

UNC-Chapel Hill Office of Faculty Governance

Meeting of the Faculty Council and the General Faculty

Friday, September 14, 2007

3:00 p.m.

Hitchcock Multipurpose Room

Sonja Haynes Stone Center for Black Culture and History

Chancellor James Moeser and Faculty Chair Joseph Templeton presiding

AGENDA

3:00 Welcome and Opening Remarks

- Chancellor James Moeser
 - Recognition of Hettleman Award Winners
 - Recognition of Winston Crisp, Assistant Vice Chancellor for Student Affairs
- Provost Bernadette Gray-Little

3:40 Resolution 2007-10. On Proposed Revisions to the Code of the Board of Governors Pertaining to Faculty Employment

- Presented by the Faculty Executive Committee

3:50 Resolution 2007-11. On Smoking on Campus

- Presented by the Faculty Executive Committee

4:00 An Introduction to UNC Health Care and the UNC School of Medicine

- William L. Roper, Dean of the School of Medicine and CEO of UNC Health Care

4:45 Discussion: Faculty Council Work Plan for 2007-08

- Chair of the Faculty Joe Templeton

5:00 Adjourn

The University of North Carolina at Chapel Hill



UNC-Chapel Hill Office of Faculty Governance

Resolution 2007-10. On Proposed Revisions to the Code of the Board of Governors Pertaining to Faculty Employment

Presented by the Faculty Executive Committee

Section 1. The Faculty Council of the University of North Carolina at Chapel Hill acknowledges publication of the Final Report of the Code 603/604 Review Committee, dated June 22, 2007, and respectfully requests that implementation of its recommendations not take place before January 1, 2008, to the end that the Council and other appropriate committees of the faculty of the University of North Carolina at Chapel Hill might have adequate time to evaluate the implications of those recommendations for academic tenure and its administration at the school and departmental level in this institution, and to convey to the Executive Vice Chancellor and Provost and through her to the President and Board of Governors such commentary and recommendations as may be deemed appropriate.

Sec. 2. The Secretary of the Faculty is requested to transmit a copy of this resolution to the President of The University of North Carolina.

The University of North Carolina at Chapel Hill





THE UNIVERSITY OF NORTH CAROLINA
AT
CHAPEL HILL

Joseph L. Templeton
Department of Chemistry
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CB#3290, Venable and Kenan Laboratories
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August 14, 2007

Dr. Brenda Killingsworth, Chair
UNC Faculty Assembly

Dear Brenda,

In response to your request for input concerning proposed code changes, I want to convey concern about the proposed changes in faculty discharge procedures. An accurate summary statement would be that the document proposes fundamental changes that marginalize tenure in our system. Our faculty executive committee felt that the scope of the revisions wandered far afield from the charge to the committee.

There are some improvements contained in the revisions, with the process streamlined by some changes and with the clarity of actions improved in other instances. Nonetheless, the major impact of the proposed changes is negative and revolves around post tenure review.

The adjective "strengthen" is used in the charge to the committee, a word that is subject to a wide range of interpretations. "Clarify and streamline" would be less ambiguous than strengthen and streamline, but perhaps the adjective "strengthen" was carefully chosen to either allow or encourage expansion of the basis for faculty dismissal. Note that the report of the committee includes a strange sentence concerning process when it concludes that "active committee members are unanimous" since the definition of active is ambiguous; this point is probably unimportant, but it reflects the tenor of the document that makes faculty uneasy with respect to the role the few faculty on the committee played in generating the recommendations.

Adding "unsatisfactory performance" to the list of three reasons for discharge of faculty seems either redundant or else subversive with regard to the integrity of our tenure system. The elevation of annual and post tenure reviews to the point of impacting employment for tenured faculty may appeal to individuals who work in a world where a boss sets the agenda each day, but in the academic world tenured faculty are free to set curricula and content, and that reality is undermined by post tenure performance review with punitive outcomes possible. Post tenure review should not become part of the formal code concerning faculty employment. To say that current post tenure review processes impose an undue burden and then propose sweeping changes that exacerbate exactly these problems seems disingenuous. Hopefully someone will champion the advantages of tenure in the academy to those to whom we report. It seems we are working on a corporate model of efficiency and effectiveness when the academic life is built on entirely different values that need to be retained or at least considered in the accountability efforts currently widespread at the system level.

The imposition of annual reviews culminating in post tenure packets feels like an effort to impose tenure evaluations repeatedly rather than at a single point in the career of a faculty member. Intuitively I can see how systematic reviews appeal to many, but for building a life centered on scholarship my view is that faculty are rewarded for professional productivity with tenure, a lifelong commitment on the part of the university and indeed a huge investment, but look at the bargain the university gets for the investment. Faculty invest insight, intelligence and effort during their most productive professional decades to build the quality of our enterprise, and they do so for incomes less than they would earn elsewhere. The attraction of having independence to pursue subjects at the frontiers is a benefit that needs to be retained in order to recruit the best and the brightest. Thus recommendations 8 - 11 are incompatible with the tenure system as I understand it at UNC-CH.

The second feature of this document that seems incompatible with faculty employment policies is the efficiency added by allowing at-will appointment of special faculty. Reasonable limits on the definition of "special" are hard to imagine. The next line mentions "non-paid adjunct faculty," but it is not clear if this is a definition of special, or whether the guidelines apply only to non-paid adjunct faculty or all adjunct faculty or whether discharge of a paid adjunct faculty member would require different guidelines. Recommendation 16 is problematic. Recommendation 20 refers to review of these changes and then summarizes them as consistent with shared governance and good management. This statement is misleading.

The faculty executive committee at UNC-Chapel Hill raised significant objections to the proposed code changes. The concerns of the faculty executive committee go beyond minor revisions and strike at the heart of the proposed changes which are seen as diminishing the status of tenure.

Sincerely,

Joe Templeton



THE UNIVERSITY
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at CHAPEL HILL

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Memorandum

To: The Faculty Council
From: Joseph S. Ferrell, Secretary of the Faculty
Subject: Proposed Amendments to the Code of the Board of Governors
Date: September 7, 2007

In November, 2006, Senior Vice President Harold Martin appointed a committee to review the portions of the Code of the Board of Governors dealing with various faculty and EPA discharge and appeal procedures. Later, the committee expanded its work to include the post-tenure review process. The committee comprised 12 members representing General Administration, campus provosts, campus legal staff, and campus faculty members. Of the three faculty members, only two participated actively in the committee's work.

The committee issued its final report on June 22, 2007. This memorandum summarizes the changes it proposes that would affect the UNC-Chapel Hill tenure regulations and post-tenure review policy. It does not address changes affecting EPA Non-Faculty personnel.

Grounds for discharge. The report recommends adding "unsatisfactory performance, including but not limited to multiple unsatisfactory post tenure reviews" as ground for discharge (now, the grounds are incompetence, neglect of duty, and misconduct of a nature indicating that the individual is unfit to continue as a faculty member). The reference to multiple post-tenure reviews apparently means the series of annual post-tenure reviews that follow an initial finding of unsatisfactory performance in a regular five-year review.

Suspension or demotion. The report recommends adding demotion in rank as a sanction for serious misconduct not so serious as to indicate unfitness to continue on the faculty (now, no mention of demotion in the BOG Code, but Chapel Hill tenure regulations do include such a provision).

Definitions.

Defines "incompetence" as failure to demonstrate requisite skills, knowledge, or ability in performing faculty responsibilities, including poor teaching or outdated knowledge of subject matter (now, no explicit definition of this term).

Defines "neglect of duty" as failure to perform faculty duties due to deliberate act, unwillingness, or insufficient attention (now, no definition of this term).

Defines "unsatisfactory performance" as "inadequate performance," including results "less than satisfactory" on the newly-required cumulative review under the revised post-tenure review policy.

Defines "misconduct" as violation of law, policy, professional expectations, or ethics, or anything involving dishonesty or moral turpitude (now, no definition of this term).

Notice of intent to discharge. Requires that the initial notice of intent to discharge include a statement of the reasons (now, no statement of reasons is required, but the faculty member has up to 10 days to request one).

Conduct of discharge hearing. Provides that a discharge hearing must be concluded within 90 days after the committee receives a request for a hearing from the faculty member (not including summer and winter breaks), but the chancellor may grant an extension for good cause shown (now, no time limit for completing the hearing phase).

Burden of proof. Makes it clear that the university has the burden of proof in a discharge hearing (now, no statement as to where the burden of proof lies but, by implication and practice, the burden rests on the institution) and directs that in evaluating the evidence, the committee shall use the standard of preponderance of the evidence (which is the same as "greater weight of the evidence"). (Now, there is no definition of the burden of proof in discharge hearings.).

Appeal. Eliminates appeal to the board of trustees in discharge proceedings and provides that appeals go directly to the Board of Governors (now, appeal goes to the trustees and then to the BOG).

"Special faculty" appointments. Adds a provision that would permit appointment of visiting faculty, adjunct faculty, or other special categories such as lecturers, artists-in-residence, or writers-in-residence on at "at-will" basis (now, all fixed-term faculty are appointed for a specified term, usually not less than one year).

Impermissible grounds for non-reappointment (tenure-track). Adds "color" and "creed" as impermissible grounds for a decision not to reappoint a tenure-track faculty member, but does not add "sexual orientation" (this would not require UNC-Chapel Hill to reverse its earlier decision to add sexual orientation as an impermissible ground).

Purposes of post-tenure review. Adds the following statements as purposes of post-tenure review: (1) to require comprehensive reviews on a regular and systematic basis; (2) to allow substitution of an administrative review if the faculty member chooses, (3) to require faculty peer review in the annual reviews that follow a five-year review that finds less than satisfactory performance, (4) to require that faculty members have an opportunity to respond to assertions of unsatisfactory performance in a post-tenure review.

Post-tenure review dossier. Directs that post-tenure review be based on a five-year dossier that includes at least (1) documents submitted by the faculty member for each annual performance

review during the period under review, (2) short description of the faculty member's goals for that period, (3) accomplishments during the period, and (4) goals for the subsequent five-year period.

Conduct of post-tenure peer review. Provides that for a regular five-year review, a faculty member may choose either an administrative review of a peer review. If an administrative review is chosen, directs that it be conducted by the department chair. If a peer review is chosen, requires that it "involve an elected body of the lowest appropriate academic unit... consisting of no fewer than 3 members and up to the entire departmental voting faculty." (The nature and extent of the "involvement" of such an elected body would be left up to the institution.)

Procedure following an unsatisfactory review. Requires that if a review, whether peer or administrative, is unsatisfactory, there must be subsequent annual peer reviews "until the performance is deemed satisfactory or the faculty member is discharged." (Coupled with the proposed amendment adding unsatisfactory performance as grounds for discharge, this lays the groundwork for basing discharge on that ground on a series of unsatisfactory post-tenure reviews.)

Status of unsatisfactory reviews in discharge proceedings. Directs the faculty hearings committees in discharge proceedings to give deference to unsatisfactory peer reviews, and provides that such reviews "shall be presumed to establish grounds for the imposition of discharge" unless the faculty member can show that they were based on impermissible grounds or affected by material procedural flaws. Provides that the university meets the burden of proof for discharge by offering negative post-tenure review evaluations.

UNC-Chapel Hill Office of Faculty Governance

Resolution 2007-11. On Smoking on Campus

Presented by the Faculty Executive Committee

The Faculty Council endorses in principle a prohibition against tobacco smoking within 100 feet of any campus building with the request that steps toward implementation take into account the needs of those who are nicotine-dependent, with a goal of full implementation not earlier than January 1, 2008. The Council also recommends that implementation policies take into account differing cultural attitudes toward tobacco smoking held by those from abroad who participate in international conferences and similar gatherings on this campus.

The University of North Carolina at Chapel Hill





UNIVERSITY OF NORTH CAROLINA
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JAMES MOESSER
 Chancellor

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May 17, 2007

S

Dr. Thomas Hofweber
 Department of Philosophy
 CB#3125

Dear Professor Hofweber:

I am delighted to inform you that you have been selected to receive the 2007 Ruth and Phillip Heitlerman Prize for Artistic and Scholarly Achievement. The award is one of the University's most prestigious acknowledgments of faculty excellence, and I congratulate you on the fine contributions you have made to the University of North Carolina. The selection committee felt that your contributions in the field of philosophy were outstanding as evidenced by the nominating letter from Dr. Geoffrey Sayre McCord, samples of your work and supporting letters of recommendation by your colleagues.

The Heitlerman Prize comes with a \$5,000 cash award, which you will receive at the first Faculty Council meeting in September. As the benefactor who created the endowment stipulated, Heitlerman Prize winners will also be required to deliver a lecture during the 2007/2008 academic year. I am particularly eager to ensure that our finest faculty shares their knowledge with other members of the University community. Rhonda Craig-Schwarz in Vice Chancellor Tony Waldrop's office will be calling you shortly to arrange the lecture schedule and to organize an interview with the UNC News Services.

I could not be more pleased by the work you are doing for Carolina, and I look forward to acknowledging your accomplishments publicly in the fall.

Very sincerely,

James Moesser

JM:bl

cc: Geoffrey D. Sayre McCord
 Professor and Chair, Department of Philosophy

Moesser@unc.edu

7/29/07
 to
 C. J.



THE UNIVERSITY
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JAMES MOSSER
Chancellor

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5
May 17, 2007

Dr. Charles Percou
Department of Genetics
CB#7295

Dear Professor Percou:

I am delighted to inform you that you have been selected to receive the 2007 Ruth and Phillip Heileman Prize for Artistic and Scholarly Achievement. The award is one of the University's most prestigious acknowledgments of faculty excellence, and I congratulate you on the fine contributions you have made to the University of North Carolina. The selection committee felt that your contributions in the field of genetics were outstanding as evidenced by the nominating letter from Dr. H. Shelton Earp, samples of your work and supporting letters of recommendation by your colleagues.

The Heileman Prize comes with a \$5,000 cash award, which you will receive at the first Faculty Council meeting in September. As the benefactor who created the endowment stipulated, Heileman Prize winners will also be required to deliver a lecture during the 2007/2008 academic year. I am particularly eager to ensure that our finest faculty shares their knowledge with other members of the University community. Rhonda Craig-Schwarz in Vice Chancellor Tony Waldrop's office will be calling you shortly to arrange the lecture schedule and to organize an interview with the UNC News Services.

I could not be more pleased by the work you are doing for Carolina, and I look forward to acknowledging your accomplishments publicly in the fall.

Very sincerely,


James Mosser

JMB:bl

cc: Dr. H. Shelton Earp III
Professor and Director, Lineberger Comprehensive Cancer Center

7/29/07
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May 17, 2007

S

Dr. Wei Wang
Department of Computer Science
CS#3175

Dear Professor Wang:

I am delighted to inform you that you have been selected to receive the 2007 Ruth and Phillip Hetheman Prize for Artistic and Scholarly Achievement. The award is one of the University's most prestigious acknowledgments of faculty excellence, and I congratulate you on the fine contributions you have made to the University of North Carolina. The selection committee felt that your contributions in the field of computer science were outstanding, as evidenced by the nominating letter from Dr. Jan Prins, samples of your work and supporting letters of recommendation by your colleagues.

The Hetheman Prize comes with a \$5,000 cash award, which you will receive at the first Faculty Council meeting in September. As the benefactor who created the endowment stipulated, Hetheman Prize winners will also be required to deliver a lecture during the 2007/2008 academic year. I am particularly eager to ensure that our finest faculty shares their knowledge with other members of the University community. Rhonda Craig-Schwarz in Vice Chancellor Tony Waldrop's office will be calling you shortly to arrange the lecture schedule and to organize an interview with the UNC News Services.

I could not be more pleased by the work you are doing for Carolina, and I look forward to acknowledging your accomplishments publicly in the fall.

Yours sincerely,

James Moeser

JM:hl

cc: Dr. Jan F. Prins
Professor and Chair, Department of Computer Science

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5/24/07
cc: JF



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May 17, 2007

S

Dr. Heather Williams
 Department of History
 CB#63193

Dear Professor Williams:

I am delighted to inform you that you have been selected to receive the 2007 Ruth and Phillip Hattelman Prize for Artistic and Scholarly Achievement. The award is one of the University's most prestigious acknowledgments of faculty excellence, and I congratulate you on the fine contributions you have made to the University of North Carolina. The selection committee felt that your contributions in the field of history were outstanding as evidenced by the nominating letter from Dr. Lloyd Kramer, samples of your work and supporting letters of recommendation by your colleagues.

The Hattelman Prize comes with a \$5,000 cash award, which you will receive at the first Faculty Council meeting in September. As the benefactor who created the endowment stipulated, Hattelman Prize winners will also be required to deliver a lecture during the 2007/2008 academic year. I am particularly eager to ensure that our finest faculty shares their knowledge with other members of the University community. Rhonda Craig-Schwarz in Vice Chancellor Tony Waldrop's office will be calling you shortly to arrange the lecture schedule and to organize an interview with the UNC News Services.

I could not be more pleased by the work you are doing for Carolina, and I look forward to acknowledging your accomplishments publicly in the fall.

Very sincerely,


 James Moeser

JMM:bi

cc: Dr. Lloyd K. Kramer
 Professor and Chair, Department of History

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5/19/07
 JMM
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UNC-Chapel Hill Office of Faculty Governance

JOURNAL OF PROCEEDINGS OF THE GENERAL FACULTY AND FACULTY COUNCIL

September 14, 2007

The Faculty Council of the University of North Carolina at Chapel Hill convened at 3:00 p.m. in the Hitchcock Multipurpose Room of the Sonja Haynes Stone Center for Black Culture and History.

The following 57 members of the Council attended: Ammerman, Ashby, Bachenheimer, Balthrop, Bangdiwala, Barreau, Bickford, Blackburn, Blocher, Brice, Broome, Chin, Coleman, Copenhaver, Couper, DeSaix, Dupuis, Earp, Gerber, Gilligan, Gullledge, Halloran, Hobbs, Hodges, Kamarei, Kelly, Koroluk, Lanen, Lefebvre, Lesneski, Maffly-Kipp, McGrath, Meade, Melannut, Moss, Murray, Oatley, Orth, Papanikolas, Parsons, Peirce, Puvost, Renner, Rhodes, Rodgers, Sheldon, Silversmith, Stein, Sweeney, Toews, Visser, Wegner, Weinberg, Whisnant, Williams, Wissick and Yankaskas.

The following 20 members were granted excused absences: Aaron, Andrews, Bagnell, Binotti, Bloom, Boukheiffa, Campbell, Conway, Ernst, Heenan, Hendrick, Hightow, Katznelson, Paquette, Temple, Thorp, Threadgill, Volta, Weil and Wilder.

The following 9 members were absent without excuse: Ewend, Kramer, Marshall, Mauro, McCombs, Rosamond, Saunders, Vernon-Feagans and Wilson.

Welcome, Opening Remarks, and General Questions

Hettleman Awards. Chancellor Moeser presented the 2007 Ruth and Phillip Hettleman Prizes for Artistic and Scholarly Achievement to Prof. Thomas Hofweber, Department of Philosophy; Prof. Charles Perou, Department of Genetics; Prof. Wei Wange, Department of Computer Science; and Prof. Heather Williams, Department of History.

Recognition of Winston Crisp. The chancellor said that soon after the tragedy at Virginia Tech, Vice Chancellor for Student Affairs Margaret Jablonski volunteered the resources of her office to our colleagues there. Assistant Vice Chancellor Winston Crisp spent the entire summer on the Blacksburg campus to share his experience and expertise. His visit was very well received and is summed up by this response: "thank you for sending us the gift we didn't know we needed." Chancellor Moeser observed that Mr. Crisp's experience at Virginia Tech will be a valuable resource for Carolina as well.

InnovationCenter. The chancellor made the case for the speedy development of the proposed Innovation Center and its location on a site opposite Piney Mountain Road on land already disturbed. He said that although the Center will be located on University property, the building will be privately owned and therefore subject to local taxation.

There were no questions or comments.

Provost's Remarks

Provost Bernadette Gray-Little reported on the following items:

- *Dean searches.* The search for a dean for the School of Education, headed by Dean Jean Folkerts

(Journalism & Mass Communication), is now at the point of identifying serious contenders. The search for Chief Information Officer, headed by University Librarian Sarah Michalak, has identified four finalists who are being scheduled for campus visits to begin in about two weeks.

- *Enterprise resource planning.* A vendor and implementation company have been selected and are now on campus. It has been necessary to hire a substantial number of additional employees to carry out implementation, which is now well under way. Hiring additional staff took longer than anticipated.

- *Proposed changes in the Code of the Board of Governors.* A committee formed by General Administration and headed by North Carolina State University Provost Larry Nielsen has recommended several changes in the Code of the Board of Governors pertaining to academic tenure and in a General Administration policy pertaining to post-tenure review. Some of the proposals are not controversial. Others have generated much discussion. The proposed changes are under review by the Faculty Executive Committee and the UNC Faculty Assembly.
- *Budget.* The General Assembly was very generous to the University in the 2007-08 budget. The exact level of salary increases in particular schools depends not only on the state appropriation but also on additional revenue from tuition increases for those for which this has been approved. With this year's salary increases, the College and most of our professional schools have reached or exceeded the 50 th percentile in comparison with their peers.

Prof. John Orth (Law) asked about the composition of the General Administration committee that had recommended the Code changes pertaining to academic tenure. He said that he understood there to have been little faculty input. He was also troubled by the fact that the report was issued during the summer recess with plans to submit its recommendations to the Board of Governors in September. That schedule allows almost no time for faculty comment. The Provost agreed that there was relatively little faculty representation on the committee. In response to a follow-up question, she said that she did not know how its members had been chosen.

Prof. Stephen Bachenheimer (Microbiology & Immunology) asked whether the Faculty Assembly had been consulted on the work of the Code Review committee.

Prof. Judith Wegner (Law), a member of the UNC-Chapel Hill Faculty Assembly Delegation and Secretary of the Assembly, said that the precipitating event for creation of the Code Review Committee had been a report to the Board of Governors in November 2006, on the use and consequences of post-tenure review throughout the System. When the Code Review Committee's report was received, the Faculty Assembly Executive Committee was surprised at the extent of the recommended changes. Prof. Wegner said she has prepared a 15-page memorandum that will be on the agenda of the Sept. 28 Assembly meeting. The memorandum recommends several changes in the recommendations pertaining to the core requirements for institutional tenure regulations, and recommends rejection of all of the proposed changes in General Administration's post-tenure review policy. She said the Assembly will ask for more faculty participation in future efforts of this nature.

The Provost added that recommendations from Carolina's Faculty Executive Committee have resulted in some changes in the proposed amendments and that the plan at present is for the Code Review Committee's report to go to the Board of Governors in November. She anticipates that changes needed in campus tenure regulations will have to be completed by March. The provost said it is not yet clear whether action by the Board of Governors in November will be to adopt or to review in anticipation of later adoption. She noted that some of the recommendations are mandatory while others are optional.

Prof. Templeton thanked Prof. Wegner for her work on this topic.

Prof. Ellen Peirce (Business) said that the proposed changes are so extensive as to require more time for

the faculty and administration to review and understand them sufficiently to order to comment.

Prof. Susan Bickford (Political Science) expressed concern at the small number of faculty members on the Code Review committee (there were only two who actively participated in its work).

Prof. William Bathrop (Communication Studies) said that it is important and critical for the faculty to move swiftly on these recommendations. He said that there is much ambiguity in them and that timing is important. He felt that Carolina needs to press for additional time to consider their impact.

Prof. Bacheheimer expressed concern about the committee's desire to expedite the procedure for dismissing tenured faculty members for cause. He objected to eliminating appeal to the Board of Trustees, and said that 12 months is not too long a time to take in a dismissal proceeding. He said that it is unfortunate that the Code Review Committee seized on post-tenure review as a principal means of bringing dismissal charges because that process was originally designed to function primarily as a means of helping faculty members get back on track. Prof. Bacheheimer emphasized that it is not right to use unfavorable post-tenure reviews as a ground for dismissal and that the faculty should not hesitate to use strong language in making that point.

Exec. Associate Provost Stephen Allred pointed out that the procedural changes in dismissal proceedings are only three: (1) the initial notice of intent to discharge would have to include a statement of reasons (now, the faculty member has to request such a statement), (2) the time allowed for completion of the hearing phase of the proceedings would be limited to 120 days, not including breaks, and (3) appeals would go directly to the Board of Governors, bypassing the Board of Trustees.

Prof. Orth said that the Council should at some point in time make a general statement as to the composition and procedures of committees set up to consider matters involving academic tenure. He said they should include meaningful faculty representation, and the time schedule should allow adequate time for broad faculty input.

Resolution 2007-10

The Secretary of the Faculty read the following resolution proposed by the Faculty Executive Committee.

On Proposed Revisions to the Code of the Board of Governors Pertaining to Faculty Employment

Section 1. The Faculty Council of the University of North Carolina at Chapel Hill acknowledges publication of the Final Report of the Code 603/604 Review Committee, dated June 22, 2007, and respectfully requests that implementation of its recommendations not take place before January 1, 2008, to the end that the Council and other appropriate committees of the faculty of the University of North Carolina at Chapel Hill might have adequate time to evaluate the implications of those recommendations for academic tenure and its administration at the school and departmental level in this institution, and to convey to the Executive Vice Chancellor and Provost and through her to the President and Board of Governors such commentary and recommendations as may be deemed appropriate.

Sec. 2. The Secretary of the Faculty is requested to transmit a copy of this resolution to the President of The University of North Carolina.

The resolution was adopted unanimously and is enrolled as Resolution 2007-10.

Resolution 2007-11

The Secretary of the Faculty read the following resolution proposed by the Faculty Executive Committee:

On Smoking on Campus

The Faculty Council endorses in principle a prohibition against tobacco smoking within 100 feet of any campus building with the request that steps toward implementation take into account the needs of those who are nicotine-dependent, with a goal of full implementation not earlier than January 1, 2008. The Council also recommends that implementation policies take into account differing cultural attitudes toward tobacco smoking held by those from abroad who participate in international conferences and similar gatherings on this campus.

Prof. Gregory Copenhaver (Biology) said that people addicted to tobacco suffer from a disease, and there is a need to recognize a line between protecting public health and recognizing addiction. He felt that a policy that forces people with addiction to walk long distances borders on persecution.

Prof. Terry Rhodes (Music) noted that the UNC Hospitals Complex went smoke-free as of July 1, and that both the Employee Forum and student groups have endorsed banning tobacco smoking on campus. She said that she also is not sure about the need for the last sentence of the resolution.

Prof. Alice Ammerman (Nutrition) spoke in favor of an unqualified tobacco-products ban.

Cathy Melvin, Research Associate in the Sheps Center for Health Services Research, said that faculty and staff working in smoking prevention are delighted at the General Assembly's having permitted us to ban tobacco use on campus. She said that there are many services available to those who want to stop smoking. She hoped the resolution would be amended to express support for a ban "no later than" Jan. 1, 2008.

Prof. John Sweeney (Journalism & Mass Communication) asked what would happen if a ban is in place and an international visitor were to begin to smoke.

Prof. Shielda Rogers (Nursing) expressed opposition to the last sentence.

Prof. Bachenheimer moved to amend by deleting the last sentence of the resolution. The amendment was adopted.

Prof. Bachenheimer moved to amend by deleting the words "not earlier than" and inserting instead the word "by". The amendment was adopted.

The resolution, as amended, was adopted by voice vote, with some opposition.

The resolution was ordered **enrolled as Resolution 2007-11**, worded as follows:

The Faculty Council endorses in principle a prohibition against tobacco smoking within 100 feet of any campus building with the request that steps toward implementation take into account the needs of those who are nicotine-dependent, with a goal of full implementation by January 1, 2008.

Remarks by Student Body Vice President

Prof. Templeton introduced Michael Tarrant, Vice President of the Student Body, who brought greetings on behalf of Eve Carson, President of the Student Body. Mr. Tarrant introduced Mikhail Radioncheko, who will be attending Council meetings this year as Student Government liaison.

Presentation on UNC Health Care and the School of Medicine

Prof. Templeton introduced Vice Chancellor and Dean William L. Roper, who spoke to the Council of the work of the UNC Health Care System and the School of Medicine.

[View Dean Roper's Powerpoint presentation here.](#)

Dean Roper opened by summarizing the origins and development of the UNC Health Care System, which now encompasses four large hospitals on the UNC campus: North Carolina Memorial Hospital, the Women's Hospital, the Children's Hospital, and the Neurosciences Hospital. A Cancer Hospital is under construction and will be opening in 2008. He said that UNC Hospitals now have 708 licensed beds and are on track to add 92 more.

Dean Roper emphasized the public mission of the UNC Hospitals System and highlighted the fact that each year the System provides \$189 million in uncompensated care. Only \$46 million of this total comes from state appropriations; the remainder comes from paying customers who pay more than the cost of their care to bridge the gap. It is important, he said, that the System remain attractive to those who can pay for services. If the System's only goal was to provide indigent care, it could downsize. The result, however, would not be a hospital system that most people would choose for their care. Thus, a major objective of managing the System is balancing the need to be both a general purpose hospital for the people of North Carolina and one that provides essential services to those who cannot pay.

A Council member asked why there had been such a large increase in indigent care over the past six years. Dean Roper replied that there are two causes: (1) growth in the number of uninsured people from 39 million in 2001 to 45 million today, and (2) increased costs of care. In response to a question about the impact of Medicaid, Dean Roper said that because Medicaid compensates the System for less than the cost of care, it actually makes the deficit situation worse.

Prof. Douglas Kelly (Statistics) asked whether the funding gap Dean Roper described was common around the country and, if it were closed, how much cost reduction for those with insurance might be expected. Dean Roper replied that UNC Hospitals delivers more uncompensated care than any hospital in North Carolina, and that our effort is on a par with major hospitals in Atlanta and Chicago. He said that if health insurance and preventive care were available to all Americans, the health care system would be much more cost effective. He noted that a new national conversation about this is in the making but until the problem is solved, public institutions such as UNC Hospitals must pick up the slack. To illustrate the magnitude of the problem at Chapel Hill, he said that our hospitals admit 800 patients each day, one-third of whom are indigent and receive \$500,000 per day in uncompensated care. He noted that all of the figures he had cited pertained to the hospitals at Chapel Hill and do not include Rex Healthcare in Raleigh, which the System acquired in 2000.

Turning to the School of Medicine, Dean Roper noted that UNC Physicians and Associates comprise the faculty practice arm of the School of Medicine—approximately 900 physicians in 17 departments. The total faculty complement of the School includes 400 non-clinical faculty in basic sciences and medical allied health professions. Dean Roper said that the School of Medicine now enrolls 160 students each year, 88% of whom are in-state students. For the past 20 years, the male to female ration has been roughly 50/50. As for research grants, the school ranks 17 th among 135 US medical schools and ranks

15 th in the *US News and World Report* rankings (most of the top 15 are private institutions). Public institutions ranking with us in the top tier are the University of Washington, the University of California at Los Angeles, the University of California at San Francisco, and the University of Michigan.

Finally, Dean Roper touched on the nature and extent of the Area Health Education Centers program, the School of Medicine's considerable research efforts (about \$300 million annually in federally-funded research), growth activities on the UNC campus and nearby locales, and a pending proposal to admit another 50 medical students each year who would spend the first two years in Chapel Hill and the last two at Carolinas Medical Center in Charlotte. He said that there are also conversations in progress about a similar program in the Asheville area. He concluded by highlighting the new University Cancer Research Fund created by the General Assembly, which will grow to \$50 million per year over the next five years.

Prof. Melinda Meade (Geography) asked about problems stemming from relocating AHEC flights to Raleigh-Durham Airport. Dean Roper said that this has been carefully studied. While flying from RDU will be less convenient, he said that he believes that we can serve the program from that location.

Prof. Bachenheimer thanked Dean Roper for the presentation and reminded the Council that there are over 200 Ph.D. students and 100 postdoctoral fellows in the School of Medicine's basic sciences departments.

Prof. Ed Halloran (Nursing) noted that Dean Roper had not mentioned the critical role played by nurses in hospital care. He felt that a stronger partnership should be pursued with the School of Nursing.

Faculty Council Work Plan 2007-08

As the hour was late, Prof. Templeton briefly mentioned items that might come before the Council in 2007-08 and said that there would be a fuller discussion of this in October.

Adjournment

Its business having been completed, the Council adjourned at 5:00 p.m.

Joseph S. Ferrell
Secretary of the Faculty

