

November 3, 2021, 10:00 am

November 4, 2021, 9:00 am

Chancellor's Ballroom, Carolina Inn

November 3, 2021**10:00 a.m.****OPEN SESSION**

1. Convene Meeting
David L. Boliek Jr., Chair
2. Roll Call
Malcolm Turner, Secretary
3. Statement of Ethics
David L. Boliek Jr., Chair
4. Training Session: Title IX and the University's Discrimination and Harassment Policy
Becci Menghini, Vice Chancellor for Human Resources and Equal Opportunity & Compliance
Elizabeth Hall, Interim Associate Vice Chancellor for Equal Opportunity & Compliance
Katie Nolan, Executive Director of Strategy, Policy, and Special Projects

CLOSED SESSION

5. Legal Update: Title IX and the University's Discrimination and Harassment Policy
Kara Simmons, Associate Vice Chancellor and Senior University Counsel

OPEN SESSION

6. Recession of Full Board Meeting Until 9:00 a.m. on November 4, 2021
David L. Boliek Jr., Chair

November 4, 2021**9:00 a.m.****OPEN SESSION**

1. Convene Meeting
David L. Boliek Jr., Chair

November 3, 2021, 10:00 am

November 4, 2021, 9:00 am

Chancellor's Ballroom, Carolina Inn

2. Roll Call
Malcolm Turner, Secretary
3. Statement of Ethics
David L. Boliek Jr., Chair
4. Consent Agenda
 - a. Approval of September 22-23, 2021 Minutes (Regular Meeting) Attachment A
 - b. Approval of October 7, 2021 Minutes (Special Meeting) Attachment B
 - c. Approval of Final Delegated Authority Resolution Attachment C
 - d. Approval of Human Resources Petition to Seek Elected Office Attachment D
 - e. Revisions to Title IX Appeal Procedures Attachment E
5. Board of Trustees Chair's Remarks
David L. Boliek, Jr., Chair
6. Student Body President's Remarks
Lamar Richards, Student Body President
7. Chancellor's Remarks
Dr. Kevin Guskiewicz, Chancellor
8. Presentation: Student Mental Health at Carolina Attachment F
Dr. Samantha Meltzer-Brody, Assad Meymandi Distinguished Professor and Chair;
Director, UNC Center for Women's Mood Disorders
Amy Johnson, Vice Chancellor for Student Affairs
9. Presentation: Introduction to the North Carolina Study Center Attachment G
Madison Perry, Executive Director
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
Ramsey White, Committee Vice Chair

November 3, 2021, 10:00 am

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Chancellor's Ballroom, Carolina Inn

CLOSED SESSION

13. *Report of the University Affairs Committee
Rob Bryan, Committee Chair
14. *Report of the External Relations Committee
Ramsey White, Committee Vice 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: David Boliek, UNC-CH Board of Trustees
Chancellor Kevin Guskiewicz

From: Peter Hans, President 

Date: October 27, 2021

Subject: Review of UNC-CH Proposed Resolution to Amend and Restate its Board of Trustees' Delegated Authority

Thank you for submitting UNC-CH's proposed resolution to amend and restate its board of trustees' delegated authority. I know this process required significant work on campus and within the Board of Trustees itself. I hope you found the exercise to be a valuable enterprise risk management tool in assessing your campus' governance and operations.

I am pleased to inform you that upon review of your proposed resolution, I **approve** it to be adopted by your Board, **subject to the adoption of the amendment described below**. I am sure the Board of Governors will find this information insightful and valuable as we work toward constant improvement in our University and campus governance. Our work could result in the implementation of best practices identified system-wide.

I have reviewed the modifications that your Board made to prior delegations to create a mechanism for "final appeal" to the Board of Trustees on admissions decisions. While I understand and appreciate your Board's desire for meaningful oversight, the Board's proposed new role in admissions appeals is sufficiently novel to warrant further study and discussion. I encourage you to consider the many questions arising from implementation of such a new approach. Importantly, I believe you need to consider what standard of review a board would apply in the case of individual admissions decisions and the effect of such a change on pending litigation and any subsequent litigation filed challenging a future admissions decision on grounds such as inconsistency. In considering these questions, I encourage you to survey national approaches on how an institution's governing board can play an appropriate role in the complex matter of college admissions. Considering these open questions, I request that you modify your resolution to omit a right of appeal of admission decisions to the Board of Trustees.

Going forward, I encourage you to continue to maintain your delegations as a mechanism for mitigating enterprise risk and tracking and documenting your campus delegations and decision-making authority. At minimum, your work "resets" or "brings current" the decision-making structure at UNC-CH. Please also be reminded, as your resolution notes, that any delegation not provided for in the resolution will revert to your full Board of Trustees unless and until a further delegation is made and adopted.

I sincerely appreciate all you and your campus do in support of the University of North Carolina System and its constituent institutions.

cc: Committee on University Governance, c/o Governor David Powers, Chair
Norma Houston and Andrew Tripp, UNC System Office
Charles Marshall, UNC-CH

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTH
CAROLINA AT CHAPEL HILL**

**AMENDMENT AND RESTATEMENT OF DELEGATIONS
OF BOARD OF TRUSTEES AUTHORITY**

WHEREAS, the Board of Trustees of The University of North Carolina at Chapel Hill (“Board of Trustees”) has a duty to promote the sound development of The University of North Carolina at Chapel Hill (the “University”) within the functions prescribed for it, helping it to serve the people of the State in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every endeavor;

WHEREAS, the Board of Trustees’ powers and duties are assigned by the General Assembly and the Board of Governors, including through the Board of Governors delegating certain specific authorities and responsibilities to the Board of Trustees;

WHEREAS, the Board of Governors’ approval of the “Resolution to Amend and Restate Constituent Institution Board of Trustees Delegations” on July 22, 2021, directs each board of trustees of the constituent institutions to identify and restate in one binding resolution all instances in which the board of trustees of the constituent institution has delegated all or some of its delegated authority from whatever source to any committee, person, agency, or entity;

NOW THEREFORE, the Board of Trustees restates the following authority and delegations of authority as follows:

1. Chancellor’s Executive and Administrative Powers and Duties

Under N.C.G.S. § 116-34 and The Code of The University of North Carolina (“The Code”), the Chancellor is the administrative and executive head of the institution and its official spokesperson and exercises complete executive authority therein, subject to the direction of the President. The Board of Trustees affirms the executive and administrative authority of the Chancellor as provided by the General Statutes and as delegated from the Board of Governors, including Section 502 (A, B, C, and D) of The Code and other provisions of The Code and UNC Policy Manual assigning or delegating authority to the Chancellor. Such authority includes, but is not limited to, policymaking, banking, and execution of documents, contracts, filings, and certifications subject to authorized policies of the Board of Governors and the Board of Trustees and the management of institutional trust funds governed by § N.C.G.S. 116-36.1. Consistent with the General Statutes and The Code, it shall be the duty of the Chancellor to carry out the policies of the Board of Governors and the Board of Trustees, to attend all meetings of the Board of Trustees, and to be responsible for keeping the Board of Trustees fully informed on the operation of the institution and its needs. The Chancellor’s executive and administrative powers and duties may be sub-delegated consistent with The Code and UNC Policy Manual.

2. Delegation of Authority from the Board of Governors to Institution in Appendix 1 of The Code.

With respect to powers and duties delegated by the Board of Governors “to the institution” as described in Appendix 1 of The Code, the Board of Trustees affirms current delegation of

FOR BOT APPROVAL ON 11.04.21

authority and responsibility (i) to the Chancellor, the Chancellor's designees, and the Faculty of the University as to item III of Appendix 1 of The Code, and (ii) to the Chancellor and the Chancellor's designees as to items VIII and X of Appendix 1 of The Code, subject to Exhibit C of this Resolution.

3. Delegations of Authority from the Board of Trustees to the Chancellor

In addition to the duties, responsibilities, and authorities assigned or delegated to the Chancellor from the General Assembly, the Board of Governors, or the President, the Board of Trustees hereby delegates authority to the Chancellor, or affirms the Chancellor's authority:

(a) To approve appointments, salary actions, and other employment actions for employees exempt from the State Human Resources Act consistent with the Personnel Management Flexibility granted to the University by the Board of Governors, as summarized in the Authority for Employment Action document attached hereto as Exhibit B (including sub-delegations reflected in Exhibit B), other than those actions that require final action by the Board of Trustees. The Chancellor shall provide a periodic report to the Board of Trustees regarding new faculty and EHRA non-faculty appointments in a form and frequency to be determined by the Chair of the Board of Trustees.

(b) To exercise any authority or carry out any responsibilities specifically listing the Chancellor under the "Delegation" or "Sub-Delegation" headings of the Board of Trustees Delegated Authority Table attached hereto as Exhibit C. The authorities and responsibilities listed under "Delegation" or "Sub-Delegation" headings in Exhibit C are neither intended nor required to list or reflect the separate or related assignments or delegations of authority to the Chancellor from the General Assembly, the Board of Governors, or the President, and such separately delegated authorities remain vested in the Chancellor.

(c) To subsequently sub-delegate any authority delegated from the Board of Trustees and not otherwise reflected as sub-delegated in this Resolution, including Exhibits A-C, provided, however, such new sub-delegation must be approved by the Board of Trustees.

4. Delegations of Authority to Standing Committees of the Board of Trustees

Pursuant to its Bylaws and Appeal Procedures, attached hereto as Exhibit D, the Board of Trustees may create any number of committees, each consisting of two or more trustees, to make recommendations to the Board of Trustees and to establish panels to hear and decide certain appeals on behalf of the Board of Trustees.

5. Exhibits Incorporated by Reference

Without limitation, all authority (including authority to further delegate such authority) expressly indicated in Exhibit A (University Policy on Signing University Contracts), Exhibit B (Authority for Employment Action), Exhibit C (Delegated Authority Table) and Exhibit D (Board of Trustees' Bylaws and Appeal Procedures) to this Resolution are hereby incorporated by reference as though fully set forth. In the event of a conflict between any exhibit and the text of this Resolution, the Resolution shall control.

6. Conflict with Applicable Code, Policies, or Laws

In the event of a conflict between this Resolution (including the attached Exhibits) and The Code of The University of North Carolina, policies determined by the Board of Governors, or applicable law, The Code of The University of North Carolina, policies determined by the Board of Governors, or applicable law shall control.

7. Authority Reserved for the Board of Trustees

Notwithstanding any other action of the Board of Trustees prior to this date, all authority that has been delegated specifically to the Board of Trustees and has not been expressly identified and further delegated in this Resolution and/or in the attached Exhibits is hereby vested in the authority of the Board of Trustees unless or until further delegated by the Board of Trustees.

8. Effective Date

This Resolution shall be effective as of November 1, 2021. However, with respect to personnel management changes regarding fixed-term faculty, Tier II SAAOs, and athletic assistant coaches reflected in Exhibit B, such changes shall not be implemented until January 25, 2022.

David L. Boliek, Jr., Chair Date
Board of Trustees

FOR BOT APPROVAL ON 11.04.21

EXHIBIT A

CAMPUS OFFICIALS AUTHORIZED TO SIGN CONTRACTS AND OTHER OFFICIAL
DOCUMENTS ON BEHALF OF THE UNIVERSITY

Supplemental to [University Policy on Signing University Contracts](#)

Last updated September 17, 2021

[INSERT SIGNATURE DELEGATION CHART HERE]

FOR BOT APPROVAL ON 11.04.21

EXHIBIT B

[INSERT AUTHORITY FOR EMPLOYMENT ACTION CHART]

FOR BOT APPROVAL ON 11.04.21

EXHIBIT C

[INSERT DELEGATION OF AUTHORITY TABLE]

FOR BOT APPROVAL ON 11.04.21

EXHIBIT D

[INSERT BOARD OF TRUSTEES BYLAWS AND APPEAL PROCEDURES]

EXHIBIT A
University Policy on Signing Contracts - Signature Delegation Chart

9/17/2021

DELEGATOR	DELEGATEE	SUBJECT	DATE	FURTHER DELEGATION?
BOARD OF TRUSTEES	CHANCELLOR	EXECUTION OF AGREEMENTS	08/08/1975	YES
		BANK ACCOUNTS	07/28/1995	YES
CHANCELLOR	VICE CHANCELLOR FOR FINANCE AND OPERATIONS	BANK ACCOUNTS	03/22/2021	NO
		EXECUTION OF AGREEMENTS	03/22/2021	YES-LIMITED
		APPROVAL OF SETTLEMENT AGREEMENTS	03/22/2021	YES-LIMITED
CHANCELLOR	EXECUTIVE VICE PROVOST	DoD VOLUNTARY EDUCATION PARTNERSHIP MOU B/T DoD OFFICE UNDER SECRETARY OF DEFENSE FOR PERSONNEL AND READINESS AND UNC-CH	02/20/2013	NO
		SUBSEQUENT MOU AND OTHER DOCUMENTS RELATED TO DoD MOU	02/20/2013	NO
CHANCELLOR	VICE PROVOST AND UNIVERSITY LIBRARIAN	CONTRACTS AND AGREEMENTS FOR PURCHASE OF PUBLISHED BOOKS, MANUSCRIPTS, SUBSCRIPTIONS TO PRINTED MATERIAL, PACKAGED COPYRIGHTED SOFTWARE PRODUCTS	04/05/2019	YES-LIMITED
		GIFT AND LOAN AGREEMENTS FOR DONATIONS AND LOANS TO LIBRARY COLLECTIONS	04/05/2019	YES-LIMITED
CHANCELLOR	ASSOCIATE VICE CHANCELLOR FOR FACILITIES SERVICES	FORM CONSTRUCTION AND DESIGNER CONTRACTS/RELATED LETTER AGREEMENTS	06/29/2017	YES-LIMITED
CHANCELLOR	VICE CHANCELLOR FOR RESEARCH	CONTRACTS, PROPOSALS AND AGREEMENTS FOR RESEARCH AND SPONSORED PROGRAMS	04/23/2019	YES-LIMITED
		OFFICIAL CORRESPONDENCE TO FEDERAL AGENCIES AND OTHER SPONSORS FUNDING RESEARCH	04/23/2019	NO
CHANCELLOR	VICE CHANCELLOR FOR DEVELOPMENT	GIFT DOCUMENTS	02/13/2020	NO

University Policy on Signing Contracts - Signature Delegation Chart

9/17/2021

DELEGATOR	DELEGATEE	SUBJECT	DATE	FURTHER DELEGATION?
CHANCELLOR	VICE CHANCELLOR AND GENERAL COUNSEL	AGREEMENTS WITH OUTSIDE COUNSEL	11/15/2019	YES-LIMITED
CHANCELLOR	VICE CHANCELLOR FOR INSTITUTIONAL INTEGRITY AND RISK MANAGEMENT	DOCUMENTS RELATED TO INSURANCE COVERAGE	06/30/2020	YES-LIMITED
		REGULATORY DOCUMENTS RELATED TO ENVIRONMENTAL PROTECTION LAWS	06/30/2020	NO
		BUSINESS ASSOCIATE AGREEMENTS	06/30/2020	NO
CHANCELLOR	DEAN, SCHOOL OF MEDICINE	SCHOOL OF MEDICINE SERVICE AGREEMENTS	09/17/2021	YES-LIMITED
		DOCUMENTS AND CONTRACTS RELATED TO CME ACTIVITIES	09/17/2021	YES-LIMITED
		DOCUMENTS AND CONTRACTS RELATED TO UNCFP BILLING AND COLLECTION ACTIVITIES	09/17/2021	YES-LIMITED
		DEPARTMENTAL AGREEMENTS PURSUANT TO MASTER AGREEMENT BETWEEN UNC-CH AND UNC HOSPITALS	09/17/2021	YES-LIMITED
		LICENSURE, CERTIFICATION OR ACCREDITATION DOCUMENTS FOR SCHOOL OF MEDICINE PROGRAMS	09/17/2021	YES-LIMITED
		CLINICAL FACULTY TERMS & CONDITIONS OF EMPLOYMENT	09/17/2021	YES-LIMITED
		CERTIFICATOINS AND DOCUMENTS RELATED TO UNC-CH PARTICIPATION IN SECTION 340B DRUG PRICING PROGRAM	09/17/2021	YES-LIMITED
		OTHER AGREEMENTS ANCILLARY TO SCHOOL OF MEDICINE SERVICES AND EDUCATION PROGRAMS	09/17/2021	YES-LIMITED

University Policy on Signing Contracts - Signature Delegation Chart

9/17/2021

DELEGATOR	DELEGATEE	SUBJECT	DATE	FURTHER DELEGATION?
CHANCELLOR	DEAN, SCHOOL OF JOURNALISM AND MASS COMMUNICATION	CONTRACTS AND AGREEMENTS FOR PURCHASE OF ELECTRONIC DATABASES AND LIKE MATERIAL TO BE ADDED TO THE PARK LIBRARY COLLECTION	06/19/2012	YES-LIMITED
CHANCELLOR	CHAIR, DEPARTMENT OF DRAMATIC ART	VARIOUS FORM CONTRACTS	01/01/2014	NO
CHANCELLOR	DIRECTOR, ACKLAND ART MUSEUM	PURCHASE AGREEMENTS FOR ADDITIONS TO THE MUSEUM'S COLLECTIONS	10/22/2019	NO
		INCOMING AND OUTGOING LOAN AGREEMENTS	10/22/2019	NO
		ACKLAND ART MUSEUM TRAVEL PROGRAM CONTRACTS	10/22/2019	NO
CHANCELLOR	ATHLETIC DIRECTOR	ATHLETIC EVENT CONTRACTS	06/19/2015	YES-LIMITED
		ATHLETIC FACILITIES USE AGREEMENTS	06/19/2015	NO
CHANCELLOR	DIRECTOR OF LICENSING AND INNOVATION SUPPORT	MATERIAL TRANSFER, CONFIDENTIAL DISCLOSURE, LICENSE, AND OPTION AGREEMENTS; DOCUMENTS INVOLVING PROTECTION, MANAGEMENT, OR COMMERCIALIZATION OF UNIVERSITY INTELLECTUAL PROPERTY	08/06/2018	NO
CHANCELLOR	ASSOCIATE DIRECTOR OF ENERGY SERVICES, UNIVERSITY ACCOUNT HOLDER FOR CLIMATE ACTION RESERVE AND RENEWABLE ENERGY TRACKING SYSTEM	CONTRACTS AND AGREEMENTS RELATING TO UNIVERSITY'S APPLICATION AND SUBSEQUENT ACCOUNT WITH CLIMATE ACTION RESERVE AND THE NORTH CAROLINA RENEWABLE ENERGY TRACKING SYSTEM	01/15/2013	NO
CHANCELLOR	VICE PROVOST FOR GLOBAL AFFAIRS AND CHIEF GLOBAL OFFICER	INT'L INSTITUTIONAL COLLABORATION AGREEMENTS	09/13/2019	YES-LIMITED

University Policy on Signing Contracts - Signature Delegation Chart

9/17/2021

DELEGATOR	DELEGATEE	SUBJECT	DATE	FURTHER DELEGATION?
CHANCELLOR	INTERIM DIRECTOR, INTERNATIONAL STUDENT AND SCHOLAR SERVICES	DEPARTMENT OF LABOR APPLICATIONS AND IMMIGRATION PETITION FORMS	10/07/2019	YES-LIMITED
CHANCELLOR	EXPORT CONTROL OFFICER	EXPORT COMPLIANCE DOCUMENTS	03/04/2021	YES-LIMITED
CHANCELLOR	CHIEF PRIVACY OFFICER	BUSINESS ASSOCIATE AGREEMENTS	03/04/2021	NO
CHANCELLOR	DIRECTOR OF CLINICAL PROGRAMS, SCHOOL OF LAW	CONTRACTS AND AGREEMENTS RELATED TO CLIENT REPRESENTATION BY LAW SCHOOL CLINICAL PROGRAMS	06/19/2020	NO
CHANCELLOR	DIRECTOR, BIOMEDICAL RESEARCH IMAGING CENTER	FDA REGISTRATION AS POSITRON EMISSION TOPOGRAPHY DRUG MANUFACTURER	09/10/2015	YES-LIMITED
CHANCELLOR	DIRECTOR OF ADMINISTRATION, CAMPUS HEALTH SERVICES	CVS/CAREMARK PROVIDER AGREEMENT AND RELATED DOCUMENTS	03/16/2016	NO
VC, FINANCE AND OPERATIONS	DEANS, DIRECTORS, DEPT. CHAIRS	CONTRACTS-NO FUNDS EXCHANGED (OR OTHER INSTITUTIONAL COMMITMENTS)	03/26/1980	NO

**Authority for Employment Action Chart –
Appendix 1 of Exhibit B**

EXHIBIT B APPROVED 11.04.21

Appointments	Approval Body
Appointment of Chancellor	BOG
Appointment of Provost (SAAO Tier I)	BOT
Appointment of Vice Chancellors (SAAO Tier I)	BOT
Appointment of Deans (SAAO Tier I)	BOT
Appointment of Faculty Members with Tenure	BOT
Appointment of Tenure Track Faculty Members	Chancellor (subdelegated to Provost)
Appointment of Fixed Term Faculty Members	Chancellor (subdelegated to Provost for new appointments of more than three years with an annual salary greater than \$100,000; all other appointments subdelegated to Deans)
Appointment of Associate Vice Chancellors (SAAO Tier II)	BOT
Appointment of Assistant Vice Chancellors (SAAO Tier II)	BOT
Appointment of Associate Deans (SAAO Tier II)	BOT
Appointment of Assistant Deans (SAAO Tier II)	BOT
Appointment of Other SAAO Tier II ¹	BOT
Appointment of EHRA IRIT	Chancellor (subdelegated to Chief Human Resources Officer ² ; further subdelegated to unit heads with approval)
Appointment of SHRA	Unit Head
Classification (Establish/Modify Positions)	Approval Body
Classification of Vice Chancellors (SAAO Tier I)	President
Classification of Deans (SAAO Tier I)	President
Classification of Faculty Members with Tenure	Chancellor (subdelegated to Deans/Academic Personnel Office)
Classification of Tenure Track Faculty Members	Chancellor (subdelegated to Deans/Academic Personnel Office)
Classification of Fixed Term Faculty Members	Chancellor (subdelegated to Deans/Academic Personnel Office)
Classification of Associate Vice Chancellors (SAAO Tier II)	President (UNC System HR)
Classification of Assistant Vice Chancellors (SAAO Tier II)	President (UNC System HR)
Classification of Associate Deans (SAAO Tier II)	President (UNC System HR)

¹ Other SAAO Tier IIs include the following: (1) members of the chancellor's professional staff; (2) those responsible for the administrative direction of separately designated divisions or departments of institutional activity commonly associated with institutions of higher education; (3) those positions whose primary responsibility is to attract external funds for and/or market the University; and, (4) other officers holding positions characterized by active, continuing involvement in formulating, interpreting, and implementing institutional policy and exercising substantial independence of administrative authority and discretion in areas such as program planning and design and allocation of resources.

² The current Chief Human Resources Officer is Becci Menghini, Vice Chancellor for Human Resources and Equal Opportunity and Compliance.

**Authority for Employment Action Chart –
Appendix 1 of Exhibit B**

EXHIBIT B APPROVED 11.04.21

Classification of Assistant Deans (SAAO Tier II)	President (UNC System HR)
Classification of Other SAAO Tier II	President (UNC System HR)
Classification of EHRA IRIT (except RADA ³ or CADA ⁴)	Chancellor (subdelegated to Chief Human Resources Officer)
Classification of EHRA IRIT – RADA or CADA	President (UNC System HR)
Classification of SHRA	Chief Human Resources Officer (for classifications the University has delegated authority for) and the Office of State Human Resources (for classifications the University does not have delegated authority for).
Compensation	Approval Body
Salary Ranges	
Establish salary range for Chancellor	President
Establish salary range for Provost	President
Establish salary range for Vice Chancellors (SAAO Tier I)	President
Establish salary range for Deans (SAAO Tier I)	President
Establish salary range for Faculty Members with Tenure	BOT
Establish salary range for Tenure Track Faculty Members	BOT
Establish salary range for Fixed Term Faculty Members	BOT
Establish salary range for Associate Vice Chancellors (SAAO Tier II)	BOT
Establish salary range for Assistant Vice Chancellors (SAAO Tier II)	BOT
Establish salary range for Associate Deans (SAAO Tier II)	BOT
Establish salary range for Assistant Deans (SAAO Tier II)	BOT
Establish salary range for Other SAAO Tier II	BOT
Establish salary range for EHRA IRIT	BOT
Establish salary range for athletics assistant coaches	BOT
Establish salary range for SHRA	Office of State Human Resources
Initial Salary	
Establish salary for Chancellor	BOG
Establish salary for Provost	BOT
Establish salary for Vice Chancellors (SAAO Tier I)	BOT
Establish salary for Deans (SAAO Tier I)	BOT
Establish salary for Faculty Members with Tenure	Chancellor (subdelegated to Deans/Academic Personnel Office)

³ RADA: Research and Academic Department Administrators

⁴ CADA: Clinical and Academic Department Administrators

**Authority for Employment Action Chart –
Appendix 1 of Exhibit B**

EXHIBIT B APPROVED 11.04.21

Establish salary for Tenure Track Faculty Members	Chancellor (subdelegated to Deans/Academic Personnel Office)
Establish salary for Fixed Term Faculty Members	Chancellor (subdelegated to Deans/Academic Personnel Office)
Establish salary for Associate Vice Chancellors (SAAO Tier II)	Chancellor (subdelegated to Chief Human Resources Officer)
Establish salary for Assistant Vice Chancellors (SAAO Tier II)	Chancellor (subdelegated to Chief Human Resources Officer)
Establish salary for Associate Deans (SAAO Tier II)	Chancellor (subdelegated to Chief Human Resources Officer)
Establish salary for Assistant Deans (SAAO Tier II)	Chancellor (subdelegated to Chief Human Resources Officer)
Establish salary for Other SAAO Tier II	Chancellor (subdelegated to Chief Human Resources Officer)
Establish salary for EHRA IRIT	Chancellor (subdelegated to Chief Human Resources Officer)
Establish salary for SHRA	Chancellor (subdelegated to Chief Human Resources Officer)
Salary Changes (Existing Employees)*	
Salary change for Chancellor	BOG
Salary change for Provost	BOT
Salary change for Vice Chancellors (SAAO Tier I)	BOT
Salary change for Deans (SAAO Tier I)	BOT
Salary change for athletics assistant coaches	BOT
Salary change for Faculty Members with Tenure	Chancellor (subdelegated to Deans/Academic Personnel Office)
Salary change for Tenure Track Faculty Members	Chancellor (subdelegated to Deans/Academic Personnel Office)
Salary change for Fixed Term Faculty Members	Chancellor (subdelegated to Deans/Academic Personnel Office)
Salary change for Associate Vice Chancellors (SAAO Tier II)	Chancellor (subdelegated to Chief Human Resources Officer)
Salary change for Assistant Vice Chancellors (SAAO Tier II)	Chancellor (subdelegated to Chief Human Resources Officer)
Salary change for Associate Deans (SAAO Tier II)	Chancellor (subdelegated to Chief Human Resources Officer)
Salary change for Assistant Deans (SAAO Tier II)	Chancellor (subdelegated to Chief Human Resources Officer)
Salary change for Other SAAO Tier II	Chancellor (subdelegated to Chief Human Resources Officer)
Salary change for EHRA IRIT	Chancellor (subdelegated to Chief Human Resources Officer)
Salary change for SHRA	Chancellor (subdelegated to Chief Human Resources Officer)

*Note that the authority for any salary changes approved at the campus level is limited to the following:

1. A temporary salary stipend or supplement for additional duties or a secondary appointment with a specified end date that does not exceed 25% and \$25,000 of cumulative salary adjustments fiscal year to-date based on the employee's June 30 salary, up to 12-months in duration;
2. A temporary salary stipend or supplement for additional duties or a secondary appointment without a specified end date that does not exceed 20% and \$15,000 of cumulative salary adjustments fiscal year to-date based on the employee's June 30 salary; and
3. A permanent base salary adjustment that does not exceed 20% and \$15,000 of cumulative salary adjustments fiscal year to-date based on the employee's June 30 salary.

APPROVED ON 11.04.21

EXHIBIT C
UNC-CH BOARD OF TRUSTEES DELEGATED AUTHORITIES CHART

For each of the powers and duties granted to the BOT, there is a corresponding number assigned to it that describes the nature of the BOT's authority:

- 1 - Authority to receive reports or presentations from campus officials
- 2 - Authority to sit as a reviewing body to hear appeals from certain University proceedings
- 3a - Duty to adopt policies governing a particular matter
- 3b - Discretion to adopt policies governing a particular matter
- 4 - Authority to approve certain actions or items
- 5 - Authority to establish or maintain a fund, committee, or related entity
- 6 - Designated Advisory Role
- 7 - Authority to make recommendations to the Board of Governors or the President
- 8 - Board of Trustee governance obligations
- 9 - Miscellaneous authority
- 10 - Institutional authority

INSTITUTIONAL MANAGEMENT, OPERATIONS AND BUDGET

Source	Authority	Type	Delegation	Source	Sub-delegation	Source
N.C.G.S. § 116-33	Boards of Trustees Powers and Duties: Each board of trustees shall promote the sound development of the institution within the functions prescribed for it, helping it to serve the State in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every area of endeavor. Each board shall serve as advisor to the Board of Governors on	6	No further delegation			

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	matters pertaining to the institution and shall also serve as advisor to the chancellor concerning the management and development of the institution. The powers and duties of each board of trustees, not inconsistent with other provisions of this Article, shall be defined and delegated by the Board of Governors.					
The Code Section 403	Advisory Role of BOT in Management and Development of the Institution: The Board of Trustees of each constituent institution shall advise the Board of Governors on matters related to the institution and shall advise the chancellor on management and development of the institution.	6	No further delegation			
The Code Appendix 1, Section V	Advisory Role of BOT in Budget Administration: The Board of Trustees shall advise the chancellor with respect to the development of budget estimates for the institution and with respect to the execution and administration of the budget of the constituent institution, as approved by the General Assembly and the Board of Governors.	6	No further delegation			
The Code Section 502C	Operation Reports: The chancellor shall submit reports to the Board of Trustees on the operation of the institution and its needs, as the chancellor may deem wise or the Board may require.	1	No further delegation			
N.C.G.S. § 116-30.8	Audit: Each special responsibility constituent institution shall be audited annually by the State Auditor. The audit shall be provided to the Chancellor and Board of Trustees of the special responsibility institution, and the	1	No further delegation			

APPROVED ON 11.04.21

	Board of Governors of The University of North Carolina					
The Code Appendix 1, Section II	Academic Program: The Board of Trustees shall be responsible for ensuring the institution's compliance with the educational, research, and public service roles assigned to it by the Board of Governors, either by express directive or by promulgated long-range plans of the Board of Governors.	6	No further delegation as to oversight responsibility for University mission and roles.			
UNC Policy 100.3(II)	Waiver from University Policies, Regulations, and Guidelines: The chancellor of a constituent institution may, after consulting the Board of Trustees, submit to the president a request for waiver from the requirements of a University policy, regulation, or guideline. . . . Each request shall include, at a minimum, the following: . . . A declaration that the constituent institution's chancellor and Board of Trustees support the waiver request.	4	No further delegation			
UNC Policy 600.5.4	Consulting Contracts Report: The Board of Trustees shall receive annual reports regarding contracts for consulting services.	1	No further delegation			

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ADMINISTRATIVE AND ACADEMIC PERSONNEL

MANAGEMENT FLEXIBILITY

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
The Code Appendix 1, Section I(A)(1)	Academic And Administrative Personnel: Upon recommendation of the chancellor, the Board of Trustees of a special responsibility constituent institution with management flexibility for personnel appointments shall, for all positions exempt from the State Human Resources Act except the position of the chancellor, appoint, promote, and set the compensation for such employees consistent with the policies and salary ranges set by the Board of Governors and the regulations and guidelines established by the Office of the President.	4	Chancellor as to certain actions	The University of North Carolina at Chapel Hill Institutional Plan Management Flexibility to Appoint and Fix Compensation, first approved November 2002 ("Management Flexibility Plan"); Authority for Employment Action Chart ("Employment Chart") attached as Appendix 1 of Exhibit B	See Appendix 1 of Exhibit B	Board resolution and Appendix 1 of Exhibit B
UNC Policy 600.3.4	Granting of Management Flexibility to Appoint and Fix Compensation: The president delegates to the Board of Trustees for each constituent institution the authority to execute the following personnel actions for faculty and EHRA non-faculty instructional, research, and public service (IRPS) employees ¹ : 1. Permanent and temporary appointments and salaries. 2. Promotion, including faculty rank changes but excluding tenure.	4	Chancellor	Management Flexibility Plan	See Employment Chart attached as Appendix 1 of Exhibit B	Board resolution and Appendix 1 of Exhibit B

¹ The IRPS category is now titled Instructional, Research and Information Technology Employees (IRIT). For purposes of this memo, the terms are used interchangeably.

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	<p>3. Permanent and temporary salary increases or stipends.</p> <p>The president further authorizes the Boards of Trustees for the constituent institutions to delegate any of these actions to their chancellors, or to specific designees of the chancellor by title, as they deem appropriate.</p>					
UNC Policy 600.3.4	<p>Granting of Management Flexibility to Appoint and Fix Compensation: The Board of Trustees is delegated the authority to execute the following personnel actions, which it shall not delegate further unless the president or the Board of Governors shall allow:</p> <p>1. Upon recommendation of the chancellor, appoint and fix the salary and non-salary compensation for all vice chancellors and other Tier 1 senior academic and administrative officers with the exclusion of the chancellor.</p> <p>2. Approve appointments and salary changes for SAAO Tier 1 appointments, with the exclusion of the chancellor.</p> <p>3. Upon recommendation of the chancellor, establish salary ranges for SAAO Tier 2 positions, consistent with both the salary ranges and the policies established by the Board of Governors and the regulations and guidelines established by the president. The institution may otherwise elect to adopt salary ranges established by the UNC General Administration for these positions.</p> <p>4. Upon recommendation of the chancellor, and consistent with the approved tenure policies and regulations of each institution, confer permanent tenure.</p>	4	No further delegation			

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UNC Policy 600.3.4	Granting of Management Flexibility to Appoint and Fix Compensation: The Board of Trustees is also delegated the authority for the following personnel actions, which it may further delegate to the chancellor and may authorize the chancellor to further delegate on a limited basis: 1. Establish faculty salary ranges within different academic disciplines, based on relevant data. 2. Appoint and fix the compensation for faculty awarded the designation of Distinguished Professors. 3. Establish IRPS positions and salary ranges.	4	Chancellor as to establishment of IRPS (IRIT) positions; no further delegation as to other items	Management Flexibility Plan; N.C.G.S. 116-30.4(2)	See Employment Chart attached as Appendix 1 of Exhibit B	Board resolution; Appendix 1 of Exhibit B
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SENIOR EHRA PERSONNEL

Source	Authority	Type	Delegation	Source	Sub-delegation	Source
UNC Policy 300.1.1(II)(B)	Policy on Tier I Senior Academic and Administrative Officers: The compensation of Tier I SAAOs shall be set by the Board of Governors or a Board of Trustees delegated such authority by the Board of Governors.	4	No further delegation			
UNC Policy 300.1.1(III)	Policy on Tier II Senior Academic and Administrative Officers: The authority to make Tier II appointments and determine for positions within Section I.B(2), such authority is delegated by the Board of Governors to the chancellors and the respective Boards of Trustees of the constituent institutions.	4	No further delegation	UNC Policy 300.1.1(III)(A)(2); Board resolution; Appendix 1 of Exhibit B		

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UNC Policy 300.1.2	Evaluation of Positions for Designation as Senior Academic and Administrative Officer: The Board of Governors shall appoint and fix the compensation of all persons nominated to fill the presidency, vice presidencies, presidential staff positions, chancellorships, vice chancellorships, and deanships. With respect to other positions designated by the Board as senior academic and administrative officers, the authority to make appointments and determine salaries shall be delegated to the chancellors and the Boards of Trustees of the constituent institutions.	4	See Employment Chart attached as Appendix 1 of Exhibit B	UNC Policy 300.1.1(III)(A)(2); Management Flexibility Plan; Board resolution; Appendix 1 of Exhibit B		
The Code Section 611(2)	Review Of Personnel Actions Affecting Specified Employees Exempt From The State Human Resources Act (EHRA): If the chancellor either declines to accept a committee recommendation that is favorable to the employee or concurs in a committee recommendation that is unfavorable to the employee, the employee may appeal within 14 calendar days after receiving the chancellor's written decision, by filing with the chancellor for transmission to the Board of Trustees a written notice of appeal.... The decision of the Board of Trustees is final with no further appeal.	2	BOT panel to issue a decision on behalf of the Board	BOT Appeals Procedures (Amended January 2020)		
The Code Appendix 1, Section I (C)	Academic and Administrative Personnel: The Board of Trustees may adopt personnel policies not otherwise prescribed by state law, the University Code, or policies of the Board of	3b	No further delegation as to primary personnel policies for faculty and EHRA Non-Faculty (BOT policies), ²			

² The policies primary personnel policies approved by BOT are as follows: Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill (<https://academicpersonnel.unc.edu/wp-content/uploads/sites/1069/2020/02/UNC-Chapel-Hill-Tenure-Policies-and-Procedures.pdf>); Employment Policies for EHRA Non-Faculty Tier I Senior Academic & Administrative Officer Employees

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	Governors, for personnel in all categories of university employment.		but the Chancellor has authority to adopt additional personnel policies through delegated authority as the administrative and executive head of the institution.			
UNC Policy 300.2.1	Exempt Employees: The Board of Trustees of each constituent institution shall adopt for the institution personnel policies for covered positions within the institution that are consistent with all provisions of these policies. Any proposed provision in an institutional policy statement that in any manner adds to or modifies the provisions of these policies must be submitted for review and approved by the President prior to its adoption and implementation.	3a	No further delegation as to primary personnel policies for faculty and EHRA Non-Faculty (BOT policies), but the Chancellor has authority to adopt additional personnel policies through delegated authority as the administrative and executive head of the institution.			
UNC Policy 300.2.14	Non-Salary and Deferred Compensation: The policy shall either provide specified non-salary compensation to a defined category of employees uniformly or shall require approval by the Board of Trustees or Board of Governors upon recommendation by the chancellor or president, respectively, regarding non-salary compensation granted to an individual	4	No further delegation			

(<https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=131746>); and Employment Policies for EHRA Non-Faculty Instructional, Research and Public Service Staff, and Tier II Senior Academic and Administrative Officers (<https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=132644>)

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	employee before non-salary compensation is provided.					
UNC Policy 300.2.14	Non-Salary and Deferred Compensation: An exception permitting non-salary compensation to be funded from State funds may be approved by a Board of Trustees or the Board of Governors only when permitted by the Office of State Budget and Management.	4	No further delegation to approve the exception.			
The Code Appendix 1, Section I(D)	Chancellorship: In the event of a vacancy in the chancellorship, the Board of Trustees shall establish, in consultation with the president, a search committee composed of representatives of the Board of Trustees, the faculty, the student body, staff, the alumni, the local community, and other campus constituencies as may be appropriate.	8	No further delegation			
The Code Appendix 1, Section I(D)	Chancellorship: The Board of Trustees, following receipt of the report of the search committee, shall, subject to the direction of the president, recommend an unranked slate of no fewer than two candidates for consideration by the president in designating a nominee for the chancellorship for approval by the Board of Governors.	7	No further delegation			
N.C.G.S. § 116-11(4)	Recommend Chancellor Nomination: The President shall make his nomination [for chancellor of a constituent institution] from a list of not fewer than two names recommended by the institutional Board of Trustees.	7	No further delegation			
UNC Policy 300.2.14[R]	Regulation for Deferred Compensation for Chancellors: Any campus that seeks to make contributions on behalf of its chancellor shall deliver a written request through the Board of Trustees to the president that describes its proposal for funding the contributions. . . .	9	No further delegation			

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	Contributions to a qualified retirement plan as chancellor deferred compensation may be suspended or discontinued at the discretion of the Board of Governors or the Board of Trustees.					
UNC Policy 300.1.6.2	Administrative Separation of the President and the Chancellor: At the conclusion of the research leave, the former chancellor shall submit a summary report to the president, the Board of Governors, and the applicable Board of Trustees.	1	No further delegation			
UNC Policy 300.4.2 and 300.4.2.1(G) 1	Anti-Nepotism Reports: The chancellor shall report annually to the Board of Trustees, at the regular meeting falling closest to the date of commencement, concerning all specific cases during the preceding year in which the terms of this policy were applied.	1	No further delegation			

ACADEMIC PERSONNEL

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
The Code Section 602	Academic Tenure: The Board of Trustees of each constituent institution shall adopt policies and regulations governing academic tenure.	3a	No further delegation to adopt the tenure policies and regulations themselves. BOT Policy: Trustee Policies and Regulations Governing Academic Tenure in the University of North			

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			Carolina at Chapel Hill ("Tenure Regulations")			
The Code Appendix 1, Section I(A)(2)	Academic And Administrative Personnel: A Board of Trustees may promote in rank a faculty member with permanent tenure, upon the recommendation of the chancellor, and without approval by the Board of Governors.	4	No further delegation			
The Code Section 603 (See also UNC Policy 101.3.1.1[R])	BOT Review of Decisions Imposing Discharge or Serious Sanction Upon a Faculty Member: If the chancellor either declines to accept a committee recommendation that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the faculty member, the faculty member may appeal the chancellor's decision to the Board of Trustees. The appeal to the Board of Trustees shall be decided by the full Board of Trustees. However, the Board may delegate the duty of conducting an initial review to a standing or ad hoc committee of at least three members. The decision of the Board of Trustees is final with no further appeal.	2	BOT-appointed panel of 3 BOT members considers appeal and issues recommended decision to full Board, which issues final decision	BOT Appeals Procedures		
The Code Section 604C (2) (see also UNC Policy 101.3.1.2[R])	BOT Review of Nonreappointment Decisions for Tenure Track Faculty: If the chancellor either declines to accept a committee recommendation that is favorable to the faculty member or concurs in a committee recommendation that is unfavorable to the faculty member, the faculty member may appeal the chancellor's decision by filing a written notice of appeal with the Board of Trustees.	2	BOT-appointed panel of 3 BOT members considers appeal and issues recommended decision to full Board, which issues final decision	BOT Appeals Procedures		

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The Code Section 605C (6)	BOT Review of Termination of Faculty Employment For Financial Exigency/Program Curtailment: A faculty member whose employment is terminated pursuant to this Section 605 may appeal the reconsideration decision to the Board of Trustees of the constituent institution.	2	No further delegation			
The Code Section 607(6) (see also UNC Policy 101.3.2)	BOT Review - Faculty Grievance Committee: If neither the relevant administrative official nor the chancellor makes an adjustment that is advised by the faculty grievance committee in favor of the aggrieved faculty member, then the faculty member may appeal to the Board of Trustees of the constituent institution. The decision of the Board of Trustees is final.	2	BOT-appointed panel of 3 BOT members considers appeal and issues recommended decision to full Board, which issues final decision	BOT Appeals Procedures		
UNC Policy 300.1.6	Policy on Administrative Separation and/or Retreat to a Faculty Position: Every Board of Trustees and the Board of Governors must establish a policy governing separation and/or retreat of administrators.	3a	No further delegation BOT Policy: Separation and Retreat Policy for Senior Academic Administrators			
UNC Policy 300.1.6[R]	Regulation on Administrative Separation (for individuals who began service in a covered position on or after May 2, 2010): -Any exception to the Administrative Separation and Return to a Tenured Faculty Position provisions must be approved by the Board of Trustees and by the President. -Any exception regarding Reappointment of an Administrator without Faculty Return Rights must be approved by the Board of Trustees and by the President.	4	No further delegation			

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	-Any agreement that results in a longer period of compensation more than 90 days must be approved by the Board of Trustees or the Board of Governors for employees of UNC General Administration.					
UNC Policy 300.1.6[R]	<p>Regulation on Administrative Separation and/or Retreat to a Faculty Position (for individuals who began service in a covered position prior to May 2, 2010):</p> <p>If the chancellor proposes to pay the administrator full or partial administrative pay after the termination of the administrator's administrative duties for longer than one year, the agreement must be approved by the Board of Trustees of the constituent institution.</p> <p>If a chancellor or the president proposes to pay the administrator his or her full administrative salary after moving the administrator to a position that would normally be lower paying, or if paid leave is to be granted, the agreement with the administrator must be approved by the Board of Trustees of the constituent institution or by the Board of Governors for employees of the Office of the President or the General Administration.</p> <p>Any agreement that results in a longer period of compensation (more than 90 days) must be approved by the Board of Trustees or the Board of Governors for employees of UNC General Administration.</p>	4	No further delegation			

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POLITICAL ACTIVITIES

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
UNC Policy 300.5.1	Political Activities of Employees: The Board of Trustees of each constituent institution shall adopt policies governing political activities of employees. Policies adopted or substantively amended by a Board of Trustees regarding political activities of employees shall be effective upon approval by the president.	3a	No further delegation			https://www.no-rthcarolina.edu/apps/policy/doc.php?type=pdf&id=125 https://hr.unc.edu/employees/policies/shra-policies/limitations-political-activities/ https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=131775
UNC Policy 300.5.2(III)(B)	Candidacy for Elective Office; Officeholding (Elective and Appointive Public Office): If the petition concerning candidacy for or service in the General Assembly pertains to a chancellor, it shall be accompanied by a recommendation of the Board of Trustees. Petitions by University employees other than senior academic and administrative officers, with the exception of petitions concerning candidacy for the General Assembly, shall be addressed to and resolved by the appropriate	3a	No further delegation BOT Policy: https://academicpersonnel.unc.edu/policies-and-procedures/faculty-conduct-and-external-activities/political-activities-of-ehra-employees-except-senior-administrators-candidacy-and-office-holding-part-time-political-offices-other-			

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	<p>Board of Trustees and shall be transmitted through the chancellor.</p> <p>The Board of Trustees of each constituent institution shall adopt policies governing public officeholding by employees. Policies adopted or substantively amended by a Board of Trustees regarding public officeholding by employees shall be effective upon approval by the president.</p>		than-general-assembly-memberships/			
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DIVERSITY AND INCLUSION

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
UNC Policy 300.8.5 and 300.8.5[R](IX)	Policy on Diversity and Inclusion Within the University of North Carolina: Each constituent institution, through its chancellor, D&I Officer, or other chancellor designee, shall provide a report at least annually to the Board of Trustees on D&I-related information as identified by the president or president’s designee.	1	No further delegation			

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PROPERTY AND BUILDINGS

CAPITAL CONSTRUCTION AND DESIGN PROJECTS (Over \$300,000)

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
The Code Appendix 1, Section VI UNC System Capital Project Procedure Guidance, updated June 1, 2021* N.C.G.S. 143 Article 8B	Property And Buildings – Capital Construction Projects. The Board of Trustees of a constituent institution shall be responsible, subject to policies of the Board of Governors and all legal requirements relative to the construction of state-owned buildings, for the following matters concerning campus capital construction projects which have been approved by the Board of Governors and authorized by the state of North Carolina: (1) the selection of architects or engineers for buildings and improvements requiring such professional services; (2) the approval of building sites; (3) the approval of plans and specifications; and (4) the final acceptance of all completed buildings and projects.	4	BOG and BOT authority apply only to capital improvement projects more than \$300,000* As to matter (1) BOT delegated authority to Chancellor; no further delegation as matters (2) through (4) Matters (3) and (4) require approval by the State Construction Office	As to matter (1), BOT delegation to Chancellor at November 2019 meeting	As to matter (1), the Chancellor has delegated to the AVC for Facilities authority to select architects and engineers where the total project cost is \$500,000 or less	As to matter (1) Delegation Letter to Anna Wu dated June 29, 2017 from Chancellor Folt
UNC Policy 600.1.1(II)(A)(1)	Policy on Design, Construction, and Financing of Capital Improvement Projects (under \$750,000): The Board of Governors delegates to the president and the Boards of Trustees the power to approve capital improvement projects that are funded	4	Chancellor, for capital improvement projects where the total project cost is \$500,000 or less	BOT delegation to Chancellor at November 2019 meeting	The Chancellor has delegated to Vice Chancellor for Finance & Operations, upon recommendation	Delegation Letter to Nate Knuffman dated March 22, 2021

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	entirely with non-General Fund money that are projected to cost less than \$750,000.		The BOT retains authority to approve projects between \$500,000 and \$750,000		from AVC for Facilities, authority to approve expenditures of non-General Fund money for capital improvement projects where the total project cost is \$500,000 or less	
UNC Policy 600.1.1(II)(B)(2)	Policy on Design, Construction, and Financing of Capital Improvement Projects (under \$1,000,000): Upon request by the Board of Trustees of a constituent institution or affiliated entity and with the recommendation of the president, the Board of Governors may delegate to the Board of Trustees of a constituent institution or affiliated entity additional authority to approve capital improvement projects funded entirely with non-General Fund money that are projected to cost less than \$1,000,000.	4	BOT did not request this delegated authority			
UNC Policy 600.1.1(II)(A)(2)	Policy on Design, Construction, and Financing of Capital Improvement Projects (Advanced Planning): The Board of Governors delegates to the president and the Boards of Trustees authority to approve advance planning of capital improvement projects, where the advance planning effort is to be funded entirely with non-General Fund money. (Unless otherwise indicated by the Board of	4	No further delegation			

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	Governors, this delegation of authority to Boards of Trustees to approve advance planning efforts shall not be further delegated.)					
UNC Policy 600.1.1.1[G]	Guideline on the Delegation of Authority to Execute Construction Contracts: As of December 18, 1972, the President has delegated to each chancellor the authority and responsibility for execution of construction contracts, in conjunction with the performance by the Board of Trustees of its enumerated responsibilities.	9	No further delegation as to performance of BOT's enumerated responsibilities in UNC Policy 600.1			
The Code Appendix 1, Section VI	Property And Buildings: The Board of Trustees shall be responsible to the Board of Governors 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 as defined and approved by the Board of Governors.	4	No further delegation			

REAL PROPERTY TRANSACTIONS

Source	Authority of BOT	Type	Delegation	Source	Sub-Delegation	Source
N.C.G.S. § 116-31.12	Acquisition and Disposition of Real Property: The Board of Governors shall establish a policy for acquiring and disposing of an interest in real property for the use of The University of North Carolina and its constituent institutions by lease. This policy may delegate authorization of the acquisition or disposition of real property by lease to the Boards of Trustees of the	4	Chancellor, as set forth below		Vice Chancellor for Finance & Operations, as set forth below	

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	constituent institutions or to the President of The University of North Carolina.					
The Code Appendix 1, Section VI UNC Policy 600.1.3(II)(B) and (C)	Property and Buildings: (1) If a proposal involves acquisition or disposition of any interest in real property other than a leasehold, the Board of Trustees may authorize such a transaction with a value less than \$500,000. (2) If a proposal involves acquisition or disposition of a leasehold interest in real property, the Board of Trustees may authorize such a transaction with an annual value less than \$500,000 and a term of not more than 10 years.	4	(1) Chancellor, for acquisition or disposition less than \$50,000 (2) Chancellor, for leases up to \$150,000	(1) UNC Policy 600.1.3[R] (2) UNC System approval of Request for Delegated Authority for Acquisition of Real Property by Lease (May 2011) (includes requirement of BOT authorization)	(2) Chancellor to Vice Chancellor for Finance & Operations; Vice Chancellor for Finance & Operations to AVC Real Estate Operations	Delegation Letter to Nate Knuffman dated March 22, 2021; Delegation letter to Gordon Merklein dated July 21, 2016 from Matt Fajack
UNC Policy 600.1.3(III)(B)	Policy on Authority for Real Property Transactions: Upon request by the Board of Trustees of a constituent institution and with the recommendation of the president, the Board of Governors may delegate to the Board of Trustees of a constituent institution additional authority to acquire and dispose of an interest in real property other than a lease if valued at less than \$1,000,000, and/or, consistent with G.S. 116-31.12, to acquire and dispose of real property by lease if the lease is valued annually at less than \$750,000 and has a term of not more than 10 years.	4	Not applicable - BOT has not requested this additional delegated authority			
UNC Regulation 600.1.3[R](III)	Required Authorizations for Real Property Transactions: An instrument involving acquisition or disposition of real property by lease using additional delegated authority authorized by a constituent institution's	4	Not applicable – BOT has not requested the additional delegated authority			

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	Board of Trustees shall be executed by the chancellor or designee.					
UNC Regulation 600.1.3[R](IV)	<p>Requirements for Lease Transactions Using Additional Delegated Authority: The requirements in this section IV apply to acquisitions and dispositions of real property by lease by constituent institutions that have been granted additional delegated authority for lease transactions by the Board of Governors.</p> <p>Acquisition by Lease Process. If the lease cost and term are not within the delegation set by the Board of Trustees of the constituent institution, the campus property office shall seek approval of the proposed lease by the Board of Trustees via a request by the vice chancellor for business affairs.</p> <p>Disposition by Lease Process. The proposed disposition of real property by lease must be endorsed by the chancellor or designee and the Board of Trustees of the constituent institution.</p>	4	Not applicable – BOT has not requested the additional delegated authority			

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ACADEMIC DEGREES AND GRADING

Source	Authority of BOT	Type	Delegation from BOT	Source	Sub-Delegation	Source
The Code Appendix 1, Section III	Academic Degrees and Grading: Subject to authorization by the Board of Governors of the nature and general content of specific degree programs which may be offered by an institution, each institution shall determine whether an individual student shall be entitled to receipt of a particular degree. Each institution also shall determine what grade a student will be assigned in a particular course.	10	The BOG's delegation for conferral of degrees and assignment of grades is to "the institution," which rests in the Chancellor as executive and administrative head of the institution. General faculty has the power to establish policies governing the award of academic degrees and to promulgate necessary regulations. Student grades are assigned by faculty and reviewed by Deans.			Academic Degrees: Faculty Code of University Government (https://facultygov.unc.edu/wp-content/uploads/sites/261/2020/01/FacultyCode_2020-April15.pdf) Grading: Grading Policies and Regulations https://registrar.unc.edu/academic-services/grades/grading-policies-and-regulations/
UNC Policy 400.1.5[R]	Regulation Related to Fostering Undergraduate Student Success: An institution with compelling reasons as to why an academic program's requirements must exceed 120 semester credit hours may petition to have an exception approved by its Board of Trustees. Compelling reasons include,	4	No further delegation			

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Source	Authority of BOT	Type	Delegation from BOT	Source	Sub-Delegation	Source
	but are not limited to: programmatic accreditation standards; licensure requirements; and other state, federal, or professional regulations.					
UNC Regulation 400.5[R]	<p>Regulation on Planning, Establishing, and Reviewing Centers and Institutes in the University of North Carolina: The Board of Trustees of each administrative campus has the authority to approve campus level policies on centers and institutes and to authorize establishment and discontinuation of institutional centers and institutes consistent with these regulations and the directions of the president or the Board of Governors. The Board of Trustees may delegate to the chancellor the authority to approve the discontinuation of institutional centers and institutes.</p> <p>Administrative campuses must have policies that address the following aspects of the establishment of institutional centers and institutes ... Clear process for granting and notification of the establishment of a center or institute, which includes approval by the chancellor and Board of Trustees and notification to the Office of Research and Graduate Education at UNC General Administration prior to establishment.</p>	4	No further delegation			

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Source	Authority of BOT	Type	Delegation from BOT	Source	Sub-Delegation	Source
UNC Regulation 400.6.1[R]	Regulation for the Establishment of an Early College High School on UNC Campuses: An agreement may be made between a local school district’s Board of Education and a constituent institution and must be approved by the appropriate entities and signed by the chair of the Board of Education; superintendent of the collaborating school district; chair of the campus Board of Trustees; and the chancellor of the institution.	4	No further delegation			

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ADMISSIONS POLICY

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
The Code Appendix 1, Section VIII	Admissions: Subject to such enrollment levels and minimum general criteria for admission as may be established for a constituent institution by the Board of Governors, each constituent institution of the University of North Carolina shall (1) establish admissions policies and (2) resolve individual admission questions for all schools and divisions within the institution. No appeal concerning an individual admission case shall lie beyond the institutional Board of Trustees.	3a 2 10	BOT retains final review of Undergraduate Admissions Policy and no changes may be made without BOT approval (1) With respect to carrying out existing policy, the Advisory Committee on Undergraduate Admissions and Office of Undergraduate Admissions. (2) With respect to appeals, the Office of the Provost	(1) Undergraduate Admissions Policy and institutional practice: https://catalog.unc.edu/admissions/undergraduate/#admissionspolicytext (2) BOT Appeals Procedures	(1) No further delegation. (2) Appeals: Dean or Director of Undergraduate Admissions	(1) n/a (2) Undergraduate Admissions Policy
UNC Policy 700.1.1.1[R]	Regulation on Minimum Eligibility Requirements for Undergraduate Admission for the University of North Carolina System: Each campus shall establish policies describing the admission of students	4	No further delegation as to approval of MAR and MCR policies.			

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	requiring special consideration with regard to Minimum Course Requirements (MCR) or students for whom chancellor's exceptions are made to Minimum Admission Requirements (MAR) ... Policies must include faculty participation in the decision-making process and must be approved by the campus Board of Trustees.					
UNC Policy 700.1.1.1[R]	Regulation on Minimum Eligibility Requirements for Undergraduate Admission for the University of North Carolina System: Any campus may set admissions requirements that exceed minimums established by the Board of Governors upon the approval of their campus Board of Trustees.	4	No further delegation as to approval of requirements that exceed such minimums			
UNC Policy 700.1.1.1[R]	Special Consideration Admissions Report: A report of the admission of students requiring special consideration to the Minimum Course Requirements (MCR) and chancellor's exceptions to the Minimum Admission Requirements (MAR) must be made annually to the Board of Trustees at each respective campus.	1	No further delegation			
UNC Policy 700.1.1.2[R]	Regulation on Transfer Student Admission: Each campus shall establish policies describing the admission of transfer students for whom exceptions are made to MCR and/or MAR. Criteria pertaining to admissions exceptions shall be developed with faculty participation and approved by the campus Board of Trustees.	4	No further delegation as to approval of criteria			
UNC Policy 700.10.1	Policy on Awarding Undergraduate Credit on the Basis of Advanced Course Examination Scores: UNC System constituent institutions	4	No further delegation regarding approval of exceptions.			

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	shall award appropriate credit to undergraduates who have earned a Qualified Advanced Course Examination Score, as defined in the Regulation on Awarding Undergraduate Credit on the Basis of Advanced Course Examination Scores, Section 700.10.1[R] of the UNC Policy Manual. Any exceptions to this policy must be approved by the institution's Board of Trustees in accordance with the guidance described in Section 700.10.1[R] of the UNC Policy Manual. . . . An institution must report any exceptions granted by its Board of Trustees, and the reasons and evidence for those exceptions, to the president annually no later than July 1.					
UNC Policy 700.10.1[R]	<p>Regulation on Awarding Undergraduate Credit on the Basis of Advanced Course Examination Scores:</p> <p>UNC System constituent institutions shall award Appropriate Credit to undergraduates who have earned a Qualified Advanced Course Examination Score. An institution with Compelling Reasons as to why a score higher than three must be required for a student to receive Appropriate Credit may petition to have an exception approved by its Board of Trustees. Compelling Reasons must be based on analyses of Academic Outcomes.</p> <p>If an institution elects to discontinue the awarding of credit for an AP Exam for which credit is awarded during the 2018- 19 academic year, however, approval must first be provided by the institution's Board of Trustees.</p>	4	No further delegation.			

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	Any institutional policy or practice of awarding credit on the basis of scores for any Advanced Course Examination in place prior to the implementation of the policy (during the 2018-19 academic year) shall not be discontinued thereafter without approval of the institution's Board of Trustees.					
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STUDENT AFFAIRS AND STUDENT ORGANIZATIONS

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Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
The Code Section 502D	Student Affairs: Where, in a student conduct case, the sanction is suspension or expulsion, an appeal may be made to the Board of Trustees. No appeal to the president or Board of Governors is permitted.	2	No further delegation of BOT's authority to hear and decide appeals.			
The Code Appendix 1, Section XI	Student Services: Each Board of Trustees, upon recommendation of the chancellor, shall determine the type, level, and extent of student services (such as health care, athletic programs, and counseling)	4	No further delegation. Chancellor	Institutional practice and policy	Vice Chancellor for Student Affairs	Institutional practice and policy

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	to be maintained for the benefit of students at the institution, subject to general provisions concerning types and levels of student services as may be prescribed by the Board of Governors.		The Chancellor or designee also presents recommendations regarding student service fees as part of the campus's recommendations regarding tuition and fees, which are approved by the BOT for consideration by the BOG and UNC System Office.			
The Code Appendix 1, Section XII	Student Activities and Government: Under such policies as may be prescribed by the Board of Governors and the Board of Trustees, the chancellor shall be responsible for the regulation and approval of organized, institutionally recognized student activities, the definition of roles and functions of any institutionally recognized system of student self-government and student participation in the governance of any aspect of the institutional programs and services.	3b	No further delegation regarding policymaking authority of BOT.			
N.C.G.S. § 116-33.1	Board of Trustees to Permit Recruiter Access: If the Board of Trustees provides access to its buildings and campus and the student information directory to persons or groups which make students aware of occupational or educational options, the Board of Trustees shall provide access on the same basis to official recruiting representatives of the military forces of the State and of the United States for the purpose of informing students of educational and	9	No further delegation			

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	career opportunities available in the military.					
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ENDOWMENTS, DISTINGUISHED PROFESSORSHIPS AND ASSOCIATED ENTITIES

ENDOWMENTS

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
N.C.G.S. § 116-36(a)	Endowment Fund: The Board of Trustees of each constituent institution shall establish and maintain, pursuant to such terms and conditions, uniformly applicable to all constituent institutions, as the Board of Governors of the University of North Carolina may from time to time prescribe, an endowment fund for the constituent institution.	5	No further delegation. The Endowment Fund Board was established in 1977, is appointed by the BOT and meets at least annually	BOT resolution dated November 11, 1977		
N.C.G.S. § 116-36(c) UNC Policy 600.2.1 and 600.2.1.2[G]	Endowment Fund: Pursuant to the foregoing subsections and consistent with the powers and duties prescribed in this section, each Board of Trustees shall appoint an investment board to be known as "The Board of Trustees of the Endowment Fund of _____" (here shall be inserted the name of the constituent institution).	9	No further delegation.			
The Code Appendix 1, Section VII UNC Policy 600.2.1	Endowments And Trust Funds: Subject to applicable provisions of state law and to such terms and conditions as may be prescribed from time to time by the Board of Governors, each Board of Trustees shall be responsible for the preservation, maintenance, and management of all properties, both real and personal, funds and other things of value which, either separately or in combination, constitute all or any part of the authorized (1)	9	(1) The Board of Trustees of the Endowment Fund (2) Chancellor	(1) Endowment Fund established by BOT resolution dated November 11, 1977 (2) N.C.G.S. 116-36.1.		

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	endowment or (2) trust funds, either currently in existence or to be established in the future, for the benefit of the individual constituent institution. [See G.S. 116-11(2); 116-12; 116-36; 116-36.1; 116-36.2]					
UNC Policy 600.2.1	Endowment Funds: The trustees of the endowment fund shall have the power to buy, sell, lend, exchange, lease, transfer, or otherwise dispose of or to acquire any property . . . provided further that, any gratuitous transfer of property or funds from the endowment fund shall be only upon direction of the Board of Trustees of the institution upon recommendation of the chancellor.	5	No further delegation			
UNC Policy 600.2.1	Endowment Funds: The board of trustees of the endowment fund may transfer interest or principal of the endowment fund to the useful possession of the constituent institution . . . provided further that, such transfer be executed only by direction of the Board of Trustees of the institution and for the purpose identified by the Board of Trustees of the institution, upon recommendation of the chancellor.	5	No further delegation			

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DISTINGUISHED PROFESSORSHIPS

N.C.G.S. § 116-41.15(c)	Distinguished Professors Endowment Trust Fund: Each participating Board of Trustees shall establish its own Distinguished Professors Endowment Trust Fund, and shall maintain it pursuant to the provision of G.S. 116-36 to function as a depository for private contributions and for the State matching funds for the challenge grants.	5	No further delegation			
N.C.G.S. § 116-41.17; 18	Distinguished Professors Endowment Trust Fund: The Board of Trustees may recommend to the Board [of Governors], for its approval, the establishment of an endowed chair or chairs and develop procedures and rules for the designation and selection of Distinguished Professors.	7 3b	No further delegation			
UNC Policy 600.2.3	Distinguished Professors Endowment Trust Fund: An institutional Board of Trustees, to be eligible for an allocation from the President under the schedule set forth herein, shall establish a Distinguished Professors Endowment Fund (hereafter "Endowment Fund") to be administered in accordance with N.C.G.S. §116- 36 and private contributions received for this purpose shall be deposited to that Endowment Fund, together with the challenge grant from the Trust Fund. Federal grant funds do not meet the definition of "private gift" or "private contribution."	5	No further delegation			

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UNC Policy 600.2.3	Distinguished Professors Endowment Trust Fund: The Board of Trustees may name the endowed chair or chairs in honor of a donor, benefactor, or other person or organization and shall consult with the chancellor regarding an endowed chair position vacancy.	4	No further delegation			
UNC Policy 600.2.3	Distinguished Professors Endowment Trust Fund: The Board of Governors delegates the authority to designate a Distinguished Professorship, including Distinguished Scholar, and Distinguished Fellow, as time limited to the Boards of Trustees of those constituent institutions designated as Special Responsibility Constituent Institutions with Management Flexibility to Appoint and Fix Compensation.	4	No further delegation			

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ASSOCIATED ENTITIES

UNC Policy 600.2.5.2[R]	Regulation on Required Elements of University-Associated Entity Relationship: An Associated Entity (including any subsidiary or affiliate of an existing Associated Entity), seeking to be associated with a constituent institution must be approved in writing by the chancellor and the Board of Trustees of the constituent institution.	4	No further delegation			
UNC Policy 600.2.5.2[R]	Regulation on Required Elements of University-Associated Entity Relationship: The head of the Approving Institution may neither remove the approved status of an Associated Entity of that Approving Institution, nor decline to extend such approved status beyond the expiration of the Associated Entity's then-current term, without advance written approval of the Board of Governors and the president, or Board of Trustees of the Approving Institution and the president, depending on whether the Approving Institution is the UNC System Office or a constituent institution.	4	No further delegation			
UNC Policy 600.2.5; 600.2.5.1[G]; 600.2.5.2[R]	Audit Reports of Associated Entities: The Board of Trustees shall receive annual independent financial audit reports from each of the private foundations, associations, or clubs whose primary purpose is to provide financial support to the institution.	1	No further delegation			

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TUITION, FEES, AND FINANCIAL AID

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
N.C.G.S § 116-143.6(a)	Full Scholarship Students Attending Constituent Institutions: The Board of Trustees may consider as residents of North Carolina all persons who receive full scholarships, unless the scholarships is for athletics, to the institution from entities recognized by the institution and attend the institution as undergraduate students.	4	No further delegation			
N.C.G.S. § 116-143.10	Cap on Student Fees: The Board of Trustees at each constituent institution may increase the cumulative total of all undergraduate student fees approved by either the Board of Governors or the Board of Trustees by no more than three percent (3%) per academic year.	7	No further delegation			
The Code Appendix 1, Section IX	Tuition, Fees, And Deposits: The Boards of Trustees of the constituent institutions other than the board of the North Carolina School of Science and Mathematics shall cause to be collected from each student, at the beginning of each semester, quarter, or term, such tuition, fees, and other amounts necessary to pay other expenses for the term, as have been approved by the Board of Governors. [See G.S. 116-143]	9	Chancellor	BOT Resolution dated July 28, 1995 delegating from BOT to Chancellor, and Chancellor's authority as administrative and executive head of the institution	University Cashier's Office within Office of the Vice Chancellor for Finance and Operations	Institutional practice and policy https://policies.uncc.edu/TDClient/2833/Portal/KB/?CategoryID=21854
The Code Appendix 1, Section IX	Tuition, Fees, And Deposits: Each Board of Trustees shall require the payment of such advance deposits, at such times and under such conditions as it determines are appropriate or as may be required by state	9	Chancellor	BOT Resolution dated July 28, 1995 delegating from BOT to Chancellor and	University Cashier's Office within Office of the Vice Chancellor for	Institutional practice and policy

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	law or by the Board of Governors. [See G.S. 116-143]			Chancellor's Authority as administrative and executive head of the institution	Finance and Operations	https://policies.uncc.edu/TDClient/2833/Portal/KB/?CategoryID=21854
The Code Appendix 1, Section IX	Tuition, Fees, And Deposits: Each Board of Trustees shall require the payment of such nonrefundable application fees, in connection with each application for admission, as may be required by state law or by the Board of Governors. [See G.S. 116-143].	9	Chancellor	BOT Resolution dated July 28, 1995 delegating from BOT to Chancellor, and Chancellor's authority as administrative and executive head of the institution	University Cashier's Office within Office of the Vice Chancellor for Finance and Operations	Institutional practice and policy https://policies.uncc.edu/TDClient/2833/Portal/KB/?CategoryID=21854
The Code Appendix 1, Section IX	Tuition, Fees, And Deposits: Subject to policies prescribed by the Board of Governors, the Boards of Trustees shall establish regulations concerning the acceptance of obligations of students, together with such collateral or security as may be deemed necessary or proper, in lieu of cash, in payment of tuition and fees. [See G.S. 116-143]	3a	No further delegation			
The Code Appendix 1, Section IX	Tuition, Fees, And Deposits: Subject to policies prescribed by the Board of Governors, each Board of Trustees, in consultation with the chancellor, shall recommend to the president the amounts to be charged at the constituent institution for application, athletics, health services, student activities, educational and technology, retirement of debt incurred for capital improvements	7	No further delegation			

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	projects authorized by the General Assembly, course, and special fees.					
The Code Appendix 1, Section X	Student Financial Aid: All scholarships and other forms of financial aid to students which are limited in their application to or are supported from sources generated by an individual campus shall be administered by the constituent institution pursuant to such regulations as may be prescribed by the Board of Trustees and subject to the terms of any applicable laws and to policies of the Board of Governors.	9	The authority to administer such scholarships and aid is to the "institution," which rests in the Chancellor as executive and administrative head of the institution. Such administration is primarily accomplished through the University's Office of Scholarships and Student Aid.			
UNC Policy 900.1[G]	Guideline on the Residence Status of Students Receiving Full Scholarships: Constituent institutions may consider as resident students, for tuition and all other purposes, nonresident students who receive a full scholarship from entities recognized by the institution. Participation by constituent institutions is optional. Constituent institutions participating must do so based on a resolution by its Board of Trustees. The resolution of the Board of Trustees can be approved at any time.	4	No further delegation			

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UNC Policy 1000.1.1	Establishing Tuition and Fees: The chancellor shall review the recommendations of the Committee [that reviewed student fees] and present recommendations to the Board of Trustees for review and approval. Before a chancellor makes recommendations to the Board of Trustees, the recommendations of the fee review committee will be shared with student government leaders so that students may inform the chancellor of their perspectives on the proposed changes. The recommendations of the Board of Trustees will be forwarded to the President for review.	4 7	No further delegation			
UNC Policy 1000.2.2.1[R]	Regulation on the Waiver of Tuition and Fees for Faculty and Staff: The waiver of tuition for an employee shall be limited to three courses per academic year. The waiver of fees for an employee may be limited according to institutional policy determined by the Board of Trustees of each employing institution.	3b	No further delegation. BOT Policy: https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=131833			

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INTERCOLLEGIATE ATHLETICS

Source	Authority	Type	Delegation from BOT	Source	Sub-Delegation	Source
The Code Appendix 1, Section XIII	Intercollegiate Athletics: Subject to such policies as may be prescribed by the Board of Governors and the Board of Trustees, the chancellor shall be responsible for the establishment and supervision of the institution's program of intercollegiate athletics.	3b	No further delegation as to BOT policy, but the Chancellor has ultimate responsibility and authority for intercollegiate athletics as mandated by BOG Policy and the Constitution of the National Collegiate Athletics Association (NCAA).	The Code, Appendix 1, Section XIII NCAA Constitution § 2.1		
UNC Policy 1100.1	Athletics Report: The chancellors shall submit an annual report to the Board of Trustees of the constituent institutions with a copy to the President, who will report to the Board of Governors. The annual report shall be designed according to criteria and format defined by the Office of the President and shall include specified elements.	1	No further delegation			
UNC Policy 1100.1	Athletics Admissions Exceptions Report: The chancellors shall report to the Board of Trustees the student-athlete exceptions to the institution's undergraduate admissions criteria.	1	No further delegation			
UNC Regulation 1100.1.1[R]	Athletics Financial Reports: The Board of Trustees of each institution, through the chancellor, must annually receive and review the financial indicators contained in the NCAA Dashboard "Presidential View" for the institution as described in Section II.A.2., above. This "Presidential View" data should be reported on an annual basis and shall include	1	No further delegation			

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	the most recent year's data as well as five-year trend data. The Board of Trustees shall also receive and review the annual institutional budget for intercollegiate athletics, including major sources of revenue and expenses. This budget report shall include specified elements.					
UNC Policy 1100.3	Head Coaches' and Athletic Directors' Contracts: No contract of employment between an institution and a head athletic coach or an athletic director which is for a term longer than one year shall be valid unless and until all terms and conditions of the contracts have been approved by the Board of Trustees. The Board of Trustees must approve specific terms of coach or athletic director contracts (deferred compensation, buyout clause, damage mitigation waiver, loss of outside income), subject to approval by the President and Board of Governors.	4	No further delegation			

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HONORARY DEGREES AND OTHER DISTINCTIONS

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
The Code Appendix 1, Section IV	Honorary Degrees, Awards And Distinctions: The Board of Trustees shall be responsible for approving the names of all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by the institution, subject to such policies as may be established by the Board of Governors.	4	No further delegation BOT Policy: Regulation on Honorary Degrees, in 1972, last revised in 2021: https://bot.unc.edu/wp-content/uploads/sites/160/2021/03/Substitute-Amendment-Trustees-Regulation-on-Honorary-Degrees-1.pdf BOT Policy: Naming Facilities and Units in 2010: https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=132135 BOT Policy: Policy for the Consideration of the Removal of Names on University Buildings and Public Space, adopted in 2020: https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=131320			

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TRANSPORTATION, PARKING AND AUXILIARY ENTERPRISES

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
N.C.G.S. § 116-44.4	Traffic and Parking: The Board of Trustees may by ordinance prohibit, regulate, divert, control, and limit pedestrian or vehicular traffic and the parking of motor vehicles and other modes of conveyance on the campus; provide for the registration of motor vehicles maintained or operated on the campus; fix fees for such registration; set aside parking lots and other parking facilities on the campus; issue permits to park in these lots and garages and may charge a fee therefor; make it unlawful for any person to park a motor vehicle in any lot or other parking facility without procuring the requisite permit and displaying it on the vehicle; set aside spaces in designated parking areas or facilities in which motor vehicles may be parked for specified periods of time; install a system of parking meters and make it unlawful for any person to park a motor vehicle in a metered space without activating the meter; install automatic gates, employ attendants, and use any other device or procedure to control access to and collect the fees for using its parking areas and facilities; provide for the issuance of stickers, decals, permits, or other indicia representing the registration status of vehicles; establish procedures for the collection of penalties; provide for appropriate administrative sanctions; cause to be posted appropriate notice to the public of applicable traffic and parking restrictions; and provide	3b	No further delegation. BOT Ordinance: https://move.unc.edu/about/publications/parking-ordinance/			

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	for printing and distributing copies of its traffic and parking ordinances.					
N.C.G.S. § 116-44.5	Special Provisions Applicable to Identified Constituent Institutions of the University of North Carolina (related to Traffic and Parking): UNC CH, Appalachian State, UNC Charlotte, UNC Wilmington, UNC Greensboro, and NC A&T	n/a	No further delegation			
The Code Appendix 1, Section XVI	Auxiliary Enterprises, Utilities, And Miscellaneous Facilities: Pursuant to applicable provisions of state law and policies of the Board of Governors, the Boards of Trustees of affected constituent institutions shall have authority and responsibility for the adoption of policies applicable to and the control and supervision of campus electric power plants and water and sewer systems, other utilities and facilities [G.S. 116-35], and child development centers [G.S. 116-38].	3b	Chancellor, as to “control and supervision” of campus electric power plants and water and sewer systems, other utilities and facilities, and child development centers. No further delegation as to authority to adopt policies.	Institutional practice and policy and	Energy Services and Facilities report up to Vice Chancellor for Finance and Operations Frank Porter Graham Child Development Institute reports up to Provost	Institutional practice and policy

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CAMPUS SAFETY, SECURITY AND RISK MANAGEMENT

Source	BOT Authority	Type	Delegation from BOT	Source	Sub-Delegation	Source
N.C.G.S. § 116-40.5	Campus Law Enforcement Agencies: The Board of Trustees may (1) establish a campus law enforcement agency, (2) employ campus police officers, and (3) enter joint agreements with any municipality, county, or other constituent institution to extend law enforcement jurisdiction under specified circumstances.	5	(1) No further delegation as to “establishment” of law enforcement agency, but Chancellor has delegated authority from BOG as being responsible for campus administration and security, which includes authority to operate and administer campus law enforcement agency. That authority is primarily accomplished through the Office of the Vice Chancellor for Institutional Integrity and Risk Management. (2) Chancellor (3) No further delegation	(2) Management Flexibility Plan; 2020 Review of Authority Memo; State Human Resources Act Institutional practice and policy	Vice Chancellor for Institutional Integrity and Risk Management	Institutional practice and policy
The Code Appendix 1, Section XV	Campus Security: Subject to applicable provisions of state law and such policies as may be adopted by the Board of Governors or the Board of Trustees, the chancellor shall be responsible for the maintenance of campus security.	3b	No further delegation as to the BOT’s authority to adopt policies.			

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UNC Policy 300.8.3[R]	Regulation on Institutional Occupational Safety and Health Programs: The institutional safety and health director shall make a written report at least annually to the institution's chancellor, Board of Trustees, and UNC System Office associate vice president of safety and emergency operations on the major activities and programs conducted as part of the institution's safety and health function.	1	No further delegation			
UNC Policy 1300.9	Policy on Providing Safety and Security Presentations to University Boards: The chancellor of each constituent institution or the chancellor's designee shall provide an annual presentation to the constituent institution's Board of Trustees with relevant data and information concerning campus security, the safety of students and others, sexual assault, alcohol and drug use, risk management, and associated institutional policies.	1	No further delegation			
UNC Policy 1300.7	University Enterprise Risk Management and Compliance: Each constituent institution shall establish an enterprise risk management process that aligns with the institution's programs, activities, and management systems and that supports the institution's strategic and other goals. The enterprise risk management processes established at each constituent institution shall include components and appropriate procedures for: . . . Providing periodic updates to the chancellor and the Board of Trustees.	10	The authority to establish an enterprise risk management process is to the "institution," which rests in the Chancellor as executive and administrative head of the institution, and such authority is primarily accomplished through the Office of the Vice Chancellor for Institutional Integrity and Risk Management. No further delegation as to BOT's receiving periodic updates regarding		Vice Chancellor for Institutional Integrity and Risk Management	

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			enterprise risk management processes.			
UNC Policy 1300.1	Policy on Illegal Drugs: Each Board of Trustees shall adopt a policy on illegal drugs applicable to all students, faculty and staff.	3a	No further delegation			

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INFORMATION TECHNOLOGY AND INTELLECTUAL PROPERTY

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
UNC Policy 1400.1	Information Technology Governance: The Board of Governors and the Board of Trustees of each constituent institution shall assign responsibility for oversight of IT governance to a standing committee of the Board with audit responsibility.	8	Finance, Infrastructure, and Audit Committee	Bylaws of BOT and its practice and policy		
UNC Policy 1400.2	Information Security: The Board of Governors and the Board of Trustees of each constituent institution shall assign responsibility for oversight of the institution's information security program to a standing committee of the appropriate Board with audit responsibility.	8	Finance, Infrastructure, and Audit Committee	Bylaws of BOT and its practice and policy		
UNC Policy 500.2[XII]	Copyright Policy: The chief executive officer of each institution shall designate an administrative office, officer, or unit responsible for implementing this policy. The designated institutional administrative entity shall address various matters covered by this policy, including developing policies and procedures designed to supplement and interpret the ownership aspects of this policy, providing advice regarding ownership of specific works, releasing institutional rights, and accepting an assignment of rights to the Institution from an author or creator of a work.	n/a	n/a			
UNC Policy 500.2	Patent Policy: The Board of Trustees of each constituent institution shall adopt patent procedures that are consistent with and implement these policies, taking into account the nature and scope of the institution's programs.	3a	Chancellor The BOT adopted Patent and Copyright procedures in 1983, and the University issued a Patent	Institutional practice and policy	Office of University Counsel and Office of Technology and Commercialization	Institutional Practice and Policy; Patent and Invention Policy

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			and Invention Policy in 2009: https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=132139			
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BOARD GOVERNANCE

Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
The Code Section 402C	Reports on the Activities of the Board of Trustees. The secretary of each Board of Trustees shall keep the Board of Governors, through the secretary of the University, fully and promptly informed concerning activities of the Board of Trustees, including notice of any changes in the membership of the Board or in its committee structure or bylaws, and notices of meetings.	8	No further delegation			
UNC Policy 200.1(5)(c)(iv)(5)	Dual Members and Conflicts of Interest: The restrictions on entering into a contract in paragraph c.iii., do not apply if the person with the substantial interest does not participate in making or administering the contract and the committee of the Board of Governors or of the relevant Board of Trustees designated pursuant to paragraph d.i., below, finds that the contract is in the best interest of the University.	8	No further delegation			
UNC Policy 200.1.(5)(d)(i)	Conflicts of Interest: Each chair of a Board of Trustees shall designate a standing committee to determine whether a potential conflict is a permissible or impermissible activity and to make recommended findings as to whether this policy has been violated.	8	No further delegation			
UNC Policy 200.4(II)	Assessment Process for the Board of Trustees: The Board of Trustees of each constituent institution will conduct a self-assessment every four years at a time determined by the Chairperson of the Board of Trustees after consultation with the chancellor and the President. The chancellor and Board Chairperson shall submit a summary report to the President	8	No further delegation			

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Source	Authority	Type	Delegation	Source	Sub-Delegation	Source
	and the Board of Governors at the conclusion of the assessment.					
UNC Policy 200.7(IV)	Policy on Duties, Responsibilities, and Expectations of Board Members: Any sanction [against a Board member] shall require an affirmative vote of two-thirds (2/3) of the voting membership of the Board of Governors or Board of Trustees then in office.	8	No further delegation			

***Note of Chancellor's Authority:** The Chancellor has (i) inherent authority assigned or delegated from the General Assembly and the Board of Governors as the executive and administrative head of the institution, and (ii) further specific authority recited in the General Statutes, the UNC System Code and Policy Manual, and regulations and guidance from the President. Such authority is independent of authority delegated from the Board of Trustees recited in this chart. For that reason, the chart does not purport to identify separate Chancellor authority outside of a specific delegation from the Board of Trustees, except where appropriate to help address any potential confusion in the terms, scope, or context of the BOT's authority.

EXHIBIT D

Bylaws

Adopted July 21, 1972

[Amended October 25, 1991]

[Amended November 21, 1997]

[Amended March 23, 2000]

[Amended September 26, 2002]

[Amended August 1, 2019]

BYLAWS OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

ARTICLE 1 – ORGANIZATION

Section 1.01 – Membership

- a. The University of North Carolina at Chapel Hill shall have a Board of Trustees composed of thirteen persons chosen as follows:
 - i. Eight elected by the Board of Governors of The University of North Carolina;
 - ii. Four appointed by the General Assembly, two of whom shall be appointed upon the recommendation of the President Pro Tempore of the Senate, and two of who shall be appointed upon the recommendation of the Speaker of the House of Representatives; and

iii. The President of the Student Government ex officio.

In every odd-numbered year, the Board of Governors shall elect four persons to the Board of Trustees and the General Assembly shall appoint two persons to the Board of Trustees; and the term of office of all such elected or appointed trustees (excluding the ex officio trustee) shall be four years, commencing on July 1 of such odd-numbered year.

b. Whenever any vacancy shall occur in the membership of the Board of Trustees among those appointed by the General Assembly, it shall be the duty of the Secretary or Assistant Secretary of the Board of Trustees to inform the General Assembly of the existence of such vacancy, and the vacancy shall be filled as provided in N.C.G.S. 120-122, and whenever any vacancy shall occur among those elected by the Board of Governors, it shall be the duty of the Secretary or Assistant Secretary of the Board of Trustees to inform the Board of Governors of the existence of the vacancy, and the Board of Governors shall elect a person to fill the unexpired term. Whenever a member shall fail, for any reason other than ill health or service in the interest of the State or nation, to be present for three successive regular meetings of the Board of Trustees, that person's place as a member shall be deemed vacant.

c. Any person who has served two full four-year terms in succession as a member of the Board of Trustees shall, for a period of one year, be ineligible for election or appointment to the Board but may be elected or appointed to the board of another institution.

d. No member of the General Assembly or officer or employee of the State or any constituent institution of The University of North Carolina or spouse of any such member, officer or employee shall be eligible for election or appointment as a member of the Board of Trustees. Any trustee who is elected or appointed to the General Assembly or who becomes an officer or employee of the State or of any constituent institution of The University of North Carolina or whose spouse is elected or appointed to the General Assembly or becomes such officer or employee shall be deemed thereupon to have resigned as a member of the Board of Trustees.

e. No person may serve simultaneously as a member of the Board of Trustees and as a member of the Board of Governors. Any trustee who is elected or appointed to the Board of Governors shall be deemed to have resigned as a trustee effective as of the date that his or her term commences as a member of the Board of Governors.

Section 1.02 – Officers of the Board of Trustees

a. At the first regular meeting after June 30 of each year, the Board of Trustees shall elect from its membership a Chair, a Vice Chair, and a Secretary, each of whom shall serve for a term of one year and until his or her successor is elected. In no event shall officer elections take place before July 1, or before the swearing in of new Board members whose terms commence on July 1. Any member of the Board of Trustees who is or who shall be duly appointed and sworn in at the time of the election shall be eligible to serve as an officer, regardless of length of service on the Board. Elections shall be conducted such that each member of the Board of Trustees, including newly appointed

members, can fully participate in the nomination, consideration, and election of officers. A nominating committee convening prior to July 1 to determine a slate of officer candidates may include members who have been appointed but have not yet been sworn in, but may not include current members whose terms end June 30 and who have not been reappointed. Each elected officer shall serve until his or her successor is elected. If the term of the Chair expires before his or her successor as Chair is elected, then the Vice Chair shall become the interim Chair until the Chair's successor is elected. In the event that any officer of the Board of Trustees is unable or unwilling to serve for any period of time, the Board of Trustees may elect from its membership an interim officer for such position. If a permanent vacancy occurs in any of these offices, the Board of Trustees shall elect a person to serve for the remainder of the unexpired term.

b. The Board of Trustees may also elect an Assistant Secretary, from among the members of the Chancellor's staff. Copies of all minutes, papers and documents of the Board of Trustees may be certified by its Assistant Secretary with the same force and effect as though such certification were made by the Secretary of the Board.

Section 1.03 – Committees

The Board of Trustees may create any number of advisory committees, each consisting of two or more trustees, to make recommendations to the Board. The Chair shall appoint and remove the members of such committees. Whenever any vacancy shall occur in the membership of a committee, the Chair may appoint a member to fill the vacancy.

ARTICLE II – MEETINGS

Section 2.01 – Regular Meetings

There shall be six regular meetings of the Board of Trustees each year. These meetings shall be held on the fourth Thursday and the preceding Wednesday in the months of January, March, May, July, September, and November, unless otherwise determined by the Board. A notice specifying the time and place of each regular meeting of the Board shall be provided electronically by the Secretary or Assistant Secretary to each member of the Board at least ten days in advance of the meeting date. Under appropriate circumstances, the Chair, in his or her sole discretion, may authorize one or more members of the Board of Trustees to attend a regular meeting of the Board by telephone, video conference or other electronic means so long as (i) all members of the Board attending the meeting can communicate simultaneously with one another, including the member or members not physically present, and (ii) the arrangements for such a meeting comply with the applicable State laws concerning the conduct of electronic meetings of public bodies. Any matter of business may be considered at a regular meeting of the Board.

Section 2.02 – Special and Emergency Meetings

A special meeting of the Board of Trustees may be called by the Chair, and shall be called by the Secretary or Assistant Secretary upon the written request of not fewer than six members of the Board. A special meeting called by the Secretary or Assistant Secretary shall be held within ten days of receipt by the Secretary or Assistant Secretary of the sixth written request for such special meeting. A notice specifying the time and place of a special meeting of the Board shall be provided electronically by the Secretary or Assistant Secretary to each member of the Board at least forty-eight hours in advance of the meeting date, but less than forty-eight hours' notice may be given by telephone when, in the opinion of the Chair, an emergency exists. One or more members of the Board of Trustees may attend any special or emergency meeting of the Board by telephone, video conference or other electronic means so long as (i) all members of the Board attending the meeting can communicate simultaneously with one another, including the member or members not physically present, and (ii) the arrangements for such a meeting comply with the applicable State laws concerning the conduct of electronic meetings of public bodies. Any matter of business may be considered at a special meeting of the Board, but only business connected with the emergency may be considered at an emergency meeting.

Section 2.03 – Agenda

- a. At least seven days prior to each regular meeting of the Board of Trustees, a copy of the agenda, including (insofar as is practicable) copies of all reports and other written materials to be presented to the meeting, shall be provided electronically to each member of the Board by the Secretary or Assistant Secretary. Insofar as is practicable, a copy of the agenda of each special meeting of the Board shall be provided electronically to each member of the Board at least four days in advance of the special meeting; however, if such advance distribution is not practicable, the agenda for a special meeting may be presented to the members of the Board as the first order of business at the meeting.
- b. The agenda for every meeting of the Board shall be prepared by the Chancellor or the Chancellor's staff in consultation with the Chair of the Board of Trustees and with Committee Chairs as appropriate. Every request for inclusion of an item on the agenda of a meeting shall be put in writing and filed, together with any supporting documents, with the Chancellor sufficiently far in advance of the meeting to permit a determination to be made by the Chancellor with respect to the propriety and practicability of including that item on the agenda for the meeting.
- c. Any member of the Board of Trustees may present to any regular or special meeting of the Board any item whether or not the same is on the agenda of the meeting.

Section 2.04 – Conduct of Business

- a. A quorum of the Board of Trustees shall consist of a majority of the trustees then in office. A quorum of any committee of the Board of Trustees shall consist of a majority of the members of the committee.
- b. The Chair shall preside over all meetings of the Board of Trustees. In the absence of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and the Vice-Chair, a presiding officer shall be elected by and from the membership of the Board of Trustees.
- c. All members of the Board of Trustees may vote on all matters coming before the Board for consideration. Any voting member who attends by telephone, video conference, or other electronic means that allows for two-way voice interaction may cast his/her vote by that electronic means. No member may vote by proxy.
- d. Except as modified by specific rules and regulations enacted by the Board of Trustees, *Robert's Rules of Order Newly Revised* (latest edition) shall constitute the rules of the parliamentary procedure applicable to all meetings of the Board of Trustees and its several committees.
- e. Between regular meetings of the Board of Trustees, routine matters of business within the authority of the Board may be dealt with by written ballot and without a meeting if such is deemed appropriate by the Chair. Any action taken by this method must be ratified by the Board at its next regular meeting and recorded in the minutes of such regular Board meeting.

Section 2.05 – Minutes

- a. The Secretary or Assistant Secretary shall keep minutes of all meetings of the Board of Trustees; shall file, index, and preserve all minutes, papers, and documents pertaining to the business and proceedings of the Board; shall be custodian of all records of the Board; and, when required, shall attest the execution of all legal documents and instruments of The University of North Carolina at Chapel Hill.
- b. The Secretary or Assistant Secretary shall transcribe the minutes of the meeting and provide them electronically to each member of the Board prior to the next regular meeting of the Board.

Section 2.06 – Executive Session

By vote of a majority of the members present at any meeting of the Board of Trustees or at any meeting of a committee of the Board of Trustees, as applicable, the meeting may be closed to the public, subject to the requirements of State law concerning access to such meetings.

Section 2.07 – Keeping Board of Governors Informed

The Secretary of the Board of Trustees, or the Assistant Secretary of the Board of Trustees on the Secretary's behalf, shall keep the Board of Governors, through the Secretary of The University of North Carolina, fully and promptly informed concerning activities of the Board of Trustees, including notice of any changes in the membership of the Board or in its committee structure or bylaws, and notices of meetings.

ARTICLE III – POWERS AND DUTIES

Section 3.01 – General Powers and Duties

The Board of Trustees shall promote the sound development of The University of North Carolina at Chapel Hill within the functions prescribed for it, helping it to serve the people of the State in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every area of endeavor. The Board of Trustees shall serve as advisor to the Board of Governors on matters pertaining to The University of North Carolina at Chapel Hill and shall also serve as advisor to the Chancellor concerning the management and development of the institution.

Section 3.02 – Other Powers and Duties

The Board of Trustees shall have such other powers and duties, not inconsistent with provisions of *The Code of The University of North Carolina* or with applicable provisions of State law, as are specified in said *Code* or as shall be defined and delegated by the Board of Governors.

The Board of Governors' Delegations of Duty and Authority to Boards of Trustees, as amended, are attached hereto as Appendix 1 and are hereby incorporated by reference.

ARTICLE IV – UNIVERSITY OFFICERS

Section 4.01 – Designation of University Officers

The officers of The University of North Carolina at Chapel Hill shall be the Chancellor and each Vice Chancellor. The University of North Carolina at Chapel Hill may also have such other officers as may be appointed by the Chancellor or the Vice Chancellor for Finance and Operations pursuant to Section 4.02 of this Article.

Section 4.02 – Appointment of Additional Officers

The Chancellor and the Vice Chancellor for Finance and Operations is each authorized to appoint additional officers of The University of North Carolina at Chapel Hill for the purpose of executing documents that require the signature of an officer of the University. Such appointments may be made only of University employees holding the title of Associate Vice Chancellor or Assistant Vice Chancellor, and shall terminate upon the individual's resignation or removal from such position. The Vice Chancellor for Finance and Operations may appoint officers only from among the members of his or her staff. The Chancellor or the Vice Chancellor for Finance and Operations shall promptly inform the Board of Trustees of any appointment made pursuant to this Section.

ARTICLE V – AMENDMENT OF BYLAWS

Section 5.01 – Amendment of Bylaws

These bylaws may be amended at any regular or special meeting of the Board of Trustees by an affirmative vote of a majority of the trustees then in office if the substance of the amendment has been filed in writing with the Secretary or the Assistant Secretary and a copy has been provided electronically to each member of the Board at least seven days prior to the meeting at which the amendment is to be voted upon.

ARTICLE VI – SUBORDINATION TO UNIVERSITY *CODE*

Section 6.01 – Subordination to University *Code*

To the extent that any of these bylaws may be inconsistent with *The Code of The University of North Carolina*, as the same may be amended from time to time, said *Code* shall control.



THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

BOARD OF TRUSTEES

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**THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL
BOARD OF TRUSTEES**

PROCEDURES FOR APPEALS

ADOPTED NOVEMBER 2015

AMENDED JANUARY 2020

I. INTRODUCTION

This document establishes procedures to be followed where, pursuant to University policy, a party has the right to an appeal to the Board of Trustees (“the Board”). These procedures are supplemental to substantive policies providing the right to appeal, and in the event of any discrepancy between such policies and these procedures, the provisions of the policies will take precedence.¹ Matters covered by these procedures include the following:

Student Matters

1. Appeals pursuant to the Instrument of Student Judicial Governance (“Instrument”) by students who have been suspended or expelled from the University and who allege a violation of due process or a material deviation from Substantive and Procedural Standards adopted by the Board of Governors.²
2. Appeals pursuant to section IV.K.2. of the Procedures for Reporting and Responding to Complaints of Discrimination, Harassment, and Related Misconduct Involving a Student as the Responding Party (“Discrimination, Harassment and Related Misconduct Procedures”).

Faculty and EHRA Non-Faculty Employee Matters

1. Appeals pursuant to Step Four Review of the University’s EHRA Non-Faculty Grievance Policy.
2. Appeals pursuant to the Procedures for the Faculty Grievance Committee.
3. Appeals pursuant to section 8 of the Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill (“Tenure Policy”).

Matters Involving Faculty, Staff or Students

Appeals regarding ownership of copyrighted works pursuant to the University Copyright Policy.

¹ In the event of any conflict between these procedures and applicable law (including associated regulations), applicable law governs.

² See Chapter 100.1, section 502D of the UNC System Policy Manual (“Section 502D”).

II. PROCESS FOR APPEALS TO THE BOARD

A. Submission of an Appeal

Appeals to the Board must be submitted in writing to the Chair of the Board through the Office of the Chancellor and must specify the basis for the appeal and, as required by policy or procedure or as requested by the Board, must include any supporting facts or documents upon which the Appellant bases the appeal. Except as otherwise provided for by the applicable policy, the appeal petition must be submitted within fourteen (14) calendar days of delivery of the letter communicating the result of the prior appellate review.

In consultation with the Office of University Counsel, the Chair³ will review the appeal petition to determine if there is a valid basis for appeal under the policy or procedures creating the right to appeal. If the Chair determines that there is no valid basis for appeal, the Chair will notify the Appellant in writing, the Board will take no further action on the appeal, and the prior decision will stand.

If the Chair determines there is a valid basis for appeal, the Chair will notify the Appellant in writing and specify whether any of the grounds alleged by the Appellant have been deemed invalid for appeal. The Chair will also notify the University official responsible for the decision at issue, as well as any additional Appellee.

For purposes of these procedures, the University official responsible for the decision at issue will be deemed an “Appellee” where the policy providing the right to appeal requires that official to respond to the appeal petition or where the Board deems it helpful for that official to do so. In appeals pursuant to the Discrimination, Harassment and Related Misconduct Procedures, the Chair will notify any other party to the decision of the decision that the appeal petition states a valid basis for appeal. That person will also be considered an “Appellee” under these Procedures.

Upon request from the Chair, an Appellee will have fourteen (14) calendar days from delivery of the Chair’s decision that the petition states a valid basis for appeal to submit a written response to the Chair. The Appellee’s written response must address the grounds deemed valid for appeal by the Chair and specify all supporting facts or documents on which the Appellee bases the response.

As permitted by applicable policy and procedure, any time period requirements imposed under this Section II.A. may be extended upon good cause shown, as determined in the discretion of the Chair, through written application to the Chair.

B. Review of an Appeal

Following the determination that the appeal petition states a valid basis for appeal, the Chair will appoint a three (3) person panel of the Board (“the BOT Panel”) to consider the appeal. The BOT Panel will consider the appeal at the BOT Panel’s earliest convenience, but in general will consider

³ The Chair may appoint a designee. References to the “Chair” in these Procedures include the Chair’s designee in such cases.

the appeal within sixty (60) days from receipt of all appeal materials (including personal testimony, if requested). In the event of a delay in considering the appeal, the BOT Panel will communicate in writing with the parties about the extension and provide a revised timeframe for consideration of the appeal.

The BOT Panel's review will be based upon the record provided to the Board by the relevant University committee or office, in addition to the appeal petition submitted by the Appellant and any response submitted by the Appellee(s).

Where permitted by applicable policy or procedure, the BOT Panel may determine it is important to receive personal testimony in addition to the existing record in order to decide the specific issue(s) on appeal. In such instances, the BOT Panel may request the presence of the Appellant or Appellee(s), or any other person who can provide testimony relevant to the issues on appeal.⁴ Such testimony will be limited to matters relevant to the issues on appeal.

When requested by the BOT Panel, an individual may appear before the BOT Panel in person, by videoconference, or by phone. A party may be accompanied by legal counsel, who may make a brief opening statement to the BOT Panel in support of the party's position on appeal. Unless required by applicable law (including associated regulations), attorneys will not be allowed to otherwise participate in the process. The BOT Panel Chair will have discretion to control the conduct of the appeal proceedings, including the imposition of such deadlines as are necessary and appropriate, and may limit or exclude testimony when deemed redundant or irrelevant.

C. Decision of the Board

1. For faculty appeals of **discharge, serious sanction, nonreappointment, or termination** decisions under Section 8 of the **Tenure Policy**, the BOT Panel will issue a recommended decision to the Board, which may be in the form of a written memorandum to the Board or may be communicated orally to the Board by the BOT Panel Chair. The Board will have access to the record in the matter. If a majority of the Board members in attendance vote to accept the BOT Panel's recommendation, the BOT Panel's recommended decision will be deemed the decision of the Board. If a majority of the Board members present vote against the BOT Panel's recommendation, the Board will issue an alternate decision.

If the Board finds for the Appellant based on the standards of review set by applicable policy or procedure⁵, it may remand the matter to the Chancellor to provide for a new hearing or a supplemental review inquiry. In the event the Board decides to remand the case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.

⁴ Where required by applicable law (including associated regulations), the Board must provide an equal opportunity for both parties to provide testimony, present evidence, and have equal and timely access to materials that will be used in the appeal.

⁵ If no standard is set by applicable policy or procedure, the Board may find for the Appellant only if the Appellant can show that, in reaching the decision under review, the individual or committee making that decision committed **clear and material error**.

2. For appeals pursuant to the **Faculty Grievance Procedures**, a designated committee of the BOT may issue a decision on behalf of the Board. The Board may find for the Appellant only if the Appellant can show that the Chancellor's decision was clearly erroneous, violated applicable federal or state law or University policies or regulations, or that the process used in deciding the grievance was materially flawed.

The Board will decide whether to remand the case to the Grievance Committee or to recommend other corrective action if the alleged violation cannot be corrected through remand. In the event the Board decides to remand the case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.

3. For all other appeals covered by these Procedures, the BOT Panel will issue a decision on behalf of the Board. The Board may find for the Appellant only if the Appellant can show that, in reaching the decision under review, the individual or committee making that decision committed **clear and material error**. If the Appellant is unable to satisfy this burden, the Board must affirm the prior decision. In the event the Appellant meets the burden of proof, the Board will proceed as described below.
 - a. **Instrument⁶** – The Board will decide whether to remand the case for a new Honor System hearing or to dismiss the charge if the alleged violation cannot be corrected through remand. In the event the Board decides to remand the case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.
 - b. **Procedures Pursuant to the Policy on Prohibited Discrimination, Harassment, and Related Misconduct** – The Board will decide whether to remand the case to the Hearing Panel or to dismiss the charge if the alleged violation cannot be corrected through remand. In the event the Board decides to remand the case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.
 - c. **EHRA Non-Faculty Grievance Procedures** – The Board will decide whether to remand the case to the Grievance Committee or to recommend other corrective action if the alleged violation cannot be corrected through remand. In the event the Board decides to remand the case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.
 - d. **Copyright Policy** – The Board will remand the matter to the Provost and Vice Chancellor for Research to implement such clarification of copyright ownership as is appropriate to the circumstances.
4. The decision of the Board will be communicated simultaneously to all parties in writing and will state the Board's findings, its determination, and its rationale.

III. NOTICES AND TIMING

⁶ Absent a determination to the contrary by the Chair of the Board of Trustees, the Student Body President must exercise self-recusal from consideration and determination of any appeal before the Board arising under the Instrument or any appeal under the Discrimination, Harassment, and Related Misconduct Procedures that involves a student.

In general, notices and communications under these Procedures may be transmitted via electronic, campus, or first-class mail. Where required, the notice or communication will be transmitted by a method that requires a signature for delivery as specified in *The Code of the University of North Carolina* and accompanying regulations.

Where it is not possible to use the method of delivery specified in applicable policy or procedure, the Board will send the notice or communication via any other means reasonably designed to reach the intended recipient. Failure or refusal of an individual to sign or confirm delivery does not invalidate receipt of the notice or communication.

Absent evidence to the contrary, receipt will be deemed to occur on the third calendar day after issuance of the notice or communication.

IV. FURTHER APPEALS

The Board's decision is the final University decision in all cases.

V. REFERENCES

The Instrument of Student Judicial Governance –

https://studentconduct.unc.edu/sites/studentconduct.unc.edu/files/documents/Instrument_1.pdf

Procedures for Reporting and Responding to Complaints of Discrimination, Harassment, and Related Misconduct Involving a Student as the Responding Party –

https://eoc.unc.edu/files/2015/07/UNCCH_Procedures_for_Students_as_the_Responding_Party_PPDHRM.pdf

EHRA Non-Faculty Employees Dispute Resolution & Grievances –

<https://unc.policystat.com/policy/4483428/latest/>

Procedures for the Faculty Grievance Committee – <http://faccoun.unc.edu/faculty-code-and-policies/procedures-for-the-faculty-grievance-committee/>

Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill – <https://facultygov.unc.edu/files/2018/10/2018-11-15-Trustee-Policies-and-Regulations-Governing-Academic-Tenure.pdf>

Chapter 100.1, sections 502D, 603, 604, 607, 611 of the UNC System Policy Manual –

https://www.northcarolina.edu/apps/policy/index.php?tab=policy_manual

The Copyright Policy of the University of North Carolina at Chapel Hill –

<https://unc.policystat.com/policy/6197184/latest/>



THE UNIVERSITY OF NORTH CAROLINA SYSTEM

UNC System Human Resources
Petition Regarding Political Activity

UNC System Policy & Procedure
Effective Date: 03-20-2018

SECTION A: INTRODUCTION, DEFINITIONS, AND INSTRUCTIONS

1. Introduction

Under Section 300.5.2 of the UNC Policy Manual, an employee who is exempt from the State Human Resources Act (an "EHRA employee") must submit this petition for review before becoming a candidate for or accepting an appointive or elective public office.

Pursuant to the North Carolina Human Resources Act and the North Carolina Public Records Act, this petition and associated approvals are public records and will be released upon request

2. Relevant Definitions¹

- a. "Appointive public office" means a public office that is filled or obtained by means other than an election.
- b. "Conflict of commitment" relates to an individual's distribution of time and effort between obligations to University employment and participation in other activities outside of University employment. A conflict of commitment occurs when the pursuit of such outside activities involves an inordinate investment of time or is conducted at a time that interferes with the employee's fulfillment of University employment responsibilities.
- c. "Conflict of interest" means situations in which financial or other personal considerations, circumstances, or relationships may compromise, may involve the potential for compromising, or may have the appearance of compromising, an employee's objectivity in fulfilling their University duties or responsibilities, including research, service, teaching activities, and administrative duties.
- d. "Elective public office" means a public office that is filled or obtained through the results of an election.
- e. "Full-time employee" means an individual who is employed by the University at least three-quarter (3/4) time, including faculty who are employed on a nine-month per calendar year basis.
- f. "Major public office" means (1) any public office requiring full-time service, regardless of the amount of compensation; (2) any public office requiring service on a part-time basis for which compensation is more than nominal²; or (3) membership in the North Carolina General Assembly.
- g. "Minor public office" means any public office that is not a major public office.
- h. "Part-time employee" means an individual who is employed but who is not a full-time employee.
- i. "Public office" means any national, state, or local governmental position of public trust and responsibility, whether elective or appointive, which is created, prescribed, or recognized by constitution, statute or ordinance (other than within the University of North Carolina).

3. Instructions for Completing Section B of the Petition

The table on the following page specifies which portions of Section B the petitioner must complete. Petitioners also should read Section 300.5.2 in its entirety to ensure they are aware of all applicable requirements and deadlines.

¹ The definitions in Sections 300.5.1 and 300.5.2 of the UNC Policy Manual are incorporated herein by reference.

² In this context, "compensation which is more than nominal" means actual annual compensation or expected annual compensation, whichever is greater, in excess of \$10,000, excluding direct reimbursements for expenses incurred by the officeholder incident to holding office, whether such expenses are calculated on a per diem basis or an actual expense basis.

University of North Carolina System
Petition Regarding Political Activity

TYPE OF EMPLOYEE AND PROPOSED ACTIVITY	IN SECTION B, COMPLETE:	POLICY NOTES
<u>Any</u> EHRA employee seeking authorization to: <input type="checkbox"/> Become a candidate for any minor public office <input type="checkbox"/> Occupy any minor public office	<input type="checkbox"/> Parts 1 and 5 <input type="checkbox"/> Part 3 required only if requesting leave <input type="checkbox"/> Part 4 required only if directed by president or chancellor	<input type="checkbox"/> Promptly file with your supervisor a written statement of the amount of any payments to which you would be entitled as a candidate or officeholder <u>and</u> <input type="checkbox"/> If directed by the president or chancellor, submit a petition demonstrating that holding this public office will not create a conflict of commitment
<u>Any</u> EHRA employee seeking authorization to: X Become a candidate for any major public office	X Parts 1, 2, 3, and 4	X Submit a petition for a full or partial leave of absence during period of candidacy <u>and/or</u> X Submit a petition demonstrating that becoming a candidate for this public office will not create a conflict of commitment
<u>A full-time</u> EHRA employee seeking authorization to: <input type="checkbox"/> Occupy a full-time public office	<input type="checkbox"/> Parts 1 and 3	<input type="checkbox"/> Submit a petition for a full leave of absence (for up to two years) for the time during which you will hold public office
<u>A full-time</u> EHRA employee seeking authorization to: <input type="checkbox"/> Occupy a part-time public office for which compensation is more than nominal <input type="checkbox"/> Occupy a seat in the NC General Assembly	<input type="checkbox"/> Parts 1, 2, 3, and 4	<input type="checkbox"/> Submit a petition for a full or partial leave of absence during time in office <u>and/or</u> <input type="checkbox"/> Submit a petition demonstrating that holding this public office will not create a conflict of commitment
<u>A part-time</u> EHRA employee seeking authorization to: <input type="checkbox"/> Occupy a full-time public office <input type="checkbox"/> Occupy a seat in the NC General Assembly	<input type="checkbox"/> Parts 1, 2, 3, and 4	<input type="checkbox"/> Submit a petition for a full or partial leave of absence during time in office <u>and/or</u> <input type="checkbox"/> Submit a petition demonstrating that holding this public office will not create a conflict of commitment
<u>A part-time</u> EHRA employee seeking authorization to: <input type="checkbox"/> Occupy a part-time public office for which compensation is more than nominal	<input type="checkbox"/> Parts 1 and 5 <input type="checkbox"/> Part 3 required only if requesting leave <input type="checkbox"/> Part 4 required only if directed by president or chancellor	<input type="checkbox"/> Promptly file with your supervisor a written statement of the amount of any payments to which you would be entitled as a candidate or officeholder <u>and</u> <input type="checkbox"/> If directed by the president or chancellor, submit a petition demonstrating that holding this public office will not create a conflict of commitment

University of North Carolina System
Petition Regarding Political Activity

SECTION B: PETITION INFORMATION

Petitioner's Name:	Curtis Hudson Allen III
Petitioner's Institution:	School of Government, UNC Chapel Hill

1. NATURE OF PETITION

<input checked="" type="checkbox"/> New Petition	<input type="checkbox"/> Supplement/Amendment to a previously submitted Petition
--------------------------------------------------	----------------------------------------------------------------------------------

UNC Position Title	
---------------------------	--

Petitioner's UNC Appointment Type

<input type="checkbox"/>	9-Month Faculty
<input checked="" type="checkbox"/>	12-Month Faculty
<input type="checkbox"/>	Senior Academic and Administrative Officer, Tier I
<input type="checkbox"/>	Senior Academic and Administrative Officer, Tier II
<input type="checkbox"/>	Other EPA Non-faculty appointment

Petitioner's Full/Part Time Status

<input checked="" type="checkbox"/>	Full-Time (at least ¾ time or 9 months)
<input type="checkbox"/>	Part-Time (less than ¾ time or 30 hrs/wk)

Public Office Title	Associate Justice of the Supreme Court of North Carolina
----------------------------	----------------------------------------------------------

Public Office Type (as defined in Section A)

<input checked="" type="checkbox"/>	Full-Time Public Office
<input type="checkbox"/>	Member of General Assembly
<input type="checkbox"/>	Part-time public office with compensation exceeding \$10,000
<input type="checkbox"/>	Part-time public office with compensation not exceeding \$10,000

Activity Type (check all that apply)

<input checked="" type="checkbox"/>	Campaign for Public Office
<input type="checkbox"/>	Occupy a Public Office

2. DESCRIPTION OF DUTIES AND WORK SCHEDULE (Supplemental information may be attached to this Petition.)

Petitioner's University Duties (Provide a breakdown of the percent of time dedicated to assigned work duties assuming a 40-hour work week unless regularly schedule to work fewer hours per week. Examples of categories include teaching and grading, instructional preparation, mentoring/advising students, supervision of staff, research and writing, University committees or service, external committees or service, fundraising, or other project/program management.)

Since 11 January 2021, I have been on an unpaid leave serving as General Counsel for the NC Administrative Office of the Courts. My unpaid leave of absence will last through 31 December 2022, that is, until after next year's primary election (8 March 2022) and general election (8 November 2022). Consequently, I will not be performing any University duties during the period covered by this petition.

University of North Carolina System
Petition Regarding Political Activity

Petitioner's Name:	Curtis Hudson Allen III
Petitioner's Institution:	School of Government, UNC Chapel Hill

Petitioner's Assigned Work Schedule (Even if not regularly defined, indicate all key obligations that are on a set schedule.)

Since 11 January 2021, I have been on unpaid leave serving as General Counsel for the NC Administrative Office of the Courts. My unpaid leave of absence is scheduled to last through 31 December 2022, that is, until after next year's primary election (8 March 2022) and general election (8 November 2022). Consequently, I will not have a University work schedule during the period covered by this petition.

Campaign Activities (Provide a description of campaign activities, including types of campaign events, meetings with constituents and campaign staff, travel time for such meetings, or other expected activities.)

Because I am already on unpaid leave, my campaign activities will not interfere with any University duties that I would otherwise have. Most campaign events involve speaking at party meetings or to community groups after work or on the weekends. There are also meetings with potential donors at various locations around the state. Significant time is devoted to contacting potential donors and preparing campaign correspondence.

Expected Time Commitments for Campaigning (Include beginning and end dates for campaign, dates/times of all key obligations known or anticipated, expected average hours per work week, particularly hours that would fall within the petitioner's assigned work schedule.)

The filing period for my race will open on 6 December 2021. (I formed a candidate committee earlier this year in accordance with state law. At that time, after consulting with my Dean, I did not believe that a Petition Regarding Political Activity was necessary because I was already on unpaid leave serving as General Counsel for the NC Administrative Office of the Courts.) My unpaid leave of absence is scheduled to last through 31 December 2022, that is, until after next year's primary election (8 March 2022), and general election (8 November 2022). Consequently, none of my campaign activities will fall within an assigned University work schedule.

Public Office Duties (Provide a description of the duty requirements for the public office, including meetings with constituents, travel time, standing committee obligations, or other expected service requirements.)

The seven justices of the NC Supreme Court constitute our state's highest tribunal. They hear appeals from the NC Court of Appeals and, in a few instances, directly from the state's trial courts. The NC Supreme Court has the final word on the interpretation of state law. On matters of federal law, the only appeal from a decision of the NC Supreme Court is to the Supreme Court of the United States. The justices spend most of their time researching and writing their decisions. They ordinarily hold court in Raleigh.

Expected Time Commitments for Holding Office (Include beginning and end dates of term, dates/times of all key obligations known or anticipated, expected average hours per work week, particularly hours that would fall within the petitioner's assigned work schedule.)

University of North Carolina System
Petition Regarding Political Activity

Petitioner's Name:	Curtis Hudson Allen III
Petitioner's Institution:	School of Government, UNC Chapel Hill
If I am elected to the NC Supreme Court, my eight-year term of office will begin on January 1, 2023, and end when my successor is sworn in, likely on January 1, 2031. It is a full-time position. I anticipate resigning my faculty appointment if I am elected.	

3. LEAVE REQUEST

<input type="checkbox"/>	No leave requested.
<input checked="" type="checkbox"/>	Full leave of absence (Required if full-time employee occupying a full-time public office, not to exceed two years.)
<input type="checkbox"/>	Partial leave of absence (Approval of scope and duration are at the discretion of the Petitioner's institution.)

Describe the proposed work schedule, including total hours per work week. Provide the time frame for the absence, using specific dates as often as practicable. Clarify if this leave or reduced schedule is being requested intermittently or continuously.

--

4. ATTESTATION OF NO CONFLICT OF COMMITMENT

Explain why the proposed campaigning and/or office-holding does not create a conflict of commitment with your University duties. If requesting a partial leave of absence, clarify what duties you propose to eliminate or reduce, if any, during this period. Please note that the Board of Governors do not permit partial leave of absence or full leave of absence for a portion of a semester that adversely would affect the instructional services available to students, (for example, substituting another instructor for the petitioner to teach a course for a portion of the academic term.)

The proposed campaigning does not create a conflict of commitment with my University duties because (1) I am requesting a full leave of absence and (2) I am already taking a full leave of absence to serve as General Counsel for the NC Administrative Office of the Courts.

University of North Carolina System
Petition Regarding Political Activity

Petitioner's Name:	Curtis Hudson Allen III
Petitioner's Institution:	School of Government, UNC Chapel Hill
5. PAYMENT FOR PUBLIC OFFICE	

Indicate the amount of any payments you would be or are entitled to as a candidate for or officeholder of this public office.

Other than reimbursement for campaign expenses, I am not entitled to any payments as a candidate. The annual salary of a new associate justice of the NC Supreme Court is \$156,664.

SECTION C: SIGNATURE OF PETITIONER

I hereby certify that all information submitted on this Petition and any supporting documentation provided is true, complete to the best of my knowledge and belief, and filed in good faith.

/s/ Curtis Hudson Allen III

3 September 2021

Petitioner's Signature

Date

SECTION D: REVIEW AND DECISION

This petition will be reviewed and a decision will be made pursuant to Section 300.5.2 of the UNC Policy Manual.

If the Petition is in regard to a minor public office (or, for a part-time employee, for a part-time public office with compensation less than \$10,000), then only supervisory receipt is required and no further action is necessary. However, if the president (with respect to senior academic and administrative officers (SAAO) and employees of the UNC System Office) or the chancellor (with respect to other employees of the constituent institution, other than SAAOs) believes that a material conflict of commitment may exist in a particular case, the president or the chancellor may direct this petitioner to complete the attestation of no conflict of commitment, and the chancellor (or president) would submit the petition either to the Board of Governors or the appropriate board of trustees for resolution.

Petitions by SAAOs, and by any other employee if the petition concerns candidacy and office-holding in the General Assembly, shall be addressed to and resolved by the Board of Governors, shall be transmitted through the president, and shall be accompanied by a recommendation from the Petitioner's chancellor, if applicable. If the petition pertains to a chancellor, it shall be accompanied by a recommendation of the board of trustees of the chancellor's institution.

Petitions by University employees other than SAAOs, with the exception of petitions concerning candidacy and office-holding for the General Assembly, shall be addressed to and resolved by the appropriate board of trustees and shall be transmitted through the chancellor. 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.

SIGNATURES (if required)

Michael Smith

10/27/2021

Petitioner's Supervisor

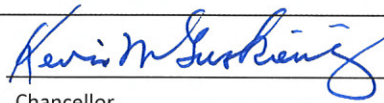
Date

Board of Trustees

Date

University of North Carolina System
Petition Regarding Political Activity

Petitioner's Name:	Curtis Hudson Allen III
Petitioner's Institution:	School of Government, UNC Chapel Hill



Chancellor

10-26-21
Date

Board of Governors

Date

President

Date



October 27, 2021

Dear Committee Members:

At the end of 2020, School of Government tenured faculty member Trey Allen requested a leave of absence to serve as General Counsel for the Administrative Office of the Courts. I am generally supportive of this type of leave because the practical experience gained working so closely with a government agency is a significant value-add to the faculty member's expertise and future work with the School. I approved his request without hesitation.

In early 2021, he contacted me to express his interest in dedicating some of his time while on leave to campaigning for judicial office. He explained his intent to resign his faculty position if he is elected. If he is not elected, he indicated his intent to return to the School's faculty.

I have appreciated Professor Allen's candor with me throughout this process. Because he is on leave and will not be campaigning in his role as a School of Government faculty member, there is no conflict and I support Professor Allen's petition.

Please let me know if you have questions or require additional information as you consider his petition.

Respectfully,

A handwritten signature in black ink that reads "Michael Smith". The signature is written in a cursive, slightly slanted style.

Dean Mike Smith
School of Government

M E M O R A N D U M

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

FROM: Charles Marshall

DATE: November 4, 2021

RE: Curtis Hudson Allen, III's Intention to Seek Election to the North Carolina Supreme Court

I am writing on behalf of Curtis Hudson Allen, III, Albert and Gladys Hall Coates Distinguished Term Associate Professor of Public Law and Government. Mr. Allen intends to seek election to the North Carolina Supreme Court and, if elected, to serve as an Associate Justice. It is important to note that Mr. Allen is currently on approved, full, unpaid leave through December 2022 serving as General Counsel for the North Carolina Administrative Office of the Courts. Therefore, he would not be performing any University duties during the period covered by his petition.

Board of Governors Policy 300.5.1, entitled "Political Activities of Employees," establishes requirements for University employees who wish to campaign for public office. In general, the policy requires that, before an employee announces his or her candidacy for a public office that is full-time, Board of Trustees' approval is required. The employee is directed to initiate a petition submitted to the Board of Trustees for its consideration and approval. The Board of Trustees' decision will then be forwarded to the Board of Governors for its information.

Please find an attached petition packet from Mr. Allen including:

- (i) Detailed information from Mr. Allen outlining (1) his current leave of absence which lasts through the duration of any primary and general election for the elected position he now seeks and (2) his intention to resign from University employment if he is elected; and
- (ii) A letter from Mr. Allen's supervisor, Mike Smith, Dean of the School of Government, supporting Mr. Allen's intention to seek election to the North Carolina Supreme Court and, if elected, to serve as an Associate Justice.

I propose that Mr. Allen be permitted to run for election to the North Carolina Supreme Court under his approved leave of absence through December 2022.

**THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL
BOARD OF TRUSTEES**

PROCEDURES FOR APPEALS

ADOPTED NOVEMBER 2015

AMENDED [JULY 2016](#), JANUARY 2020, [NOVEMBER 2021](#)

I. INTRODUCTION

This document establishes procedures to be followed where, pursuant to University policy, a party has the right to an appeal to the Board of Trustees (“the Board”). These procedures are supplemental to substantive policies providing the right to appeal, and in the event of any discrepancy between such policies and these procedures, the provisions of the policies will take precedence.¹ Matters covered by these procedures include the following:

Student Matters

1. Appeals pursuant to the Instrument of Student Judicial Governance (“Instrument”) by students who have been suspended or expelled from the University and who allege a violation of due process or a material deviation from Substantive and Procedural Standards adopted by the Board of Governors.²
2. Appeals pursuant to section IV.~~JK~~.2. of the Procedures for Reporting and Responding to Complaints of Discrimination, Harassment, and Related Misconduct Involving a Student as the Responding Party (“Discrimination, Harassment and Related Misconduct Procedures”) [and appeals involving a student subject to suspension or expulsion pursuant to section IV.D. of the Procedures for Addressing Prohibited Sexual Harassment Under Title IX \(“Title IX Procedures”\)](#).

Faculty and EHRA Non-Faculty Employee Matters

1. Appeals pursuant to Step Four Review of the University’s EHRA Non-Faculty Grievance Policy.
2. Appeals pursuant to the Procedures for the Faculty Grievance Committee.
3. Appeals pursuant to section 8 of the Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill (“Tenure Policy”).

Matters Involving Faculty, Staff or Students

Appeals regarding ownership of copyrighted works pursuant to the University Copyright Policy.

¹ In the event of any conflict between these procedures and applicable law (including associated regulations), applicable law governs.

² See Chapter 100.1, section 502D of the UNC System Policy Manual (“Section 502D”).

II. PROCESS FOR APPEALS TO THE BOARD

A. Submission of an Appeal

Appeals to the Board must be submitted in writing to the Chair of the Board through the Office of the Chancellor and must specify the basis for the appeal and, as required by policy or procedure or as requested by the Board, must include any supporting facts or documents upon which the Appellant bases the appeal. Except as otherwise provided for by the applicable policy, the appeal petition must be submitted within fourteen (14) calendar days of delivery of the letter communicating the result of the prior appellate review.

In consultation with the Office of University Counsel, the Chair³ will review the appeal petition to determine if there is a valid basis for appeal under the policy or procedures creating the right to appeal. If the Chair determines that there is no valid basis for appeal, the Chair will notify the Appellant in writing, the Board will take no further action on the appeal, and the prior decision will stand.

If the Chair determines there is a valid basis for appeal, the Chair will notify the Appellant in writing and specify whether any of the grounds alleged by the Appellant have been deemed invalid for appeal. The Chair will also notify the University official responsible for the decision at issue, as well as any additional Appellee.

For purposes of these procedures, the University official responsible for the decision at issue will be deemed an “Appellee” where the policy providing the right to appeal requires that official to respond to the appeal petition or where the Board deems it helpful for that official to do so. In appeals pursuant to the Discrimination, Harassment and Related Misconduct [or Title IX](#) Procedures, the Chair will notify any other party to the decision of the decision that the appeal petition states a valid basis ~~f~~for appeal. That person will also be considered an “Appellee” under these Procedures.

Upon request from the Chair, an Appellee will have fourteen (14) calendar days from delivery of the Chair’s decision that the petition states a valid basis for appeal to submit a written response to the Chair. The Appellee’s written response must address the grounds deemed valid for appeal by the Chair and specify all supporting facts or documents on which the Appellee bases the response.

As permitted by applicable policy and procedure, any time period requirements imposed under this Section II.A. may be extended upon good cause shown, as determined in the discretion of the Chair, through written application to the Chair.

B. Review of an Appeal

³ The Chair may appoint a designee. References to the “Chair” in these Procedures include the Chair’s designee in such cases.

Following the determination that the appeal petition states a valid basis for appeal, the Chair will appoint a three (3) person panel of the Board (“the BOT Panel”) to consider the appeal. The BOT Panel will consider the appeal at the BOT Panel’s earliest convenience, but in general will consider the appeal within sixty (60) days from receipt of all appeal materials (including personal testimony, if requested). In the event of a delay in considering the appeal, the BOT Panel will communicate in writing with the parties about the extension and provide a revised timeframe for consideration of the appeal.

The BOT Panel’s review will be based upon the record provided to the Board by the relevant University committee or office, in addition to the appeal petition submitted by the Appellant and any response submitted by the Appellee(s).

Where permitted by applicable policy or procedure, the BOT Panel may determine it is important to receive personal testimony in addition to the existing record in order to decide the specific issue(s) on appeal. In such instances, the BOT Panel may request the presence of the Appellant or Appellee(s), or any other person who can provide testimony relevant to the issues on appeal.⁴ Such testimony will be limited to matters relevant to the issues on appeal.

When requested by the BOT Panel, an individual may appear before the BOT Panel in person, by videoconference, or by phone. A party may be accompanied by legal counsel, who may make a brief opening statement to the BOT Panel in support of the party’s position on appeal. Unless required by applicable law (including associated regulations), attorneys will not be allowed to otherwise participate in the process. The BOT Panel Chair will have discretion to control the conduct of the appeal proceedings, including the imposition of such deadlines as are necessary and appropriate, and may limit or exclude testimony when deemed redundant or irrelevant.

C. Decision of the Board

1. For faculty appeals of **discharge, serious sanction, nonreappointment, or termination** decisions under Section 8 of the **Tenure Policy**, the BOT Panel will issue a recommended decision to the Board, which may be in the form of a written memorandum to the Board or may be communicated orally to the Board by the BOT Panel Chair. The Board will have access to the record in the matter. If a majority of the Board members in attendance vote to accept the BOT Panel’s recommendation, the BOT Panel’s recommended decision will be deemed the decision of the Board. If a majority of the Board members present vote against the BOT Panel’s recommendation, the Board will issue an alternate decision.

If the Board finds for the Appellant based on the standards of review set by applicable policy or procedure⁵, it may remand the matter to the Chancellor to provide for a new hearing or a supplemental review inquiry. In the event the Board decides to remand the

⁴ Where required by applicable law (including associated regulations), the Board must provide an equal opportunity for both parties to provide testimony, present evidence, and have equal and timely access to materials that will be used in the appeal.

⁵ If no standard is set by applicable policy or procedure, the Board may find for the Appellant only if the Appellant can show that, in reaching the decision under review, the individual or committee making that decision committed **clear and material error**.

case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.

2. For appeals pursuant to the **Faculty Grievance Procedures**, a designated committee of the BOT may issue a decision on behalf of the Board. The Board may find for the Appellant only if the Appellant can show that the Chancellor's decision was clearly erroneous, violated applicable federal or state law or University policies or regulations, or that the process used in deciding the grievance was materially flawed.

The Board will decide whether to remand the case to the Grievance Committee or to recommend other corrective action if the alleged violation cannot be corrected through remand. In the event the Board decides to remand the case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.

3. For all other appeals covered by these Procedures, the BOT Panel will issue a decision on behalf of the Board. The Board may find for the Appellant only if the Appellant can show that, in reaching the decision under review, the individual or committee making that decision committed **clear and material error**. If the Appellant is unable to satisfy this burden, the Board must affirm the prior decision. In the event the Appellant meets the burden of proof, the Board will proceed as described below.
 - a. **Instrument**⁶ – The Board will decide whether to remand the case for a new Honor System hearing or to dismiss the charge if the alleged violation cannot be corrected through remand. In the event the Board decides to remand the case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.
 - b. **Procedures Pursuant to the Policy on Prohibited Discrimination, Harassment, and Related Misconduct and Procedures for Addressing Prohibited Sexual Harassment Under Title IX** – The Board will decide whether to remand the case to the Hearing Panel or to dismiss the charge if the alleged violation cannot be corrected through remand. In the event the Board decides to remand the case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.
 - c. **EHRA Non-Faculty Grievance Procedures** – The Board will decide whether to remand the case to the Grievance Committee or to recommend other corrective action if the alleged violation cannot be corrected through remand. In the event the Board decides to remand the case, the Board may provide, as appropriate, guidance regarding the recommended scope of the remand.
 - d. **Copyright Policy** – The Board will remand the matter to the Provost and Vice Chancellor for Research to implement such clarification of copyright ownership as is appropriate to the circumstances.

⁶ Absent a determination to the contrary by the Chair of the Board of Trustees, the Student Body President must exercise self-recusal from consideration and determination of any appeal before the Board arising under the Instrument or any appeal under the Discrimination, Harassment, and Related Misconduct Procedures that involves a student.

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4. The decision of the Board will be communicated simultaneously to all parties in writing and will state the Board's findings, its determination, and its rationale.

III. NOTICES AND TIMING

In general, notices and communications under these Procedures may be transmitted via electronic, campus, or first-class mail. Where required, the notice or communication will be transmitted by a method that requires a signature for delivery as specified in *The Code of the University of North Carolina* and accompanying regulations.

Where it is not possible to use the method of delivery specified in applicable policy or procedure, the Board will send the notice or communication via any other means reasonably designed to reach the intended recipient. Failure or refusal of an individual to sign or confirm delivery does not invalidate receipt of the notice or communication.

Absent evidence to the contrary, receipt will be deemed to occur on the third calendar day after issuance of the notice or communication.

IV. FURTHER APPEALS

The Board's decision is the final University decision in all cases.

V. REFERENCES

The Instrument of Student Judicial Governance – <https://studentconduct.unc.edu/wp-content/uploads/2021/05/Instrument.pdf> <https://facultyhandbook.unc.edu/wp-content/uploads/sites/15431/2018/02/Instrument.pdf> https://studentconduct.unc.edu/sites/studentconduct.unc.edu/files/documents/Instrument_1.pdf

Procedures for Reporting and Responding to Complaints of Discrimination, Harassment, and Related Misconduct Involving a Student as the Responding Party – <https://eoc.unc.edu/wp-content/uploads/sites/201/2020/08/8.21.2020-PPDHRM-Student-Procedures-with-Title-IX-1.pdf> https://eoc.unc.edu/files/2015/07/UNCCH_Procedures_for_Students_as_the_Responding_Party-PPDHRM.pdf

EHRA Non-Faculty Employees Dispute Resolution & Grievances – <https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=131736> <https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=131736> <https://unc.policystat.com/policy/4483428/latest/>

Procedures for the Faculty Grievance Committee – <https://facultygov.unc.edu/procedures-for-the-faculty-grievance-committee/> <https://facultygov.unc.edu/committees/elected-committees/faculty-grievance-committee/procedures-for-the-faculty-grievance-committee/> <http://facoun.unc.edu/faculty-code-and-policies/procedures-for-the-faculty-grievance-committee/>

Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill – <https://academicpersonnel.unc.edu/wp->

[content/uploads/sites/1069/2020/02/UNC-Chapel-Hill-Tenure-Policies-and-Procedures.pdf](#)
<https://academicpersonnel.unc.edu/wp-content/uploads/sites/1069/2020/02/UNC-Chapel-Hill-Tenure-Policies-and-Procedures.pdf><https://facultygov.unc.edu/files/2018/10/2018-11-15-Trustee-Policies-and-Regulations-Governing-Academic-Tenure.pdf>

Chapter 100.1, sections 502D, 603, 604, 607, 611 of the UNC System Policy Manual –
https://www.northcarolina.edu/apps/policy/index.php?tab=policy_manual

The Copyright Policy of the University of North Carolina at Chapel Hill –
<https://policies.unc.edu/TDClient/2833/Portal/KB/ArticleDet?ID=132138>
<https://unc.policystat.com/policy/6197184/latest/>

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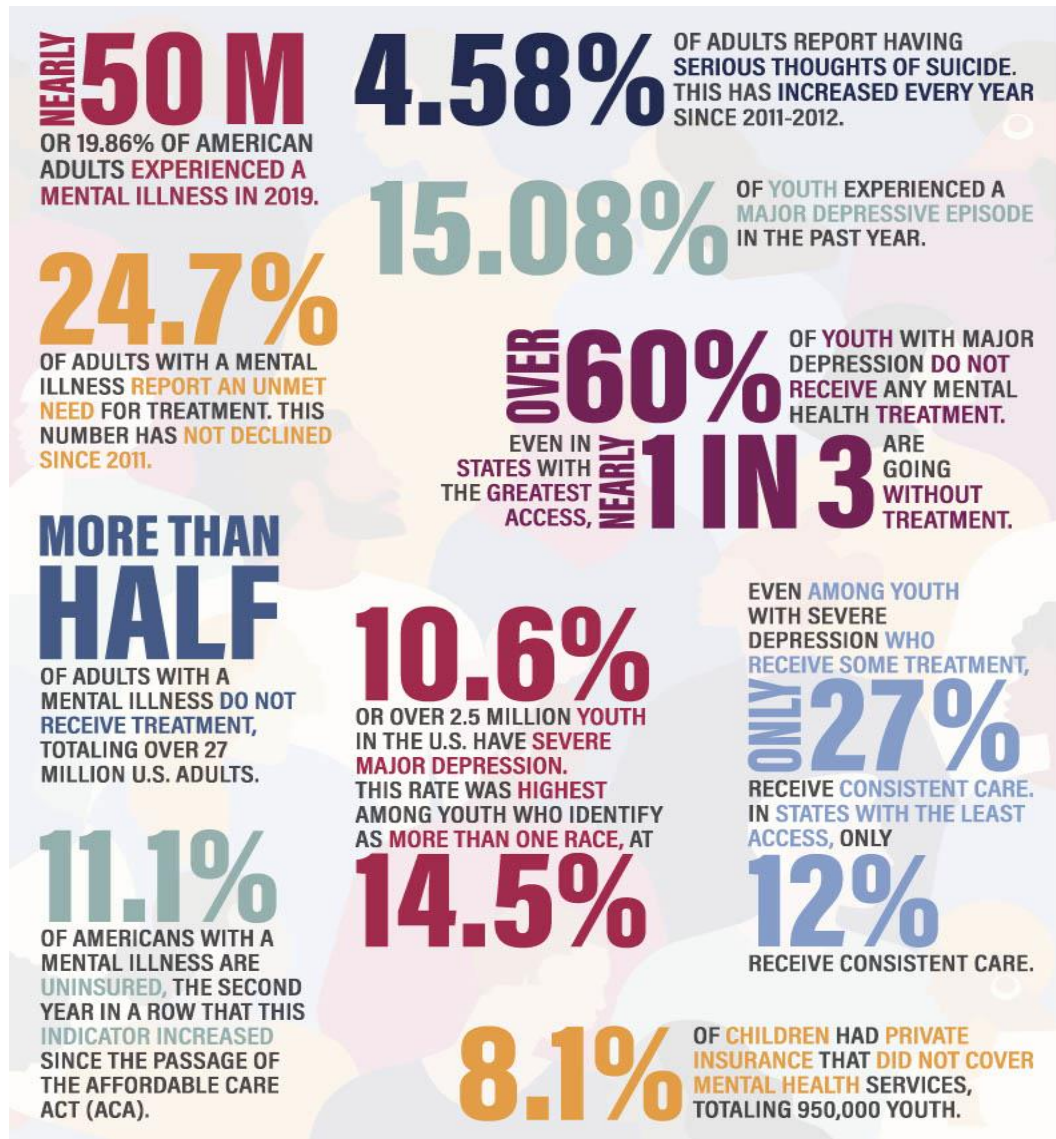
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A photograph of three female graduates in blue gowns and white stoles, standing on a stone step and throwing their blue graduation caps into the air. They are smiling and looking upwards. In the foreground, the back of a person's head with dark hair in a ponytail is visible on the left, and a person wearing a yellow and black patterned shirt is partially visible on the right. The background features a row of white classical columns and lush green trees under bright daylight.

Board of Trustees Student Mental Health and MH Summit

SAMANTHA MELTZER-BRODY AND AMY JOHNSON
NOV. 4, 2021

MENTAL HEALTH IN THE U.S.



Scope of National Mental Health Crisis

- Mental health needs in the U.S. have gone unchecked for years
- Pandemic has markedly worsened mental health of youth
- Mental health concerns among high school to college-aged students have more than tripled in the last year
 - 24.7% of adults with a mental illness report an unmet need for treatment
 - More than 2.5 million youth (10.6%) have severe major depression
 - 15.7% of youth experienced a major depressive episode in the past year

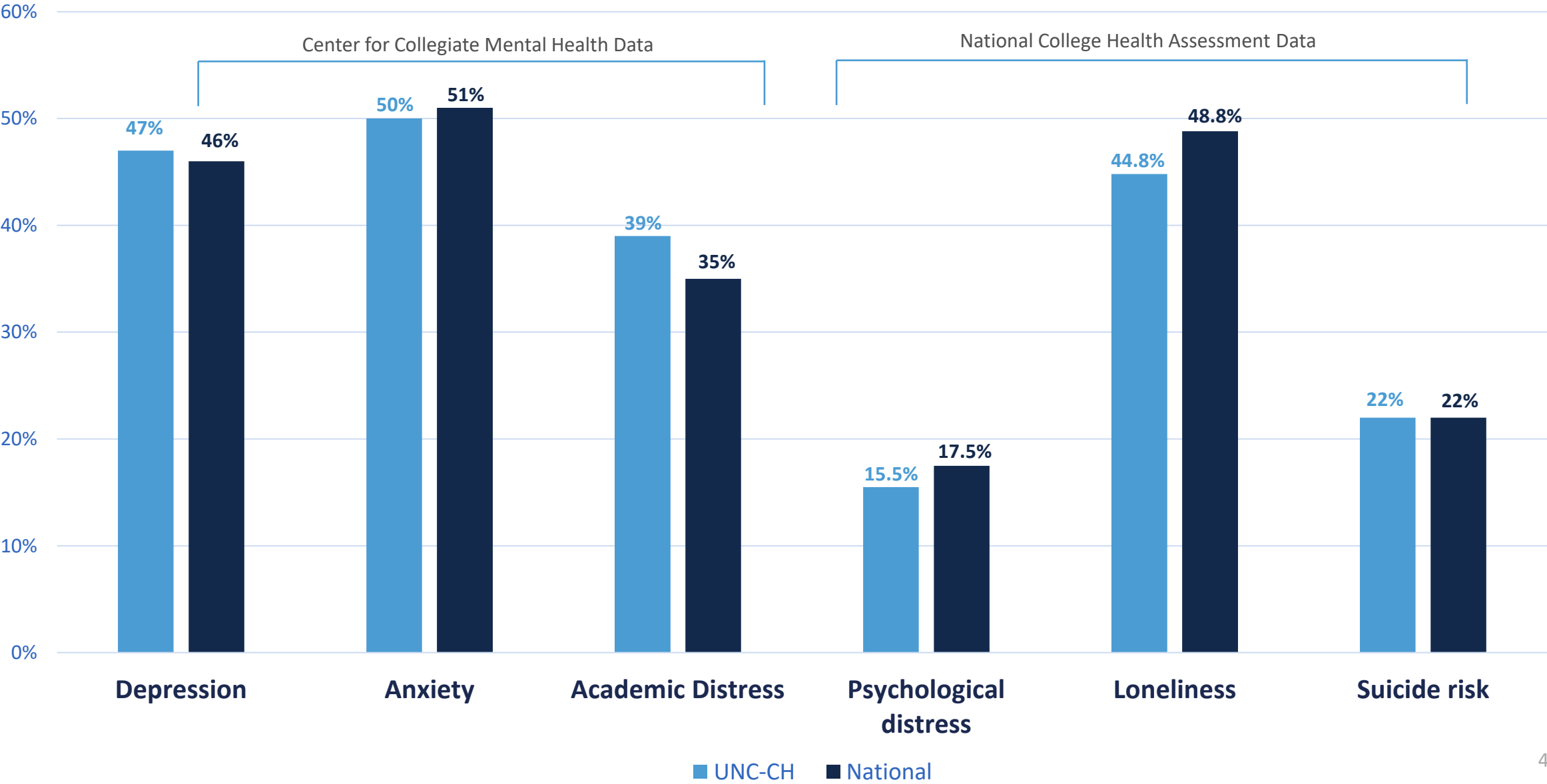
MENTAL HEALTH IN THE U.S.



Scope of National Mental Health Crisis, cont.

- University counseling centers are built on a “brief therapy” model; not equipped to respond to this level of need
- Scope of the current crisis requires a multi-faceted institutional approach that goes beyond basic counseling and requires new strategies for addressing demand and acuity

Mental Health at Carolina Similar to National Trends





Localized and Broad-Based Support

- **Campus Housing and CAPS counselors** provided immediate assistance on-site
- **Active outreach to communities directly involved** to connect with Dean of Students team, CAPS, and other resources
- **Community Support Centers** staffed by colleagues across campus offered a combination of group processing sessions and 1-1 support/referrals



Community Support Centers and Key Themes

- **Three key themes** emerged from these sessions, reinforcing themes from other channels
 - Need for “accessible anywhere” counseling
 - Need to evolve a “culture of care,” especially from faculty and instructors
 - Need for support with interpersonal connections and engagement with peers



Prevention and Postvention Plans

- **Launch Heels Care Network to facilitate culture of compassion and care at Carolina, allowing everyone to play a role**
- **Sign on as JED Campus**
- **Develop online tool for anonymous reporting of students of concern**
- **Expand mental health first aid and other related training to campus community**
- **Create Suicide Education and Awareness website**
- **Conduct assessment and benchmarking of best practices re: policies and protocols related to student deaths; make policies public and highly accessible**



CAPS Resources and More

- **24/7 access** to CAPS support
- **28 therapeutic groups** to address a variety of concerns
- **Psychotropic medication management** offered through CAPS and Campus Health Primary Care
- **Acute mental health support** during primary care visits
- **Embedded mental health providers** in academic departments
- Sports Medicine therapist hired specifically to **support varsity athletes of color**
- **Wellness coaching** offers stress management and self-care



CAPS Resources, cont.

- **Multicultural health program** with 4 post-MSW counseling positions dedicated to a combination of 1-1 and group counseling and outreach to identity groups and key constituencies
- **NEW! Telehealth contract with Uwill** to address students desire for more “accessible anywhere” counseling support



Summit Overview

- Day-long program on Mon., Nov. 15
- Content to educate, engage, and foster discussion among faculty, staff, and students
 - Student Voices session
 - Faculty/Staff Voices session
 - Parent Voices session
 - JED Foundation lunch presentation
 - Working group presentations
 - Prevention
 - Crisis
 - Campus Culture
- Discussions will help distill a set of recommended action items

Questions?

