



THE UNIVERSITY
of NORTH CAROLINA
at CHAPEL HILL

Meeting of the Faculty Council
Friday, October 10, 2008, 3:00 p.m.
Hitchcock Multipurpose Room
Sonja Haynes Stone Center for Black Culture and History

Chancellor Holden Thorp and Professor Joe Templeton, Chair of the Faculty, presiding

AGENDA

- 3:00 Chancellor's Remarks and Question Period
- Chancellor Holden Thorp
- 3:15 Provost's Remarks and Question Period
- Provost Bernadette Gray-Little
- 3:30 Faculty Athletics Committee and Faculty Athletics Representative Annual Reports
- Prof. Steve Reznick, Chair, Faculty Athletics Committee
 - Prof. John P. Evans, Faculty Athletics Representative
- 3:50 Fixed-Term Faculty Committee Announcement
- Prof. Shelda Rodgers, Fixed-Term Faculty Committee representative
- 3:55 Resolution 2008-3: On Bachelor's Degrees
- Prof. Andrew Perrin, Chair, Educational Policy Committee
- 4:00 Changes in Post-Tenure Review Policy
- Prof. Joe Templeton, Chair of the Faculty
- 4:10 Changes in the 403-B Supplemental Retirement Program
- Mr. Brian Usischon, Senior Director of Benefits and Employee Services
- 4:35 Resolution 2008-4: On Commending the Scholars at Risk Program
- Prof. Judith Blau
- 4:40 Closed session: Honorary Degrees and Special Awards Committee Report
- Prof. Joseph Ferrell
- 4:45 Adjourn

The University of North Carolina at Chapel Hill
Report of the Faculty Athletics Representative for 2007-08
To the Faculty Council
October 10, 2008

I. Introduction

Since the practice of an annual report by the faculty athletics representative (FAR) to the Faculty Council began, each such report has been submitted as a supplement to the annual report of the Faculty Athletics Committee. The FAR is an ex officio member of the committee (unless also an elected member), so the FAR participates in all of the work of the Committee on behalf of the faculty. Thus, linking these two reports seems appropriate.

II. Activities of the Faculty Athletics Representative within UNC-Chapel Hill

In addition to participating as a member of the Faculty Athletics Committee, the FAR is involved in a number of activities within the university that recur annually. Those recurring activities are listed in an Appendix to this report. In addition to those recurring activities, I have worked in the contexts listed below since my report for 2006-07.

- o The Priority Registration Task Force completed its work and presented recommendations to the Faculty Council in December 2007. At that meeting the Faculty Council took actions to establish the Priority Registration Advisory Committee and to implement priority registration;
- o The search committee for a new men's head lacrosse coach interviewed candidates in the late spring of 2008; and
- o The Director of Athletics consulted an ad hoc advisory group on a departmental personnel matter.

III. Activities with the Atlantic Coast Conference

Within the Atlantic Coast Conference four individuals from each member institution have the primary governance and operating responsibility. They are the chancellor/president, the director of athletics, the senior women's administrator, and the faculty athletics representative. Conference bylaws direct that the chancellor/president shall cast the institutional vote on a small number of specified issues. Otherwise, common practice within the conference is for the chancellor/president to delegate the voting responsibility to the faculty athletics representative, with appropriate consultation within each member institution..

The officer positions within the ACC are held by faculty athletics representatives from the member institutions on a set rotation. During 2007-08 I was the Past-President and thus served on the Executive Committee. I served on the Postgraduate Scholarship Committee which is comprised of the twelve faculty athletics representatives, and I also represented the ACC FARs on the Executive Committee of the 1A FAR organization.

IV. Activities with the National Collegiate Athletic Association

Since restructuring in 1997, National Collegiate Athletic Association governance has consisted of the Board of Directors (chancellors and presidents), the Management Council (athletic administrators, conference officials, and faculty athletics representatives), and two Cabinets, plus a number of committees that review proposed legislation and discharge operating responsibilities for the membership. Institutional participation is through conference membership instead of the former one-school-one-vote structure. The Atlantic Coast Conference has had one position on the Division I Board of Directors and three positions on the Division I Management Council. At the request of the Atlantic Coast Conference, I served as one of its three representatives on the Management Council through April 2007. I also served on the Governance Subcommittee of the Management Council that was charged by the Division I Board of Directors to conduct a thorough review of the structure, governance, and legislative processes of Division I and to make recommendations for a new structure. Our recommendations to replace the Management Council with a Leadership Council and a Legislative Council and to distribute the cabinet level work among six new, but smaller, cabinets were adopted by the Board and have been implemented.

The NCAA Division I Board of Directors has adopted a comprehensive academic reform package that is intended to improve the graduation rates of student-athletes, particularly in selected high profile sports that have produced poor graduation results and consequent adverse publicity. The University of North Carolina at Chapel Hill has been represented at all levels of this work by the Chancellor, the Director of Athletics, and the FAR. I have worked in this process virtually from its inception and now serve on the NCAA Committee on Academic Performance (CAP). CAP is responsible for implementation (now under way) and also for design of additional elements of the program that will be needed in 2007-08 and beyond. In addition, the NCAA Board of Directors has formed three groups to focus on specific sports: baseball, men's basketball, and football. I have served on the group for baseball (and on its executive committee), and I also serve on the group for men's basketball (and chaired one of the subcommittees). Recommendations from the baseball group have been implemented and are being monitored by the executive committee of that group. The basketball group is well along in its work and intends to report recommendations to the NCAA Board of Directors by the end of this calendar year.

One of the objectives of NCAA President Myles Brand is to bring attention to academic research that is being done on various aspects of intercollegiate athletics as a basis for identifying research conclusions that might be relevant to NCAA policies. That work is conducted by the NCAA Advisory and Editorial Board on which I serve. This group organized a first research colloquium in January 2008 and has initiated a new journal, the Journal of Intercollegiate Sports. The first issue was published in June 2008 and this group is organizing the second research colloquium for January 2009.

Respectfully submitted,

John P. Evans
Faculty Athletics Representative

Appendix
Summary of Recurring Activities of the Faculty Athletics Representative
The University of North Carolina at Chapel Hill

Listed below are the recurring activities of the faculty athletics representative.

- Serve on the Faculty Athletics Committee (ex officio if not an elected member)
- Serve as the de facto secretary for the Faculty Athletics Committee
- Participate in exit interviews of student-athletes (with members of the Faculty Athletics Committee and staff of the Department of Athletics)
- Review admission cases for student-athletes (as a member of the Admissions Subcommittee of the Advisory Committee on Undergraduate Admissions)
- Serve on the Licensing Labor Code Advisory Committee (Chair for 2008-09)
- Meet with the Student-Athlete Advisory Committee
- Confer with the staff of the Academic Support Center
- Monitor the academic progress of student-athletes and participate in the meetings with head coaches that review these results
- Participate in the university's compliance program regarding NCAA regulations
- Represent the university in meetings of the Atlantic Coast Conference
- Other duties as requested (e.g., Priority Registration Task Force, Title IX Committee, Diversity Committee, discussions of the likely impact of the legislative provision regarding tuition, presentations to prospective student-athletes regarding academic programs, etc.)

Faculty Athletics Committee
Annual Report to the Faculty Council
October 10, 2008

This annual report on the activities of the Faculty Athletics Committee (FAC) during the 2007-08 academic year was prepared by FAC Chair Steve Reznick and was reviewed and approved by the FAC members.

Overview of Committee's Purpose and Structure

Charge: "The Faculty Athletics Committee is concerned with informing the faculty and advising the chancellor on any aspect of athletics, including, but not limited to, the academic experience for varsity athletes, athletic opportunities for members of the University committee, and the general conduct and operation of the University's athletic program" (Faculty Code § 4-7[b]).

Members 2007-08: Lissa Broome (2008) (Chair), Glynis Cowell (2010), Jack Evans (ACC faculty athletics representative - *ex officio*), Noelle Granger (2010), Kathleen Harris (2008), Garland Hershey (2009), George Lensing (2008), Steven Reznick (2009), Desmond Runyan (2008), Helen Tauchen (2010), Barbara Wildernuth (2008), and Rachel Willis (2009).

The FAC was formerly composed of ten elected members of the faculty serving staggered five-year terms. The Faculty Code was amended in the spring of 2004 to reduce the number of elected positions to nine, with members serving staggered three-year terms. The FAC's transition to nine elected members each serving a 3-year term is now complete. Kathleen Mullan Harris and George Lensing were reelected to the committee for terms expiring 2011, and Barbara Osborne from the Department of Exercise & Sports Science was elected as a new member of the committee. Professors Lissa Broome, Desmond Runyan, and Barbara Wildernuth rotated off of the FAC, and the FAC greatly appreciates their years of service. Professor Steve Reznick was elected to chair the FAC during 2008-09. The FAC thanks Professor Broome for her exceptional service as chair of the FAC in this and recent years.

The faculty athletics representative to the ACC and the NCAA, Jack Evans, serves as an *ex officio* member of the FAC. Director of Athletics Dick Baddour, Senior Associate Athletic Director Larry Gallo, and Senior Associate Athletic Director for Student-Athlete Services John Blanchard also regularly attend the FAC's meetings and interact with the committee to seek advice or provide information.

Chancellor Moeser attended FAC meetings as his schedule permitted. The FAC formally adopted a resolution praising Chancellor Moeser for his valiant efforts to support athletics within the broader context of university life. Chancellor Moeser thanked the FAC for their diligent service, and he emphasized the importance that he attaches to faculty involvement and the role of the FAC in providing advice on matters related to athletics.

The FAC held monthly meetings during the 2007-08 academic year (excluding April, but including May). No matters were referred to the FAC from the Faculty Council. As explained in more detail below, the FAC acted on behalf of the Faculty Council in making various recommendations and casting various votes at the Coalition on Intercollegiate Athletics (COIA). The committee corresponded with other committees on matters of mutual interest as specified below.

Monitoring the Broader Context of Collegiate Athletics

Athletic Reform Issues: Chancellor Moeser informed the committee about activities of the ACC Council of Presidents, the NCAA Presidential Task Force, and the monitoring group that will track implementation of the task force's recommendations. The main themes of the Task Force report are: academic values, fiscal responsibility, presidential leadership, diversity, and student-athlete well-being. Chancellor Moeser is also very enthusiastic about plans to use the ACC Inter-institutional Academic Collaborative as a framework for increasing opportunities for international study for students at ACC schools.

Coalition on Intercollegiate Athletics (COIA): The Faculty Council became a member of the Coalition on Intercollegiate Athletics (COIA) in the spring of 2004. This organization is composed of fifty-six faculty senates from Division I-A schools around the country. Clemson, Wake Forest, Duke, and Florida State are the other ACC schools that have joined COIA. Pursuant to a previous agreement, the FAC represented the Faculty Council in providing COIA with comments and questions on various COIA documents, including the COIA statement issued in support of the NCAA Presidential Task Force Report and the 2007 White Paper, Framing the Future: Reforming Intercollegiate Athletics. Lissa Broome serves on COIA's Steering Committee. COIA materials are available at <http://www.neuro.uoregon.edu/~tblitz/COIA/index.html>.

Professor Broome reported on various COIA activities including their response regarding the incident at the University of Michigan concerning an unusually large number of independent study registrations for student-athletes. She also reported that COIA is developing an "Academic Integrity Index" and that our comments on this issue had been acknowledged but essentially rejected. Professor Broome's term on the FAC has expired, but she will continue to serve on the COIA Steering Committee. Official communications from COIA to UNC will be sent directly to the Chair of the FAC and the Chair of the Faculty Council.

NCAA Legislation Affecting Academics: Jack Evans served on the NCAA Committee on Academic Performance, which implements the NCAA's Academic Progress Rate and developed the Graduation Success Rate. The FAC has continued to monitor these and other developments and to provide advice with respect to UNC's position. For example, the NCAA considered overriding legislation that establishes for baseball the maximum number of student-athletes who can receive aid, the minimum permissible grant-in-aid, and the maximum permissible overall squad size. The FAC recommended supporting an override on the aid limitation and to abstain on the issue of maximum overall squad size. At the subsequent NCAA meeting, neither override proposal was approved.

UNC in the News: Mr. Baddour launched our first meeting of the year with the news that Sports Illustrated ranked us #1 among collegiate athletic programs and that we finished in third place in the Directors' Cup.

At our November meeting, Mr. Baddour provided background information related to recent news coverage of the athletic department's fund raising during the preceding year, reporting gifts of \$51 million. Mr. Baddour explained that the standard way of recording gifts includes cash, pledges, and planned gifts, the latter two categories obviously not representing current dollars. In addition, he noted that the department has had a larger than normal number of capital projects in process, which means that fund raising efforts focused on those projects has been underway in parallel with the routine development efforts.

UNC hosted some early rounds of NCAA field hockey championship play. This entailed watering the artificial surface for these games for reasons of safety and consistency of playing surface. Water for this purpose was brought in by truck so that no additional burden would be placed on local sources during the ongoing drought.

At our December meeting, Mr. Baddour reviewed recent events related to renegotiation of the contract for Coach Davis. He began by explaining his objectives for the football program, both academically and competitively. He commented briefly on relevant developments in the hiring of football coaches in the past twelve months and also on what has been referred to as the "coaching carousel". A significant priority for Mr. Baddour has been to achieve stability in our football program and avoid a retreat to uncertainty. At a subsequent meeting Chancellor Mosser shared with members of the committee copies of a letter that he had written to President Emeritus Friday and also copies of a graph that showed comparisons of budgets for the university and the Athletics Department since 1986. He reported on his discussion of the latter data with Faculty Council in December. Over this period of time the budgets of both entities have grown, but the growth rate in Athletics has not exceeded that of the institution's budget. His objective in both the letter and the Faculty Council discussion was to underscore the fact that we have kept our athletic priorities in proper relationship with our academic priorities.

At the January FAC meeting, Mr. Baddour reported that the Chancellor, Ms. Strohm, and he will request permission at a Board of Governors committee meeting to settle the Anson Dorrance suit for approximately \$385,000 in response to a proposal to settle from the plaintiff's attorney. The settlement will include an apology from Coach Dorrance (similar to the Keller settlement) and an acknowledgment by the plaintiff that though she was made to feel uncomfortable, no actual harassment occurred. Funds for the settlement will come from the Athletics Department budget.

Athletics Department Policy, Practice, and Facilities

Title IX: Every year the FAC invites Dr. Beth Miller, Senior Associate Athletic Director for Olympic Sports, to report on Title IX matters. Her report in November 2007 also covered the five-year review conducted by the Title IX Committee, which included FAC members Mary Lynn, Kathleen Harris, and Jack Evans in addition to a broad-based membership from within the university. The scope of Title IX requirements include: 1) athletic scholarship allocation by gender, 2) accommodation of interests of members of both sexes, and 3) accommodation of needs in various operating areas. The Title IX Committee concluded that UNC's program is in compliance on all requirements and that any needs that were identified were not gender-based. These needs include: 1) laundering of practice uniforms, 2) tutoring for upper-level courses, 3) selected issues of equipment and facilities, and 4) medical and training facilities/services.

Ticket Distribution: The FAC reviewed the status of retired faculty in the priority formula for men's basketball tickets. The following formula is used to compute ticket priority for all university employees: number of years of ordering tickets is multiplied by 6, and this product is added to the number of years of university employment. Upon retirement, a university faculty or staff employee's ticket priority is frozen at the value reached in the final year of employment. The FAC reviewed the history of our policy regarding retired faculty and examined an ambiguous letter that was distributed with ticket applications for the 1994-95 season suggesting a one-time bonus at retirement. The language in the letter was not completely clear, and the one-time bonus policy was never implemented. The FAC's unanimous decision was that retired faculty should continue to maintain their final level of priority but that no bonus should be provided for retirement. The FAC also reviewed the approach that

is taken to identify retired faculty and the current practice regarding the due diligence that is taken to identify retired faculty was endorsed. Finally, the FAC endorsed a policy in which faculty who enter phased retirement are considered to be employed and thus eligible to accumulate additional priority points. Upon completion of the employment associated with phased retirement, ticket priority will be frozen at the final value.

Compliance: Amy Herman reported on the activities of our compliance program. The three functions of the Compliance Office are to educate, to monitor, and to enforce. Education efforts are focused on various target audiences (coaches, athletic department staff, relevant university staff, student-athletes, boosters, and community representatives). Monitoring efforts are multifaceted and extensive. Compliance Officers Ms. Maloy and Mr. Markos commented briefly on their respective responsibilities and activities, and they addressed questions about which population poses the greatest risk, how we proceed in the case of violations, and how drug testing is managed. At the FAC's request, the monthly Compliance Newsletter is now distributed to FAC members.

Facilities: The Boshamer renovation project is moving well. Other forthcoming projects include better facilities for sports medicine, a wrestling practice facility, two new locker rooms – one for wrestling and one for gymnastics, renovation of Carmichael (to start at the end of women's basketball season), and remodeling and expansion of the Finley pro shop and clubhouse.

The most significant upcoming project is the renovation and expansion of Kenan Stadium, which will include multiple elements that can only be implemented over a period of years and with input from multiple consultants. Kenan Stadium is in the heart of the campus and is an outstanding venue in which to view college football. Some aspects of the exterior of the stadium could be more esthetically pleasing. A significant portion of the plan will address programmatic needs, especially a need for improved space for academic support. Construction will begin at the west end, above and behind the Kenan Football Center in order to create swing space. The full project will include work on each of the four sides of the stadium, Stadium Drive, and the wooded area that surrounds the stadium. At completion of the plan, seating could be increased from the current capacity of approximately 60,000 to approximately 70,000, but the main focus of the plan is to improve facilities for the Academic Support Program, media coverage, and accommodations for our most significant sponsors as well as to improve the overall appearance of the stadium, the amenities for fans (e.g., restrooms and concessions), long-term viability of Kenan Forest, and the logistics of entering and exiting the stadium.

Finances: Martina Ballen, the Athletic Department's chief financial officer, and Dick Baddour reviewed the department's finances with the committee. Ms. Ballen provided background on principles, the budget process, budget categories, and the department's participation in the Chancellor's intra-university budget review process. Revenues and expenditures in the current budget were reviewed by category. Student-athletics fees will not change this year, but the department has requested an increase of 4-5% as an adjustment for inflation for next year. The current fee level is \$255 per student per year. Ticket prices for football and men's basketball are in the middle and top third of conference prices, respectively.

Policy on Arrests of Student-athletes: Mr. Baddour invited the FAC to review the existing policy on arrests of student-athletes in the light of recent events on other campuses. University Counsel Leslie Strohm joined the FAC's discussion. The FAC supported revisions to rename, reorganize and clarify the policy, as well as to permit individual review of each situation.

Athletics Department Interactions and Other Campus Facilities

Faculty/Staff Wellness: An often overlooked portion of the charge to the FAC is that it advises the Chancellor on "athletic opportunities for members of the University steering committee." Desmond Runyan and Garland Hershey from the FAC were appointed to a University Steering Committee for Worker Health, Safety and Wellness. The Steering Committee's goal is to help identify existing resources on campus and recommend how best to develop a coordinated, comprehensive approach to worksite wellness. A staff position was created in 2006-07 to support faculty/staff wellness. The Steering Committee has also established a website and conducted focus groups with faculty and staff representatives.

Sports Medicine Review Committee: Mr. Gallo and Associate Vice Chancellor for Student Affairs Melissa Exum have co-chaired a Sports Medicine Review Committee that included FAC members Glynnis Cowell and Garland Hershey. Following discussions with head coaches, team physicians, the Student-Athlete Advisory Committee and others, the committee has concluded that the two principal opportunities for strengthening our Sports Medicine services are in nutrition and sports psychology. Mr. Gallo expects recommendations to be formulated by mid-summer and will report on the committee's work in Fall 2008.

Priority Registration: The FAC continued to monitor the progress of the Task Force on Priority Registration. The policy developed by the task force was reviewed by the Educational Policy Committee in October 2007, and after extensive discussion, the Faculty Council approved the proposal in December 2007 with one amendment to set the target limit for priority registration in any class at 15% instead of the originally proposed 25%. At a subsequent FAC meeting, Chancellor Moeser commented favorably on the quality of debate on the proposal for priority registration during the December Faculty Council meeting, and he congratulated Joe Templeton and Steve Reznick for their work on this topic. At its meeting to consider priority registration for Fall 2008, the Priority Registration Advisory Committee received requests from 32 groups, 8 of whom were not varsity sports. One request was denied. An estimated 920 individuals were granted access to priority registration for the fall of 2008. Several groups that received this initial approval were alerted to strengthen their justifications in future submissions.

Admissions: FAC members Jack Evans and Steve Reznick sit on the subcommittee of the Admissions Committee that reviews special admissions decisions. In December, Associate Provost and Director of Admissions Steven Farmer reported to the FAC on the admissions process for student-athletes. Main points included communicating the possibility of a college education, treating young people as individuals, and acknowledging the existence of uncertainty and the possibility of errors in both directions.

Senior Associate Director Barbara Polk serves as the primary contact person in the admissions office regarding athletic admissions. In this context she coordinates closely with John Blanchard. She outlined the athletic admissions "budget" of 140 slots plus 20 incentive slots. Coaches are encouraged to provide unofficial transcripts and related data early so that the preliminary evaluations can be conducted and communicated. She described the work of the Admissions Subcommittee as it conducts reviews of individual cases and how committee cases are defined (combination of test scores, rank-in-class, and core GPA). The Subcommittee makes recommendations, sometimes after reviewing

additional information that might be requested on issues of concern. Ms. Polk believes that the coaches understand and respect this process.

Mr. Farmer observed that the relationship between his office and the Athletics Department is based on trust and communication. The most recent year produced enrollment of only 20 committee cases, which is a downward trend in comparison to previous years. This change reflects a shared understanding of the need for this process but also the institutional objective to manage the number of such cases carefully. Mr. Blanchard commented that the current arrangement of admissions slots with incentive opportunities seems to be working well. He functions as a gateway between coaches and the Admissions Subcommittee. He has established and communicated conditions that must be met for a coach to receive permission to submit a committee case. Mr. Mercer described the annual academic review meetings with coaches and how he functions with the Admissions Subcommittee. He provided a brief summary of the meeting of the Subcommittee at which Ms. Willingham (learning specialist in the Academic Center) reported on her work with committee cases once they are enrolled. He distributed impressive data summarizing the academic progress of recent committee cases.

Student-athlete Performance and Development

Academic Performance of Student-athletes: The FAC reviews the academic progress of student-athletes each year using various metrics. The metrics include the NCAA Academic Performance Rate (APR), the federal graduation rate reported by the Department of Education's National Center for Education Statistics, and the NCAA Graduation Success Rate (GSR).

The APR is based on the academic eligibility, retention and graduation of student-athletes. Points are awarded each semester per student-athlete on the basis of eligibility/graduation and retention. Each team member may earn two points per semester: one point for maintaining eligibility or for graduation, and a second point for being retained. On a team with ten members, for instance, there would be a maximum of 40 possible points in an academic year. If two student-athletes on the team were not eligible in the spring semester and were not retained, then the hypothetical team would only earn 36 points (losing 2 points for each student during that spring semester). The APR in this hypothetical example is calculated by first dividing 36 by 40 (equals .9), and then multiplying by 1000 to get an APR of 900.

An APR of 925 is equivalent to an expected 50% graduation rate. The NCAA academic reform program involves penalties at two levels of the APR. If a team's four-year APR falls below 925, it is unable to re-award a scholarship vacated by an ineligible departure. A progressive penalty structure (scholarship reductions, postseason competition bans, and ultimately membership restrictions) began to be imposed on squads that were below a 900 beginning in the fall of 2007, when a four-year cycle of data collection (2003-2007) was completed. For small teams, such as the 10-person team used in the example in the preceding paragraph, the NCAA applies a squad size adjustment and may not subject the team to a penalty based on that adjustment even though the APR would normally call for a penalty.

The federal graduation rate is reported by the Department of Education's National Center for Education Statistics as part of the Integrated Postsecondary Education Data System. This metric is a six-year rate that includes students who received athletic scholarship aid in their first semester of enrollment. The federal graduation rate counts student-athletes who left the University in good standing prior to graduation as non graduates.

The GSR adds students who transferred into the institution to the group of first year students who received athletic aid and also differs from the federal graduation rate in that schools are not penalized when a student-athlete leaves in good academic standing to transfer to another institution, pursue a professional career, or for any other reason. Under the current federally calculated graduation rate, such

departures are counted as failures to graduate from the institution of original enrollment, even if the student later graduates from another institution.

The FAC monitors UNC's performance on each of these metrics. At our meeting in September 2007, Jack Evans presented data on the APR, GSR, and Federal graduation rate for six major conferences. The ACC and UNC had very impressive standing. As a result of a question raised during his report to the Faculty Council, Jack Evans distributed data at our November meeting on the academic performance for baseball, football, and men's basketball programs for UNC and eleven peer institutions, and UNC's relative ranking was impressive. In February, Jack Evans summarized the most recent GSR data for the sports of baseball, football, and men's basketball for the six major conferences. Finally, in May 2008, Jack Evans reported that six Carolina squads had been recognized by the NCAA for achieving four-year APR results in the top ten percent of results in those sports. Squads recognized were: Men: baseball, basketball; Women: fencing, golf, swimming and diving, volleyball. The NCAA four-year APR data through the 2006-07 year indicate that in addition to the six squads noted above, no UNC squad has a four-year APR below 946.

Academic Support Program for Student-athletes: The Academic Support Program reports to the College of Arts and Sciences, who oversees other student academic support services. FAC Members George Lensing and Glynis Cowell serve on an advisory committee to the Academic Support Program. Robert Mercer, the director of the program, is invited to address the committee on occasion and provided a full review of the program's operations to the committee in October 2007.

Mr. Mercer supervises academic counselors, learning specialists, tutors, and mentors. He described the Supplemental Instruction (SI) program, which has enhanced the performance of student-athletes in the courses in which it is offered, but noted that this semester SI was only being offered in two courses, instead of twelve or so courses in prior semesters. The reduction occurred because of the lack of concentration of student-athletes in courses where SI would be helpful. Mr. Mercer and his staff interact as much as possible with other people on campus, including those in the Arts and Sciences advising programs, other academic support programs on campus, and the School of Education (which has proved a fruitful pipeline for tutors). Most tutors are undergraduates (juniors or above) or graduate students, but retired teachers and others from the community have also been successful as tutors. Robert described the training opportunities for tutors that include multiple lessons on the differences between appropriate and inappropriate assistance. The committee discussed the recent press reports of academic misconduct at other schools and the need to be vigilant in this regard.

At the end of Spring 2007, the average team GPA was 2.95. UNC was tied for third on the ACC Honor Roll. Mr. Mercer also noted that most student-athletes now seem to enroll in one or more summer sessions, and that this is driven by both year-round training and taking somewhat lighter loads during the regular academic year which necessitates having to catch up during the summer sessions to graduate in four years. He also remarked that many of the first year student-athletes were only able to enroll in twelve hours in the Fall semester because of the scarcity of class opportunities.

Exit interviews and surveys of senior student-athletes: Each year the committee and the Athletics Department ask all graduating student-athletes to fill out a detailed questionnaire prepared by the committee covering many aspects of the student-athletes' experience at UNC-CH. In addition, the committee members participate, along with personnel from the Athletics Department, in exit interviews with groups of graduating student-athletes. By examining this information, the committee can review how student-athletes perceive their experience at UNC-CH and detect any problems that need to be addressed.

At the FAC's November meeting, Kathie Harris distributed a summary of exit surveys for the past three years, noting that the response rate for the most recent year had been lower than in previous years. She drew attention to the responses on selected questions. Trends in the three-year data are minor but reflect general improvement. No trends are evident that are a source of concern. An ad hoc group consisting of John Blanchard, Glynis Cowell, Kathie Harris, and Cricket Lane was formed to consider changes in the survey and actions that might improve the response rate.

Discussion of the results of exit interviews began with the observation that most football players who would normally participate are not available at the time when these interviews are conducted. This led to discussion of ways to get participation from revenue sports, but with no specific actions identified. Recommendations for follow-up action based on exit interviews fall into five areas: 1) review of medical services (under way), 2) relevance of the fitness graduation requirement for student-athletes (to be added to the committee's agenda), 3) attendance policy enforcement, 4) study opportunities on trips, and 5) communication with alumni. The general sentiment was to add these topics to the committee's agenda as time permits.

At the FAC's February meeting, we discussed response to recommendations from previous interviews/surveys. A committee co-chaired by Larry Gallo and Melissa Exum is preparing a report on medical services. Application of the university's fitness requirement for graduation has been modified for student-athletes to a one credit hour class. The activity requirement has been removed. Phased implementation is under way. Experience related to class attendance policy continues to be inconsistent. Student-athletes are responsible for material covered when they are absent, but experience with the attendance policy is uneven, both because the policy itself is not sufficiently clear, and because awareness of the policy and what it says is not evenly distributed. Making provisions for study time during team travel has been encouraged through the regular coaches' meetings. Enhancing communication among current and former student-athletes is being studied but a full approach has not yet been devised.

Conclusion

The FAC is dedicated to addressing issues related to the intersection of intercollegiate athletics and the academic enterprise on our campus and on the national scene, and endeavors to provide thoughtful leadership on these issues locally and nationally. The FAC enjoys an excellent working relationship with the Chancellor and the Athletics Department and is confident that the Athletics Department and the FAC have established an effective context for thoughtfully examining issues related to the goal of attaining the highest possible quality of life for student-athletes at UNC Chapel Hill and implementing changes that will help us attain that goal.

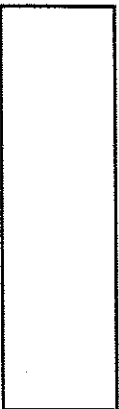
UNC-Chapel Hill Office of Faculty Governance

Resolution 2008-3. On Bachelor's Degrees.

Presented by the Educational Policy Committee

The Faculty Council resolves:

Subject to the approval of the President and Board of Governors of The University of North Carolina, all Artium Baccalaureatus (A.B.) degrees authorized to be awarded by the University of North Carolina at Chapel Hill shall be renamed Bachelor of Arts (B.A.) degrees, effective for degrees awarded in December, 2010, and thereafter.



Tenured Faculty (Post-Tenure Review)

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Purpose

The following post-tenure review policy provides a framework for implementation of the Trustee Policy for Review of Tenured Faculty, which was first effective September 1, 1998 and amended effective _____, 2008.

Post-tenure review is a systematic process for the periodic, comprehensive review of the performance of all faculty members having permanent tenure and whose primary duties are teaching, research and/or service. The goals of post-tenure review are to promote faculty development, ensure faculty productivity and provide accountability. The post-tenure review process should respect the basic principles of academic freedom. Post-tenure review does not abrogate, in any way, the due process criteria or procedures for dismissal or other disciplinary action established under the Trustee Policies and Regulations Governing Academic Tenure. The policies and procedures presented below incorporate the basic principles of the policies established by the Board of Governors in Sections 400.3.3 and 400.3.3.1 of the UNC Policy Manual.

Deleted: Memorandum #371.

Policy

Each faculty member is subject to post-tenure review no less often than every five years following the conferral of permanent tenure. Reviews must examine all aspects of a faculty member's academic performance and must involve faculty peers. While annual performance reviews may inform the post-tenure review process, they are not a substitute for a comprehensive post-tenure review. Comprehensive evaluations conducted for other purposes, such as a review for promotion, may be substituted for or combined with post-tenure review. A review

may be delayed for compelling reasons approved by the Provost.

Procedures

The unit head shall notify a faculty member at least six months in advance of an upcoming post-tenure review.

Each appointing unit has developed written policies and procedures that describe the expectations the unit has of its faculty, the manner in which the post-tenure review process is conducted, and the procedures by which persons will be designated to conduct reviews. In the remainder of this document the designated persons will be referred to as the Post-Tenure Review Committee. The review process must involve faculty peers and should be conducted by a minimum of three persons. The faculty member being reviewed shall not participate in the selection of members of the Post-Tenure Review Committee. The post-tenure review process should be flexible enough to acknowledge different expectations in different disciplines and changing expectations at different stages of faculty careers.

The review should involve an examination of qualitative and quantitative evidence of all relevant aspects of a faculty member's professional performance over at least the previous five years in relation to the mission of the department, school and institution. If a faculty member's responsibilities do not include teaching, research and public service, but instead focus primarily on one or two of these areas, the review shall take this allocation of responsibilities into account. Each faculty member being reviewed should provide a concise summary of accomplishments and plans. Additional evidence for the review may include annual merit reviews, a current curriculum vita, copies of publications, evaluations of teaching, and other documentation of contributions and accomplishments.

The Post-Tenure Review Committee will consult with the academic unit head and provide to the faculty member and the unit head a written summary of its conclusions with regard to the faculty member's overall performance and, where appropriate, its recommendations.

The faculty member being reviewed must be given an opportunity by the unit head to provide a written response to the report of the Post-Tenure Review Committee. The unit head maintains a record of the Committee's report and any response to it as a part of the faculty member's confidential personnel file within the unit. The report and any response shall also be reviewed by the

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administrative officer to whom the unit head reports. When the unit head is being reviewed, the administrative officer at the next higher level assumes the function of the unit head in the review process and the report of the Post-Tenure Review Committee and any response shall be reviewed by the administrative officer to whom that individual reports.

The post-tenure review process should identify and recognize outstanding performance by faculty members. The process may also identify specific areas in which faculty members can improve and, in such cases, the process should result in specific recommendations and plans for improvement. For faculty members whose overall performance reflects substantial deficiencies, the report of the Post-Tenure Review Committee shall include a statement of the faculty member's primary responsibilities, specific descriptions of shortcomings as they relate to the faculty member's assigned duties, and a more comprehensive plan for improvement (a development plan) should be prepared.

Development plans should be established jointly by the faculty member being reviewed and the unit head on the basis of the evaluation and recommendations provided by the Post-Tenure Review Committee. Faculty development plans should be individualized and flexible, taking into account the faculty member's intellectual interests, abilities, and career stage, as well as needs of the unit and institution. The development plan should describe changes, if any, to be made in the faculty member's teaching, research, and/or service responsibilities, establish clear goals, specify steps designed to achieve those goals, define indicators of goal attainment, establish a clear and reasonable time frame for the completion of goals, identify any resources available for implementation of the plan, and state the consequences of failure to attain the goals. The use of mentoring peers is encouraged, and progress meetings with the academic unit head must occur on at least a semi-annual basis during the specified time frame. Annual reviews should also be used to assess progress toward goals specified in the plan. The unit head should acknowledge in writing a faculty member's clear improvement and the successful completion of a development plan.

A faculty member whose overall performance has been found to show substantial deficiencies and for whom a development plan has been recommended will have the right to appeal the findings of the Post-Tenure Review Committee and the recommendation for a development plan to the dean or next higher level administrative officer beyond the unit head, whose decision shall be final.

In the case of a faculty member who fails to complete a development plan

successfully and whose performance continues to be deficient, the unit head should notify the dean, who will consider whether grounds for dismissal or other disciplinary action exist under the *Trustees Policies and Regulations Governing Academic Tenure*. Dismissal or severe sanction may be imposed only in accordance with and on the grounds stated in the *Trustees Policies and Regulations Governing Academic Tenure*.

Records

Copies of each unit's post-tenure review procedures, as revised from time to time, will be filed with the dean or Provost, as appropriate. Unit heads will maintain a list of the faculty members reviewed each year, a record of completed reviews and responses to the reviews, the names of all faculty members for whom a development plan was recommended, and a copy of the development plans. Deans will file annual reports to the Office of the Provost giving the following information:

- Names of faculty members reviewed during the previous year,
- Names of faculty members for whom a development plan was recommended and established, and
- Names of faculty who are subject to review, but for whom a delay was approved by the Provost along with the compelling reasons for the delay.

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Resolution 2008-4.

On Commending the Scholars at Risk Program

The Faculty Council recognizes that:

- The University of North Carolina at Chapel Hill is rich in international research and study abroad programs, and our faculty benefit from participation in many international conferences and collaborations;
- Carolina has an important leadership role in the international sphere of scholarship and scientific research;
- Many members of the international scholarly and intellectual community suffer persecution in their home countries, sometimes including threats to their lives and those of their family;
- Scholars are often singled out by authoritarian regimes because of their international prominence and cosmopolitan intellectual orientation;
- Scholars at Risk (SAR) is an international network of universities and colleges devoted to finding temporary positions for endangered scholars; and
- The University of North Carolina at Chapel Hill has been an official SAR campus since 2007; and
- By hosting scholars for periods of six to eight months, Carolina recognizes our responsibility to the international scholarly community from which we have derived so many benefits through international collaborations and opportunities.

Therefore, the Faculty Council resolves:

The Scholars at Risk program is commended as worthy of the University's encouragement and support, both moral and financial.

Presented by the Agenda Committee on request of Professors Judith Blau, Trude Bennett, Beth Kurtz-Costes, and Sarah Shields.

JOURNAL OF PROCEEDINGS OF THE FACULTY COUNCIL

October 10, 2008

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 Sonia Haynes Stone Center for Black Culture and History. The following 50 members of the Council attended: Aaron, Adamson, Bagnell, Bechtel, Binotti, Blackburn, Blalock, Brice, Pauline Brown, Campbell, Catellier, Chin, Conway, Copenhaver, Cornell Dilworth-Anderson, Earp, Gerber, Guskiewicz, Hartnett, Hendrick, Hobbs, Katznelson, Kelly, Koroluk, Lee, Lesneski, Lopez, Melamut, Oatley, Orth, Papanikolas, Paquette, Pruvost, Renner, Rhodes, Richardson, Rodgers, Saunders, Schoenfisch, Shields, Stein, Stotts, Sweeney, Tobin, Van Tilburg, Visser, Wallace, Weinberg and Williams. The following 38 members were granted excused absences: Adler, Andrews, Ashby, Bickford, Blocher, Bloom, Boukheifia, Jare Brown, Coleman, Desaix, Egan, Ernst, Gullledge, Halloran, Heenan, Hightow, Hodges, Kendall, Kirsch, Kramer, Lefebvre, Leonard, Maffly-Kipp, Mauro, McCombs, Morris-Natschke, Moss, Parsons, Quinonez, Sheldon, Shomaker, Sweet, Thorp, Toews, Verkerk, Wasik, Whisnant and Wilder. The following 2 members were absent without excuse: O'Connell-Edwards, Rosamond.

Call to Order

Chancellor Holden Thorp called the meeting to order promptly at 3:00 p.m.

Chancellor's Remarks

Chancellor Thorp spoke briefly about the national economic crisis and its impact on the University. He said that the Office of State Budget and Management has implemented a reduction in State funding and that he and the vice chancellors are working hard on making the right decisions in response to that cutback. "We will be rewarded by doing the right things now," he said.

Prof. Steven Bachenheimer (Microbiology & Immunology) observed that one of the implications of the national economic downturn is that many people are delaying retirement. He asked what impact this might have on the University's planning for the future. Chancellor Thorp said that he thinks retirements will be fewer than previously estimated, and that faculty will continue working longer for reasons other than the economy. Provost Bernadette Gray-Little added that each year the Office of the Provost sends out a "feeler" to faculty nearing retirement age to get a rough estimate of how many retirements to anticipate. Results of that inquiry should be available later in October.

In response to a question from the floor, Chancellor Thorp said that the University is still committed to building a new general aviation airport.

Provost's Remarks

Provost Gray-Little said that the University has already received a 2 percent cutback in State funding and anticipates another 2 percent cut in non-recurring funding within the next few days.

The Provost said that in response to General Administration projections of enrollment growth across the System, Carolina had commissioned a study of how enrollment growth would affect this institution. One of the key findings of the study is that student perceptions of Carolina as a desirable place to live and study are heavily influenced by the impression that students of high quality choose to enroll here. To assure that we continue to attract outstanding students, the University has asked a group of faculty and staff to consider ways to assure that programs offered to incoming students provide a high-quality experience. The group, which is co-chaired by Director of Admissions Steve Farmer and Prof. Steven Reznick (Psychology), will also consider ways to continue to attract high-quality graduate students.

The Provost reported that the Search Committee for Dean of the School of Nursing has begun to receive applications, and the Search Committee for Dean of the College of Arts and Sciences continues to receive applications but has not yet reached the stage of reviewing and evaluating them.

Finally, the Provost reported that she has appointed an ad hoc committee chaired by Prof. Jane Brown (Journalism and Mass Communication) to review the University's policies and procedures governing academic tenure. Executive Associate Provost Ron Strauss will work closely with that study.

Annual Report of the Faculty Athletics Committee

Prof. Steven Reznick, Chair of the Faculty Athletics Committee, presented the committee's annual report. He reviewed the committee's charge, noting that it is specifically directed "to inform the faculty" on matters relating to intercollegiate and intra-mural athletics. He said that attention understandably focuses on the major revenue-generating sports, but that this year the committee hopes to do more to inform faculty and students about the other 25 intercollegiate teams that Carolina fields.

Prof. Bachenheimer called attention to the portion of the committee's report stating that the average team Grade Point Average is 2.95 and that Carolina is tied for third in the Atlantic Coast Conference in that measure. He asked for comment. Prof. Reznick replied that Carolina ranks at the top of the ACC in student athlete academic performance, and that the ACC as a whole generally ranks higher in academic achievement than many of the major conferences across the nation. He said that this reflects the quality of our Academic Support Program and the academic commitment of our students. He added that each year the committee reviews the distribution of majors among student athletes. This year there is no undue concentration in any particular major, a pattern that has held steady for many years. Prof. Bachenheimer asked how we compare to other schools in that regard. Director of Athletics Richard Baddour replied that that information is not available. Prof. Garland Hershey added that the Athletics Committee is concerned that our student athletes have the same academic experience as other students.

Prof. Richard Weinberg (Cell & Developmental Biology) asked about the academic performance of student athletes in the non-revenue sports ("the other 25"). Prof. Jack Evans (Business), speaking as Faculty Athletic Representative, said that the national pattern is that male athletes perform less well academically than do female athletes. As for differences among the various sports, Carolina's data indicates that the football team is doing well, but not as good as men's basketball, and that the baseball team is doing well. He felt that the good news is that our student athletes in the high-profile sports are doing quite well across the board.

Prof. Templeton asked whether there has been a change in the Department of Athletics' policy with respect to student athletes who have been arrested on criminal charges. Mr. Baddour said that there has been a slight change. For some twelve to thirteen years, the Department has had a policy that a student athlete who is charged with a felony offense is excluded from competition but not from practice. After discussing this policy with the Athletics Committee and General Counsel Leslie Strohm, the policy has been modified to allow waiver of the exclusion from competition in unusual circumstances.

Annual Report of the Faculty Athletics Representative

Prof. Evans presented his annual report as Faculty Athletics Representative to the Atlantic Coast Conference, in which capacity he casts the University of North Carolina at Chapel Hill's vote as a member of the conference. He emphasized that he does not vote on important issues without first consulting the Chancellor and the Director of Athletics. Prof. Evans said that over the years he has been actively involved in governance of the National Collegiate Athletics Association, especially with respect to academic reform. He concluded by reporting that Chancellor Thorp had instructed him to keep the Chancellor informed on athletics matters, but, he hastened to add, he is confident that by the time the news had reached the Faculty Athletics Representative, Mr. Baddour would have already alerted the Chancellor to anything requiring the Chancellor's attention.

Prof. Templeton thanked Prof. Reznick and Prof. Evans, and observed that the Athletics Committee is among the most active and effective of our faculty committees.

Fixed-Term Faculty Committee Announcement

Prof. Shieda Rogers (Nursing), a member of the Fixed-Term Faculty Committee, announced a forum on fixed-term faculty issues to be held on November 7, 2008, in the Anne Queen Faculty Commons at 10:30 a.m.

Resolution 2008-3. On Bachelor's Degrees

Prof. Andrew Perrin (Sociology), Chair of the Educational Policy Committee, introduced and moved adoption of Resolution 2008-3. He reported that the Diploma Task Force, a body appointed by the Provost and chaired by Registrar Alice Poehls, had recently compiled a comprehensive listing of all degrees awarded by the University. The Task Force noted that the official name of the bachelor of arts degree has been Artium Baccalaureatus (A.B.) throughout the University's history, even though all diplomas have been in English, rather than Latin, since the reopening of the University in the 1870s. The Task Force recommended that the official title be changed to Bachelor of Arts (B.A.) to reflect modern usage. Resolution 2008-3 implements that recommendation. He said that if adopted, the resolution would affect B.A. degrees awarded in December, 2010, and thereafter, but would not change the name of A.B. degrees awarded before that date.

The resolution was adopted without dissent.

Changes in the Post-Tenure Review Policy

Prof. Templeton called attention to revisions in the Post-Tenure Review Policy recently adopted by the Board of Trustees in response to modifications in the Code of the Board of Governors. Copies had been distributed to Council members in advance. Prof. Templeton said that he and the Chancellor's Advisory Committee had reviewed the changes and found all to be helpful and appropriate with no cause for concern. He invited questions or comments. There were none.

Changes in the 403-B Supplemental Retirement Program

Mr. Brian Usischon, Senior Director of Benefits and Employee Services, reported on recent changes in the University's 403-B Supplemental Retirement Program. He was assisted by Vice Chancellor for Human Resources Brenda Malone and Ms. Kitty McCollum, UNC Vice President for Human Resources. Vice Chancellor Malone said that the change resulted from issuance of final IRS regulations affecting the 403B program, and that President Erskine Bowles had decided that the UNC System would adopt a uniform policy rather than delegate the matter to individual campuses.

Mr. Usischon explained that the temporary regulations issued in 1964 had cast on the individual employee the burden of complying with the statutory requirements of the 403B program. The final regulations, which become effective January 1, 2009, place the burden of compliance on the employer. At present, throughout the UNC System there are dozens of authorized vendors, a situation that would have made it very difficult for the System to ensure compliance. UNC-Chapel Hill currently has 2,700 employees participating in a 403B program. About half of these employees use either TIAA or Fidelity products, and 80% of all employee contributions are managed by these two vendors. After soliciting and receiving proposals for all current vendors, it was decided to contract with only two vendors: TIAA and Fidelity, both of which had submitted very good proposals. He said that the University will stop sending contributions to all other vendors after December 31, 2008, and that employees who wish to continue to have contributions withheld by the University will have to choose from products offered by either TIAA or Fidelity. He said that employees who have been using other vendors will have the option of leaving their accumulated contributions with the current vendor or withdrawing them for transfer to one of the approved vendors.

Prof. Gregory Copenhagen (Biology) asked whether the maximum contribution will change. The answer was no.

Prof. John Sweeney (Journalism and Mass Communication) asked whether assets held by a de-selected vendor could be retained indefinitely. The answer was yes.

Prof. David Gerber (Surgery) asked why only two vendors were chosen. Mr. Utischon replied that the two that were selected were clearly superior to the others who submitted proposals and that limiting the field to two greatly simplified administration of the plan.

Prof. Joy Renner (Allied Health Sciences) expressed strong objections to the change.

Prof. Bachtenheimer, Chair of the University Benefits Committee, said that the committee was kept informed as the selection process went on. The committee understood that the IRS had placed the onus on the University, and that the decision under discussion was a reasonable response to the IRS demands. He pointed out that limiting one's choice to two vendors does not limit choice of investments, since each vendor has access to literally thousands of investment choices.

Prof. Joseph Ferrell (Government) asked whether the University will provide a list of local financial advisors who are experienced in dealing with the two vendors selected. The answer was yes.

Prof. Weinberg asked about the consequences if major insurance companies begin to fail, as has been the case with several large investment banking firms. Mr. Utischon replied that most of the investment vehicles offered by TIAA and Fidelity (and other vendors) provide no safety net. Vice Chancellor Malone said there is always a risk with any investment, but that the two vendors selected have a consistent record of stability.

Resolution 2008-4. On Commending the Scholars at Risk Program

Prof. Judith Blau (Sociology) presented a resolution commending the Scholars at Risk Program. (See Minutes of the March 28, 2008, meeting of the Faculty Council.)

Prof. Jessica Katznelson (Pediatrics) observed that finding funding for a Scholar at Risk in a departmental budget could be a difficult problem to surmount. Prof. Blau replied that applicants are carefully screened and referred to departments where their expertise would be useful. She emphasized that the scholar would be working to earn any support provided, and that the program is not a charity. Generally, support is for only one semester, she said.

Prof. Andrew Chin (Law) asked whether there are formal connections between the Scholars at Risk Program and Immigration networks. Prof. Blau replied that the program works closely with Amnesty International, and that there are also European counterparts.

Resolution 2008-4 was adopted without dissent.

Special Report of the Committee on Honorary Degrees and Special Awards

Prof. Ferrell, on behalf of the Committee on Honorary Degrees and Special Awards, presented a recommendation by the committee for award of a sixth honorary degree at Commencement 2009. The recommendation was unanimously approved and will be forwarded to the Board of Trustees for final approval.

Adjournment

Its business having been completed, the Council adjourned at 4:30 p.m.

Joseph S. Ferrell
Secretary of the Faculty