

**Annual Report of the
COMMITTEE ON UNIVERSITY GOVERNMENT
For Presentation to the Faculty Council on
January 17, 2014**

Current Members:

Bruce Cairns, Surgery, School of Medicine (2015)
Jo Anne Earp, Health Behavior, School of Public Health (2014)
Connie Eble, English, College of Arts and Sciences (2016)
Joseph Ferrell, Secretary of the Faculty (ex officio)
Elizabeth Gibson, School of Law (2015)
Clayton Koelb, Germanic Languages, College of Arts and Sciences (2015)
Michael Lienesch, Political Science, College of Arts and Sciences (2014)
Vincas Steponaitis, Anthropology, College of Arts and Sciences (2016), chair

Annual Report prepared by: Vincas Steponaitis, chair. This report covers the period from January through December, 2013.

Committee Charge. The Faculty Code of University Government reads as follows:

“§ 4-19. Faculty Committee on University Government.

“(a) The Faculty Committee on University Government consists of seven members appointed by the chancellor. The secretary of the faculty serves as an ex officio member.

“(b) The committee is concerned with the continuing development, adaptation, and interpretation of The Faculty Code of University Government. Subject to the powers of the University’s Board of Governors and president, and of the Board of Trustees and the chancellor of the University of North Carolina at Chapel Hill, the Code represents legislation enacted by the faculty regarding forms of internal organization and procedures at this institution which are deemed necessary for its fair and effective operation.

“(c) The committee periodically reviews the existing Code and solicits suggestions for its improvement. Based on its review, the committee recommends appropriate amendments in the Code for consideration and vote of the General Faculty. As provided under Article 1 of the Code, the committee considers and reports on other proposals to amend the Code and also periodically makes appropriate adjustments of the elective representatives in the Faculty Council. The committee considers and reports on special questions of University governance which are referred to it by the chancellor or members of the faculty. The committee is especially concerned with maintaining internal forms and procedures of academic administration which reflect principles of democracy and equity, vision and adaptability, and quality and responsibility, toward achieving the intellectual aims of the University.”

Report of Activities.

Resolutions Presented and Adopted. The committee presented two resolutions at the Faculty Council meeting of January 11, 2013:

- * On Amending the Faculty Code of University Government to Change the Functions of Divisions and Divisional Officers in the College of Arts and Sciences, and to Update the Composition of the Divisions (Resolution 2013-2), and
- * On Amending the Faculty Code of University Government to Clarify Term Limits for Elective Committees (Resolution 2013-3).

The first eliminated the legislative role of the College's divisions (which had long since been inactive) , and the second stipulated that partial terms of less than two years do not count when calculating term limits under the Code. Full details can be found in last year's report. Both resolutions passed on the first reading, and were adopted without dissent at the second reading on February 8, 2013.

Ongoing. This year we looked at three different matters pertaining to the Code.

First, at the request of Diane Juffras, chair of the Faculty Hearings Committee, we considered (1) whether this committee was large enough to effectively carry out its duties, and (2) whether the current charge spelled out the chair's duties with sufficient clarity. These discussions culminated in Resolution 2014-1, which is further described in Appendix 1.

Second, Jan Boxill, Chair of the Faculty, asked us to consider whether the Advisory Committee on Undergraduate Admissions (ACUA) should be elected, rather than appointed by the Chancellor as the Code currently stipulates. We met and discussed this issue at length with Bobbi Owen (chair of ACUA), Steve Farmer (Director of Undergraduate Admissions and ex officio member of ACUA), and Layna Mosley (ACUA member and chair of the Committee on Special Talent, which aids ACUA in its work). In the end, we unanimously decided not to recommend a change in the Code. All those we interviewed agreed that ACUA works very effectively as an appointed committee. We also noted that ACUA's duties are comparable to those of many other standing committees that are appointed, rather than elected. Thus, we saw no compelling reason to propose an amendment.

Third, we received a suggestion that a position on the Chancellor's Advisory Committee be reserved for a retired faculty member, in either an elected or ex officio slot. After due deliberation, our consensus was against recommending any such change to the Code. We felt strongly that standing committees such as this one should be populated by current faculty, and that the size of the Chancellor's Advisory Committee should not be increased.

New Business.

Resolutions Presented. The committee presents today the following resolution:

Resolution 2014-1. On Amending the Faculty Code of University Government to Enlarge the Faculty Hearings Committee and to Clarify the Duties of its Chair.

The rationale for this resolution is provided in the appendix that follows.

Respectfully submitted,
Committee on University Government

Appendix 1

Report of the Committee on University Government on Resolution 2014-1.

The Faculty Hearings Committee exists to hold hearings when personnel decisions affecting faculty members are appealed. This committee's work is governed by the "Trustee Policies and Regulations Governing Academic Tenure in the University of North Carolina at Chapel Hill," which can be found at <<http://policy.sites.unc.edu/files/2013/04/tenure.pdf>>. Appeals on matters involving the suspension, demotion, and discharge of faculty must be heard by panels of at least five committee members (§ 3.b.4). Appeals involving non-reappointment of untenured faculty must be heard by panels of at least three members (§ 4.d).

The committee currently operates with six elected members. According to the committee's chair, this number is insufficient to allow her to schedule hearings in a timely way after appeals are filed, because members often have conflicting schedules, go on research leave, and have many other demands on their time. The proposed change to paragraph (a) addresses this problem by increasing the number of committee members to nine.

The committee's chair also noted an ambiguity in the current Code on whether each hearing must be conducted by all available members, even if that number is greater than the minimum stipulated by the Trustee Policies. The proposed change to paragraph (b) resolves this ambiguity by explicitly giving the chair authority to decide who serves on each panel, subject only to the constraints in the governing document.

Resolution 2014-1. On Amending the Faculty Code of University Government to Enlarge the Faculty Hearings Committee and to Clarify the Duties of its Chair.

The General Faculty enacts that § 4-9 of the Faculty Code of University Government is amended as follows (deletions are crossed out, additions are underlined):

§ 4-9. Faculty Hearings Committee

(a) The Faculty Hearings Committee is composed of ~~six~~ nine faculty members elected by the voting faculty. Members must hold permanent tenure when elected.

(b) The committee performs functions assigned to it in the Trustee Policies and Regulations Governing Academic Tenure. For each hearing, the committee's chair assigns members to a panel in conformance with the provisions of that document.