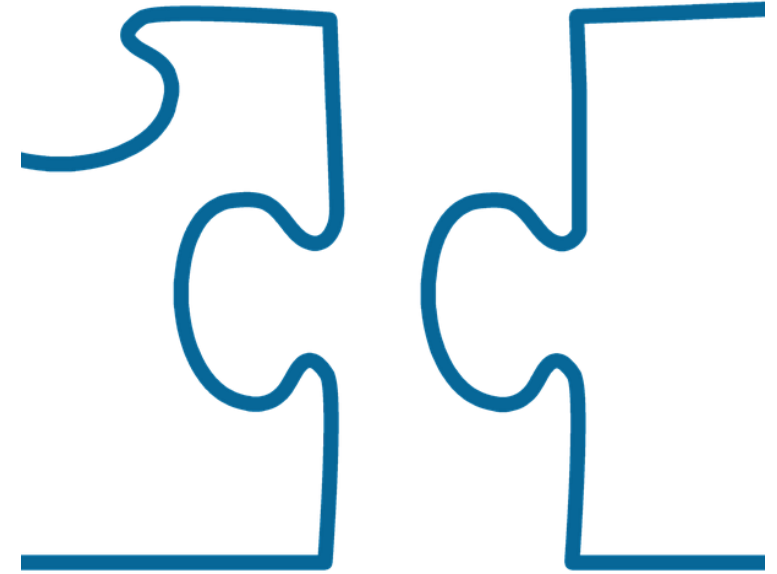
Posted on [Apr. 29, 2021, 1:50 pm](#) by [Jacquelyn Greene](#)

[View all posts by Jacquelyn Greene](#)

When does questioning of a middle school student by the principal and in the presence of the school resource officer (SRO) constitute a custodial interrogation? The Court of Appeals of North Carolina issued a decision last week, [In re D.A.H.](#), ___ N.C. App. ___, 2021-NCCOA-135 (April 20, 2021), that details the legal analysis necessary to answer this question. The decision reviews the unique characteristics and law related to schoolhouse questioning and identifies seven factors most relevant to determining whether a juvenile is in custody and three factors most relevant to determining whether questioning is an interrogation. The application of this analysis to the facts of the case offers an important takeaway—the legal analysis must focus on an objective reasonable child standard and not on a particular child’s subjective familiarity with an SRO who is regularly present in the school environment.

The image shows the front cover of a book titled "Juvenile Justice Reinvestment Act IMPLEMENTATION GUIDE 2019" by Jacquelyn Greene. The cover has a blue background with a green and yellow horizontal bar across the middle. The title is in white and red text, and the author's name is at the bottom.

Understanding the Law



Implementing the Law





MURPHY
— TO —
MANTO

**NC Local
Governments**



We're Responsive

1 week

48 inquires

42 local governments

3 state agencies

From Mecklenburg to Hayesville

(pop. 1.1 million)

(pop. 377)

What's the statute of limitations for a delinquent sewer account?

Are building plans public records?

Is an abstention counted as a yes vote?

How do you appoint a deputy finance officer?

Who may authorize a bonus payment to a Sheriff Office deputy?

Must a county fund new voting machines for a local board of elections?

Does Exclusive Emoluments clause prohibit penalty waivers?

Can you impose a system development fee on existing development?

What is the process for a GO bond issuance?

Can we use design-build for an ARP-funded project?

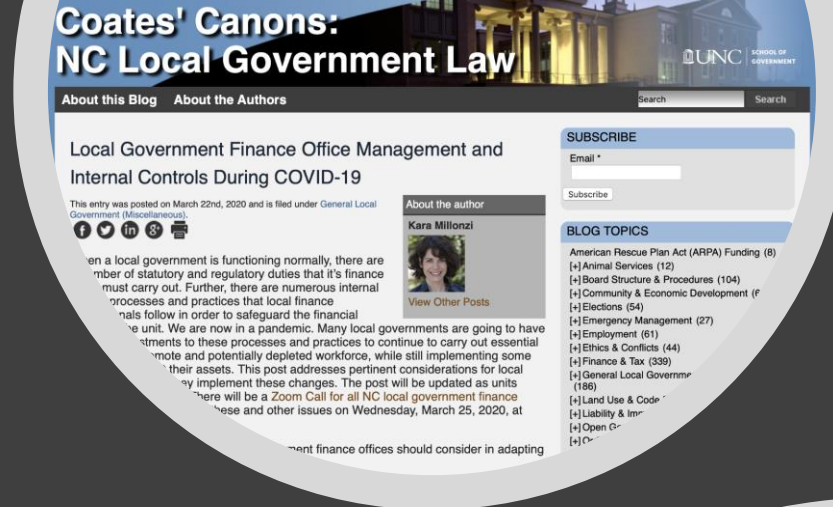
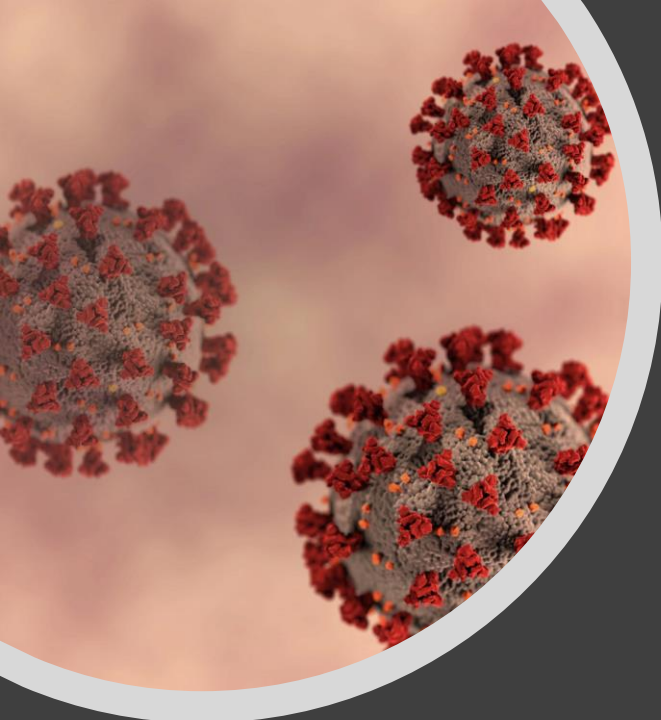
If a county replaces a rural county protection district with a county service district, what impact does it have on volunteer fire departments?

What revenue options are available to purchase police radios?

How do you preaudit p-card purchases?







We're Flexible

