



The University of North Carolina at Chapel Hill

MEETING of the GENERAL FACULTY and the FACULTY COUNCIL

Friday, January 16th 2004 at 3:00 p.m.

* * * * * The Pleasants Family Assembly Room in Wilson Library * * * * *

Chancellor James Moeser and Professor Judith Wegner, Chair of the Faculty, will preside.

AGENDA

- | Time | Item |
|------|---|
| 3:00 | General Faculty and Faculty Council Convene
Introductory Remarks and Questions from the Floor: Chancellor Moeser.
Remarks: Provost Robert Shelton.
Remarks from the Chair of the Faculty: Professor Wegner. |
| 3:20 | Second Reading of Resolution 2003-11. Amending the Faculty Code of University Government as it Relates to the General Faculty, the Faculty Council, Officers of the Faculty, and Standing Committees. Adopted on first reading December 12, 2003. <ul style="list-style-type: none">Supplementary Report of the Committee on University Government proposing an amendment to Res. 2003-11 concerning eligibility of librarians for service on the Faculty Grievance Committee |
| 3:30 | Advisory Committee: Annual Report and Related Resolutions: Professor Della Pollock <ul style="list-style-type: none">Resolution 2004-1. Proposing an amendment to the Trustee Policies and Procedures Governing Academic Tenure to authorize the faculty ranks of senior lecturer and professor of the practice.Resolution 2004-2. Proposing an amendment to the Trustee Policies and Regulations Governing Academic Tenure to eliminate the requirement that tenured assistant and associate professors be reviewed for promotion not less frequently than every third year.Resolution 2004-4. Proposing an amendment to the Trustee Policies Governing Academic Tenure relating to the duration of the probationary period in certain cases where required by health, child birth or child care, or similar compelling circumstancesResolution 2004-3. On the use of courtesy titles by retired members of the faculty. |
| 4:00 | Executive Committee of Faculty Council: Annual Report and Related Resolution. Professor Wegner <ul style="list-style-type: none">Resolution 2004-5. On tuition policiesBackground information on tuition increase proposals |
| 5:00 | Adjourn. |

Joseph S. Ferrell
Secretary of the Faculty

Documents pertaining to meetings of the Council may be found at www.unc.edu/faculty/facoun.

**Supplementary Report of the Committee on University Government with
Respect to Resolution 2003-11**

The Committee on University Government has considered discussion at the December 12, 2003, General Faculty meeting on the first reading of Resolution 2003-11. A member pointed out that librarians vote for members of the Faculty Grievance Committee but appear to be ineligible to serve on it. Another member questioned whether there should be a presumed quorum at General Faculty meetings called while the University is in recess.

On the matter of librarian service on the Faculty Grievance Committee, the Committee on University Government recommends the following revision of Sec. 4-8(a), page 14:

§ 4-8. Faculty Grievance Committee. (a) The Faculty Grievance Committee shall consist of ten elected members, and is structured to represent faculty of all ranks. ~~At all times~~ Three of the members are elected at the time they hold the rank of ~~shall have been professors~~ or librarian when elected, three at the time they hold the rank of ~~shall have been~~ associate professors or associate librarian, three at the time they hold the rank of ~~shall have been~~ assistant professors, assistant librarian, or general librarian, and one at the time he or she holds ~~shall have held~~ a fixed-term appointment. A member's promotion in rank during a term of office ~~shall does~~ not terminate his or her membership. The term of office ~~shall be three years.~~ One professor or librarian, one associate professor or associate librarian, and one assistant professor or assistant librarian or general librarian shall be ~~are~~ elected each year. One person holding a fixed-term appointment shall be ~~is~~ elected in 1997 and every third year thereafter.

On the matter of a presumed quorum at any General Faculty meeting called on ten days' notice, the Committee recommends no change in Section 1-2 as approved on first reading.

Chancellor's Advisory Committee
Elected Committee

Annual Report for 2003

For presentation to Faculty Council (tentative): January 16, 2004

Membership:

Class of 2004:

Philip Bromberg, Medicine
Della Pollock, Communication Studies--Chair
Lars Schoultz, Political Science

Class of 2005:

David K. Guilkey, Economics
Madeline G. Levine, Slavic Languages and Literatures
Barbara B. Moran, Information and Library Science

Class of 2006:

Melissa Bullard, History
Peter Coclanis, History
Etta Pisano, Radiology

Ex officio, with vote:

The Chair of the Faculty, Judith Wegner, Law
The Secretary of the Faculty, Joseph S. Ferrell, Government

Report prepared by: Della Pollock, Chair, with committee review

Committee charge: The Faculty Code of University Government states that the Advisory Committee "is advisory to the chancellor in any matter deemed important by the chancellor or the committee, and particularly with respect to: 1) proposed amendments to the trustee policies and procedures governing academic tenure; 2) academic planning and assessment; 3) appointment of vice chancellors, deans, and other senior administrators; and 4) recommendations for corrective action" pursuant to reports by the Faculty Hearings and Faculty Grievance Committees re: specific conditions of promotion and tenure.

Committee mission: In its new distinction from the APT committee, the Advisory Committee has also begun to develop a complementary sense of mission and working principles, reported in the minutes of August 27, 2003 meeting:

"As a point of operational consensus, the Committee agrees with Chancellor Moeser that building and maintaining the excellence of the university must be our guiding priority in all matters. As members of the faculty, we see this priority relating to three key variables: students, faculty, and programs. Given the chronic nature of the current budget crisis, the expectation of additional budget cuts, and our shared sense that the

recently promulgated Academic Plan—while potentially useful in some contexts—is not an adequate strategic plan, we recognize the primary need for long-range planning with particular attention to:

- Recruitment, retention, and support of faculty
- Rigorous budget reallocation and program review
- Equally vigorous attention to processes for developing new research and interdisciplinary initiatives
- Addressing the important issues of faculty, student, and staff morale under current circumstances.

The Committee understands the foregoing as articulating a set of guiding principles to which we will continually return as we address diverse topics. Those topics may be brought to the Committee by the chancellor or they be brought to the chancellor by the Committee on it own initiative.”

Previous Faculty Council questions or charges: None.

Report of Activities:

The Committee meets monthly with the chancellor, and often a second time to discuss related issues and/or matters referred by the Appointments, Promotions, and Tenure Committee.

Topics addressed in conference with Chancellor Moeser included the preliminary report on prospects for a new Performing Arts Complex; the system proposal to allow exemptions to the 18% out-of-state enrollment cap (briefing by Vice Provost and Director of Admissions Jerry Lucido); the chancellor's proposal to review doctoral programs; plans for Carolina North (briefing by Vice Chancellor Tony Waldrop); the SACS reaccreditation process (briefing by Executive Associate Provost Bernadette Gray-Little).

Four resolutions re: amendments to procedures governing academic tenure have been approved by the Committee and forwarded for review to the Faculty Council.

Resolution 2004-1. Proposing an Amendment to the Trustee Policies and Procedures Governing Academic Tenure to Authorize the Faculty Ranks of Senior Lecturer and Professor of the Practice.

The Faculty Council resolves:

The Chancellor is requested to recommend to the Board of Trustees an amendment to Section 2.b.5. of the Trustee Policies and Procedures Governing Academic Tenure as follows to authorize the faculty ranks of senior lecturer and professor of the practice, as follows:

Amend Sec. 2.b.5. to read:

5. **Fixed-term faculty ranks:** lecturer and equivalents. Appointments may be made to fixed-term faculty ranks with title designations "Professor of the Practice," "Lecturer," "Senior Lecturer," "Artist in Residence," "Writer in Residence," and any of the faculty rank designations provided in paragraphs (1) through (4) of this subsection with the prefix-qualifier "Adjunct," "Clinical," or "Research," under the conditions and with the incidents herein provided. Such an appointment, utilizing any of the foregoing title designations, is appropriate for one who possesses unusual qualifications for teaching, research, academic administration, or public service from an academic base, but for whom none of the professorial ranks nor the instructor rank is appropriate because of the limited duration of the mission for which appointed, or because of concern for continued availability of special funding for the position, or for other valid institutional reasons.

Initial appointment may be for a fixed term of from one to five years.

Subsequent appointments for fixed terms of one to five years' duration may be made either in direct succession or at intervals. Each is considered an initial appointment. No obligation exists on the part of the University to give any notice in advance of expiration of a current term as to whether appointment will be offered for a succeeding term. But upon request of the faculty member made in writing to the chairman of the department concerned not earlier than 180 calendar days nor later than 90 calendar days before the expiration of a current term, the department chairman shall within 20 calendar days thereafter communicate in writing to the faculty member a decision whether such an offer will be made, and if so, its terms. Failure to communicate a decision constitutes notice that no offer will be made.

The decisions herein required shall be made as provided in Section 2.c. hereof.

Comment: The recommendation to create the rank of Senior Lecturer stems from a recommendation of the Task Force on Appointment, Promotion, and Tenure and was

endorsed by the Faculty Council in Section II.7 of Resolution 2003-7. The proposal to create the rank of Professor of the Practice is endorsed by the Office of the Provost and originated in a proposal by the Dean of the School of Public Health. The APT Task Force report states "the committee recommends that the rank of senior lecturer be added with appropriate changes to The Trustee Policies and Regulations Governing Academic Tenure, section 2 b. (5). Because of the diversity of activities performed by lecturers across Schools, each hiring unit will determine the schedule and criteria by which lecturers will be considered for promotion to the rank of senior lecturer." The proposal to create the rank of professor of the practice indicates that such an appointment would be appropriate for "senior individuals with exceptional practice backgrounds who would serve in faculty roles in the School of Public Health and other professional schools."

Resolution 2004-2. Proposing an amendment to the Trustee Policies and Regulations Governing Academic Tenure to eliminate the requirement that tenured assistant and associate professors be reviewed for promotion not less frequently than every third year.

The Faculty Council resolves:

The Chancellor is requested to recommend to the Board of Trustees an amendment to Section 2.b.2. and 2.b.3. of the *Trustee Policies and Regulations Governing Academic Tenure* as follows:

¹⁹2. **Associate Professor.** A promotion at any time to the rank of associate professor confers permanent tenure from the effective date of the promotion.

Initial appointment to the rank of associate professor is ordinarily for a probationary term of five years. With the written approval of the immediate supervisor of the department chairman obtained in advance of the initiation of formal appointment procedures, an initial appointment to the rank of associate professor with permanent tenure may be initiated and made effective upon subsequent approval of the appointment by the regularly prescribed procedures for initiation, review and final approval.

No less than 12 months before the end of a five year probationary term appointment as associate professor, a decision shall be made and communicated in writing to the associate professor as to whether he or she will be reappointed upon expiration of the current term. This decision shall be made and communicated as provided in Section 2.c. hereof. No decision need then be made as to the rank to be had upon reappointment. If a decision is made to reappoint and no promotion has been made prior to expiration of the five year term, the associate professor is thereupon reappointed at the rank of associate professor, with permanent tenure.

3. **Assistant Professor.** Initial appointment to the rank of assistant professor is for a probationary term of four years. [See Section 7.a.] No less than 12 months before the end of this term a decision shall be made and communicated in writing to the assistant professor as to whether he or she will be reappointed upon expiration of the current term. The decision shall be made and communicated in the manner provided in Section 2.c. hereof. No decision need then be made as to the rank to be had upon reappointment. If a decision to reappoint is made and no promotion is then made prior to the expiration of the current term, the assistant professor is thereupon reappointed for a second probationary term of three years at the rank of assistant professor.

Deleted: In any case where an associate professor has served five years in that rank and acquires (or continues to have) permanent tenure at that rank, a review shall thereafter be made not less frequently than every third year to determine his or her qualification for promotion. The review shall be made by the chairman of the department* concerned, in consultation with the assembled full professors of the department. ["Department" is used herein as a generic term for departments, professional schools, and any other academic units to which faculty appointments are made; "chairman," as a generic term for department chairmen, deans of professional schools, and any other heads of academic units to which faculty appointments are made.] A report of negative decisions, with supporting reasons, shall be put forward for information through the administrative channels prescribed for the review of recommendations for initial appointment of an associate professor to a five year term.

No less than 12 months before the end of such a second term, a decision shall be made and communicated in writing to the assistant professor as to whether he or she will be reappointed upon expiration of the current term. The decision shall be made and communicated as provided in Section 2. c. hereof. If the decision is to reappoint, the notice thereof shall also inform the faculty member whether reappointment will be at the same rank or with promotion to the rank of associate professor; and a faculty member given notice that reappointment will be at the same rank shall be then informed by his or her chairman whether he or she will be reconsidered for promotion prior to the effective date of the reappointment. If a decision to reappoint is made and no promotion is then made prior to the expiration of the current term, the assistant professor is then upon reappointed at the rank of assistant professor with permanent tenure. Reappointment at the rank of assistant professor following expiration of the second probationary term should be made only in clearly exceptional circumstances.

²Comment: This proposal is endorsed by the Office of the Provost and originated from a request from the Interim Dean of the College of Arts and Sciences. The current requirement that assistant professors and associate professors having permanent tenure be reviewed for promotion every three years has been rendered obsolete and unduly burdensome by the post-tenure review system which requires review and evaluation of all tenured faculty members on a five-year cycle.

Deleted: In any case where an assistant professor acquires permanent tenure at that rank, a review shall thereafter be made not less frequently than every third year to determine his or her qualifications for promotion. The review shall be made by the department chairman concerned, in consultation with the assembled full professors of the department. A report of negative decisions, with supporting reasons, shall be put forward for information through the administrative channels prescribed for the review of recommendations for initial appointment of assistant professors.

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Resolution 2004-4. Proposing an Amendment to the Trustee Policies and Procedures Governing Academic Tenure to Increase the Maximum Time for Extending the Probationary Period of Faculty Appointment for up to Twenty-Four Months for Reasons of Child-Birth, Health, or Other Compelling Circumstances.

The Faculty Council resolves:

The Chancellor is requested to recommend to the Board of Trustees an amendment to Section 2.c(6) of the Trustee Policies and Procedures Governing Academic Tenure as follows:

“(6) Terms and conditions of appointments [omitted]

(i) Continued availability of special funding [omitted]

(ii) Provisions for less than full-time employment

Special terms for less than full-time employment with commensurate compensation, or for relief from all employment obligations for a specified period, may be included in an appointment or reappointment to any faculty rank, or may be added by written memorandum of amendment during the term of an appointment. For reasons of health, requirements of childbirth or child care, or similar compelling circumstances, such terms may, with the concurrence of the faculty member, include extensions of the period of a current probationary term of appointment at the rank of assistant professor or associate professor, and thereby the maximum probationary period, to coincide with the extent and duration of the relief from employment obligations. Extensions under this subsection (ii) may be granted in increments not to exceed 12 months, up to a maximum of 24 months (including any extensions that may have been granted under subsection (ii), below). [Amended 2/18/94]

Deleted: up to a maximum of 12 months

(iii) Special provisions for extending the maximum probationary period

For reasons of health, requirements of childbirth or child care, or similar compelling circumstances, a faculty member holding a probationary term of appointment at the rank of assistant professor or associate professor may request a written memorandum of amendment extending the term of the current appointment and thereby the maximum probationary period, with no resulting change in normal employment obligations, in order to provide the faculty member additional time to demonstrate fully his or her professional qualifications for reappointment or permanent tenure. Extensions under this subsection (iii) may be granted in increments not to exceed 12 months, up to a maximum of 24 months (including any extensions that may have been granted under subsection (ii), above). [Amended 2/18/94]

Deleted: that the maximum probationary period be extended for a period not to exceed 12 months (including any extension that may have been granted under subsection (ii) above)

(iv) Extension and special assignment

If possible under the circumstances, requests pursuant to subsection (ii) or (iii) above should be initiated not later than 24 months before the end of the term to which it is to apply and must be initiated before the process for evaluating the faculty member for reappointment has begun. All such extensions must be approved by the Chancellor before becoming effective. The total of all extensions granted under subsection (ii) and subsection (iii) above cannot exceed 24 months. [Amended 2/18/94]

The provisions of subsections (ii) and (iii) above do not apply to informal temporary adjustments of the regularly assigned duties of faculty members by the department chairman who is responsible for their direct supervision; nor to the granting by the University of extended leaves of absence with or without compensation. [Amended 2/18/94]

Comment: This resolution responds to a recommendation of the Task Force and Appointment, Promotion and Tenure. The recommendation was endorsed by the Faculty Council in Section 1.4 of Resolution 2003-7. The portion of the Task Force report relevant to this matter follows.

Flexibility in the Process of Tenure and Promotion

Since the 1950s, there have been dramatic changes in the composition of the University faculty. In the mid-twentieth century, most faculty members were men with wives who worked in the home and supported their husbands' careers by providing the bulk of family and household care. In contrast, the majority of today's faculty members live with spouses or partners in family settings in which both members of the unit are employed. In addition, a significant minority of faculty members is single. Many of these faculty, female and male, have major caretaking responsibilities for members of their families and households, particularly children and aging or ill parents.

With these demographic changes in mind, the committee considered the appropriateness of our current appointment, promotion, and tenure regulations. More specifically, we focused on whether the regulations as they stand now meet the needs of the faculty and, simultaneously, ensure that the University succeeds in recruiting and retaining the highest quality faculty.

The change in the composition of the faculty raises questions about whether the existing probationary period permits assistant professors to meet the requirements of their academic units for tenure. The problem is particularly acute for those faculty members who assume major responsibility for their children and may not have a partner. A disproportionate number of faculty members in this position are women. Consequently, this situation has a significant impact on the University's ability to recruit and retain female faculty in numbers commensurate with the numbers of women receiving terminal degrees. According to the Office of Institutional Research, there is a marked difference between the numbers of female full and associate professors in comparison with assistant professors. For example, in September 2001, the percentages of female assistant professors, associate professors, and full professors were 38%, 34%, and 21%, respectively. Notwithstanding these figures, we emphasize that the fundamental issue is not gender per se, but the responsibilities of parenting. The goal of the committee is to address this problem on behalf of both female and male faculty.

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Deleted: A request for extension initiated during the third or fourth year of an initial probationary term at the rank of assistant professor shall be granted only upon the condition that the initial appointment is renewed.

In 1995, the University took an important step in addressing the obstacles facing faculty with family responsibilities trying to meet the requirements to achieve tenure when it instituted a policy of allowing faculty members to "stop the tenure clock" for one year for reasons of health, requirements of childbirth or child care, or similar compelling circumstances. This policy is gender blind and applies to natural or adoptive parents. A survey of our peer institutions indicates that most of them now have similar policies in place, although they vary somewhat in detail.

Widespread confusion exists about the "stop the clock policy." It is therefore included verbatim as an appendix to this section. Most importantly, the suspension of the tenure clock is NOT a leave. Rather it was designed for full-time probationary faculty who choose to remain in full-time employment for professional or financial reasons at a time when they face the situations to which it applies. Nor is it designed to deal only with the situation of women with babies and young children.

The committee surveyed all assistant and associate professors currently employed at UNC-CH to evaluate implementation of clock suspension policy. Based on this survey, other information that we collected and our discussions, we have come to believe that the UNC-CH should build even greater flexibility into our regulations about the probationary period for tenure-track faculty.

Although the recommended changes (see below) will have a disproportionately large effect on women, they will also benefit male faculty, many of whom live in dual-wage-earner or single-parent families and play a significant role in child-care. Many male faculty who responded to the survey indicated that the policy would apply to their family situation although many of them did not know it was gender blind. In addition, because one of the major findings of our survey was that many faculty members (55% of the assistant professors and 60% of the associate professors) did not know about the possibility of stopping the tenure clock, we strongly recommend that the University and individual schools make a systematic and concerted effort to inform chairs and faculty about these policies and how they apply to the probationary period.

In contrast to the situation of assistant professors, the large difference between women and men in the full professor rank does not seem to result from the impact of contrasting family responsibilities on female and male associate professors. According to the Office of Institutional Research, there is no statistically significant difference in the length of time it has taken for female associate professors and male associate professors to be promoted in the last five years. In addition, of current associate professors hired as assistant professors, women have been in rank 6.1 years and men, 7.3; of those hired as associate professors, women have been in rank 5.8 years and men 6.7 years. Therefore, it seems that the difference between women and men in the full professor rank primarily reflects hiring patterns of junior faculty a decade or more ago. However, it should be noted that differential hiring at the full professor rank contributes to the perpetuation of these inequities. In 2000-2001, 19.4% of the new faculty hired in Academic Affairs were hired at the full professor level, but only 31% of the newly hired full professors were female. In Health Affairs the comparable figures were 11.9% and 20%. These figures underscore the necessity of the University continuing to enforce vigilantly the policies in place to ensure equal employment hiring.

The Committee believes that the changes recommended below will enhance the University's ability to recruit and retain young faculty in a highly competitive academic market. They also recognize the University's commitment to enhancing the quality of life of its faculty, incorporating Chancellor Moeser's conviction that the University of North Carolina at Chapel Hill can and should be both good and great.

Recommendations:

1. [Omitted.]
2. Faculty members should be allowed to stop the tenure clock for a maximum of two years during the probationary period, instead of one "for reasons of health, requirements of childbirth or childcare, or similar compelling circumstances." Note: These are the reasons included in the current Trustees Policies on "Special provisions for extending the maximum probationary period," (Section 2, Part 2, c. General Provisions), which is included as an appendix to this section.
3. [Omitted.]
4. Deans and Human Resources personnel should assume responsibility for explaining the "stop the tenure clock" policy to new Chairs and new members of the faculty. This explanation must make the following points clear:
 - a) That the option is open to men as well as women.
 - b) That it is not the same thing as maternity (or paternity) leave.
 - c) That it is not the same thing as unpaid leave.
 - d) That it is open to faculty members who adopt children, as well as those with responsibility for children to whom they or their partners gave birth.
 - e) That it also be available to faculty members who have primary care of aging parents and other close family members
 - f) That it is a right open to faculty members, and not a privilege to be granted at the discretion of the chair
5. To support the effort of informing faculty about the "stop the tenure clock" policy, the University ought to develop explanatory materials that can be distributed to new faculty and chairs.
6. Points 4 & 5 should apply to any new procedures instituted as the result of this report.
7. Deans, Chairs, and other administrators should assume responsibility for ensuring that faculty who elect to stop the tenure clock are not subjected to heavier requirements for promotion, a concern voiced by many faculty who answered our questionnaire.

1 Resolution 2004-3. On the Use of Courtesy Titles by Retired Members of the
2 Faculty

3 The Faculty Council resolves:

4 The Resolution of the Faculty Council adopted September 15, 1978, relating to
5 emeritus faculty is amended as follows:

6 “Members of the voting faculty, as defined in the Faculty Code of University
7 Government, who take service retirement and are no longer performing compensated
8 services for the University may continue to use the professorial titles and distinctions that
9 they held immediately prior to retirement with the courtesy designation “emeritus” or
10 “emerita” appended. It is also appropriate that emeriti faculty be included in lists of
11 school and departmental facilities in official University publications.

Deleted: Be it resolved that the designation “Emeritus” be appended to the academic title of all individuals of professorial rank at the time of their retirement from active teaching and that this title be used in subsequent listing of these retired individuals on University catalogs.

12 Based upon financial, space, personnel and other functional constraints, the

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13 appropriate schools or departments may and are encouraged to accord such retired
14 individuals who continue active participation in the academic life of the University such
15 amenities as may be appropriate for the nature and extent of their work, such as: (1) the

Deleted: certain rights and privileges

16 opportunity to use or be assigned office space, laboratory facilities and library carrels,
17 and (2) the opportunity to purchase limited-access parking permits,

Deleted: (3) and other amenities as the school or department may think appropriate

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19 Comment: This proposal originated from a request by the Secretary of the Faculty to
20 revisit and update a 1978 Council resolution on use of the courtesy title Professor
21 Emeritus. The purpose of the revision is to make it clear that retired fixed-term faculty
22 may also employ the courtesy title, and to recognize that access by emeritus faculty to
23 such amenities as office space, library carrels, and parking permits is dependent on
24 continued active participation in the University’s academic life. A survey of all
25 appointing units conducted by the Secretary of the Faculty indicates that the revised
26 resolution is consistent with current practice.

January 16th, 2004**Executive Committee of the Faculty Council**

(Elected by the Faculty Council)

Annual Report to the Faculty Council

Elected Members: Alice Ammerman (Public Health, '05); Steve Baehenheimer (Medicine, '05); Charles Daye (Law, '04); Pamela Conover (Political Science, '06); Noelle Granger (Medicine, '06); Lloyd Kramer (History, '05); Margaret Leigh (Medicine, '05); Laurie Mesibov (Government, '06); Bobbi Owen (Dramatic Art, '04); Ross Simpson (Medicine, '06); Ronald Strauss (Dentistry, '04); Jan Yopp (Journalism, '04).

Ex Officio Members: Judith Wegner (Chair of the Faculty); Joseph Ferrell (Secretary of the Faculty).

Meetings: The Executive Committee of the Faculty Council (ECFC) meets twice monthly throughout the year. The Provost regularly attends alternate meetings, as do other members of the Provost's office, the Director of Institutional Research, chairs of various faculty committees (such as athletics and advisory committees), and other colleagues as needed. The ECFC also meet periodically with Chancellor Moeser to discuss topics of importance to the faculty and to the chancellor.

Charge: The ECFC is charged in the Faculty Code to: (1) exercise the consultative powers delegated to the Faculty Council; (2) exercise the legislative powers of the Council when prompt action is required; (3) serve as an advisory committee for the Chair of the Faculty; (4) represent the Faculty Council and General Faculty in advising the University administration with respect to issues, such as planning, that the Committee deems important to the University's mission; (5) work with various officers and groups within the University toward the realization of goals set in actions of the Council; and (6) report to the Council on the status of implementation of resolutions of the Council.

Activities This Past Year:

Last spring, the ECFC helped bring closure to a number of the faculty's long-term agenda items, including revision of the Student Honor System, completion of the Gender Equity Salary Study, adoption of recommendations of the Task Force on Appointments, Promotion and Tenure, and development of the Academic Plan. Significant time was devoted to matters arising in connection with changes in the membership of the Atlantic Coast Conference and other athletics issues. More recently, the ECFC has advised the Chancellor on changes in campus construction plans (such as the chiller plant proposal). The Committee also discussed "Carolina North," the need for faculty involvement in related decision making, and the importance of improving town-gown relationships. The ECFC met with the chair of the Advisory Committee as that committee began to develop its ideas about the role its future role now that appointment, promotion, and tenure matters have been reassigned to a committee responsible exclusively for those issues beginning this fall. It also discussed budget and salary issues, the Chancellor's unsuccessful attempt to change the proportions of resident and non-resident undergraduates, issues of staff morale, the work of the Chancellor's Work Place Task Force, and changes in the elections process for Faculty Council and faculty committees. It has also offered suggestions for the upcoming SACS reaccreditation process, offered comments on several on-going high-level searches, and suggested faculty members to sit on various search and review committees. More recently, the ECFC has focused its attention on several items including faculty retention, health benefits, the creation of a campus ombudsperson, and tuition policies, and wishes to report in a bit more detail about those matters at this time.

▪ **Faculty Retention.** The ECFC has devoted considerable energy to this matter and has urged others, including the Board of Trustees to do so as well. It met on several occasions with Lynn Williford (Director of Institutional Research) and Associate Provost Steve Allred to develop a strategy for more effectively documenting and addressing growing problems of faculty retention and morale. A methodology task group was convened. It included some members of the ECFC and other faculty colleagues with expertise in related research topics and methodology. Based on advise from this working group, the Office of Institutional Research developed and implemented an "exit interview" survey targeted to faculty members who had left in recent years and those who had been recruited by other

institutions but chose to remain at UNC based on campus efforts to address their needs among other factors. In addition, the task group has reviewed relevant research literature, requested access to relevant data collected in a recent survey of senior faculty conducted across the UNC System, and begun discussions with colleagues at the University of Minnesota who are endeavoring to understand and address related issues there. The ECFC and methodology task group expect this spring to conduct focus groups with deans and chairs to gain their perspectives on the nature and extent of faculty morale, retention and recruitment problems, as well as possible strategies for addressing them. Working with the Office of Institutional Research, the ECFC and methodology task group will develop and conduct a short on-line survey of faculty across the campus to document the extent of these problems and test ideas for possible solutions. The ECFC expects to present an action plan on faculty retention to the Faculty Council by the end of the academic year.

- **Health Benefits.** The ECFC developed a proposal for “supplemental health reimbursements” as described in the appendix to this report, and, joined by the Faculty Welfare Committee, recommended to the Chancellor that this proposal be advanced to Office of the President as among the campus’ highest legislative priorities. It was submitted in mid-December and is currently under consideration there.

- **University Ombuds Office.** During the deliberations of the Chancellor’s Work Force Task Force, members of the ECFC recommended that a University Ombuds Office be created at UNC-CH, in order to provide a trained, neutral professional who can assist members of the campus community in providing confidential advice, making referrals, addressing disputes before reliance on formal grievance processes becomes necessary, referring questions, solving problems, and identifying emerging patterns that can be addressed systematically before they become endemic. The Ombuds function is now well-established in a wide range of settings including government, hospitals, and a host of top universities such as the University of Pennsylvania, MIT, UCLA, and Iowa. Ombuds offices have proved highly successful in reducing human and financial costs, reducing individual hassles, and addressing wide-spread problems before they become entrenched. It is now well established that campus Ombuds offices must be (i) separate and independent of university counsel and human resources, (ii) visible to all members of the campus community but physically situated so as to assure confidential consultation, and (iii) led on at least a part-time basis by a senior faculty member with well-recognized abilities, a strong reputation for integrity, deep knowledge of the campus, relevant expertise and experience in dispute-resolution, and documented capacity to work well with staff, faculty, students, and administrators. A subcommittee of the ECFC will submit a report containing more detailed background on campus Ombuds offices, their role and functions, along with a model job description, initial budget proposal, and recommendations for a search process in order to identify an outstanding faculty member to serve as the campus’ first Ombudsperson on a part-time basis in order to get the office off the ground promptly later this year. These recommendations will be shared with the Employee Forum for comment and presented to the Provost and Vice Chancellor Suttentfield by mid-February in keeping with the time frame set by the Task Force for development of an initial proposal for action.

- **Tuition Policies.** The ECFC has held extended discussions with the Provost concerning proposals for tuition increases. Recent deliberations by the Board of Trustees suggest that they are likely to depart substantially from the recommendations of the Tuition Task Force and to aggressively increase non-resident tuition by approximately \$1500 beginning next fall. Their deliberations also raise other crucial policy questions, such as the allocation of resulting revenues on a unit or campus-wide basis, and distribution of tuition revenues to cover athletic scholarships, and seem likely to have significant impacts on current students and future student recruitment. The ECFC has accordingly prepared the attached resolution for discussion at the Faculty Council’s January meeting.

Possible LEGISLATIVE PROPOSAL FOR THE 2004 SESSION OF THE
NORTH CAROLINA GENERAL ASSEMBLY

Date: December 11, 2003

Proposal: Establish a health system reimbursement supplement program (HSRS) as an additional component of state employees and teachers health benefits. The reimbursement supplement program would qualify as a "health reimbursement arrangement" (a wholly employer-funded, tax exempt, consumer-directed health benefit designating a yearly amount that can be used to cover employee and dependent medical expenses pursuant to recent Internal Revenue Service rulings). For example, an allocation of \$1000 per state employee could be used at the employee's option to help fund children's doctor visits or dependent coverage within the state health insurance plan, cover costs of employee participation in screening programs that permit cost-efficient early intervention to address problems like high cholesterol or diabetes, encourage participation in chronic disease management programs, or aid employees who know they need medical care to seek it in a timely fashion rather than deferring appropriate action because they lack the funds to meet the escalating deductible and co-payment requirements under the state health plan.

Statutory references: Add new part 6 to Chapter 135 of the General Statutes and amend to include reference as part of G.S. 135-40.5. It would also be necessary to ensure that the program design complies with requirements under the federal Internal Revenue Code (particularly IRC sections 105 and 213, Internal Revenue Notice 2002-41 and Internal Revenue Ruling 2002-45)

Rationale: The state and state employees have struggled in recent years to absorb the rapidly escalating costs of health insurance and health care costs. Recent studies focused on university employees have demonstrated that North Carolina's health benefits in North Carolina are last among 13 peer institutions and last among the southern states. As costs including deductibles and co-payments rise, and salaries remain stagnant, fewer and fewer state employees can afford to cover their dependents or seek medical attention at an early cost-efficient point. These factors have resulted in adverse selection among young families, contributed to the overall decline in wellness, and increased the likelihood that higher-cost health services will be needed, all of which adversely impact the vitality of the existing state employees health insurance plan. The weakness of the health benefits structure has also contributed to problems in recruitment and retention of state employees. While "flexible spending" options are available to provide a limited tax-sheltered, self-funded health benefit supplement, many employees cannot afford to allocate scarce funds in this fashion or do not understand how the system works. The proposed establishment of a HSRS creates an incentive for earlier intervention, fostering cost-efficiency on the part of both employees and health care providers. The diagram that follows provides an overview of how the HSRS might accomplish these goals.

Cost implications: The proposed HSRS program could be funded by yearly allocations at a level more readily determined because of its defined contribution structure. One-time funds that have been allocated in recent years for modest salary bonuses could be allocated for the HSRS program, thereby providing state employees with full dollar value rather than the reduced value after taxes. More substantial funds could be reallocated to the HSRS program through a prospective redefinition of the health insurance vesting structure for future employees as illustrated on the following page.

Broad strategic direction supported: Recruitment and retention of employees.

Other comments: More detailed background on health reimbursement arrangements and related matters can be provided upon request to Professor Judith Wegner, Chair of the Faculty, School of Law, UNC-Chapel Hill, who developed this proposal with faculty colleagues: (919) 962-1671, Judith_wegner@unc.edu

Health System Reimbursement Supplement for State Employees
Possible LEGISLATIVE PROPOSAL FOR THE 2004 SESSION OF THE
NORTH CAROLINA GENERAL ASSEMBLY

Date: December 11, 2003

Proposal: Establish a health system reimbursement supplement program (HSRS) as an additional component of state employees and teachers health benefits. The reimbursement supplement program would qualify as a "health reimbursement arrangement" (a wholly employer-funded, tax exempt, consumer-directed health benefit designating a yearly amount that can be used to cover employee and dependent medical expenses pursuant to recent Internal Revenue Service rulings). For example, an allocation of \$1000 per state employee could be used at the employee's option to help fund children's doctor visits or dependent coverage within the state health insurance plan, cover costs of employee participation in screening programs that permit cost-efficient early intervention to address problems like high cholesterol or diabetes, encourage participation in chronic disease management programs, or aid employees who know they need medical care to seek it in a timely fashion rather than deferring appropriate action because they lack the funds to meet the escalating deductible and co-payment requirements under the state health plan.

Statutory references: Add new part 6 to Chapter 135 of the General Statutes and amend to include reference as part of G.S. 135-40.5. It would also be necessary to ensure that the program design complies with requirements under the federal Internal Revenue Code (particularly IRC sections 105 and 213, Internal Revenue Notice 2002-41 and Internal Revenue Ruling 2002-45)

Rationale: The state and state employees have struggled in recent years to absorb the rapidly escalating costs of health insurance and health care costs. Recent studies focused on university employees have demonstrated that North Carolina's health benefits in North Carolina are last among 13 peer institutions and last among the southern states. As costs including deductibles and co-payments rise, and salaries remain stagnant, fewer and fewer state employees can afford to cover their dependents or seek medical attention at an early cost-efficient point. These factors have resulted in adverse selection among young families, contributed to the overall decline in wellness, and increased the likelihood that higher-cost health services will be needed, all of which adversely impact the vitality of the existing state employees health insurance plan. The weakness of the health benefits structure has also contributed to problems in recruitment and retention of state employees. While "flexible spending" options are available to provide a limited tax-sheltered, self-funded health benefit supplement, many employees cannot afford to allocate scarce funds in this fashion or do not understand how the system works. The proposed establishment of a HSRS creates an incentive for earlier intervention, fostering cost-efficiency on the part of both employees and health care providers. The diagram that follows provides an overview of how the HSRS might accomplish these goals.

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Other comments: More detailed background on health reimbursement arrangements and related matters can be provided upon request to Professor Judith Wegner, Chair of the Faculty, School of Law, UNC-Chapel Hill, who developed this proposal with faculty colleagues: (919) 962-1671, Judith_wegner@unc.edu

Design:

Flexible Spending Account (employee funded, pre-tax dollars, limited uses, evaporates if not spent at year's end)

Proposed Health System Reimbursement Supplement

- State pays defined amount appropriated for year (e.g. \$1000)
- Employee chooses how to allocate funds in keeping with own needs.
- Funds can be carried forward to subsequent year or retirement if not expended and if remain in state employment
- Benefit cannot be cashed out if departing

State Employee Health Plan

- State pays 100% of current employee cost and 100% of retirees who worked for state for five years
- *Employee pays \$2200+yr for children or \$5300+yr for family plus deductible plus co-pay (only 40% participation rate for dependents)*

HSRS allocation (\$1000 per employee)

- Employees have choice in allocating funds for
- Partial coverage of dependent insurance premium
- Cost of screening programs to identify and address health problems at an early stage
- Chronic disease management programs
- Primary care through family medical practitioners (so that employees and dependents get well sooner without passing illness on or missing work)
- Vision, dentistry, other services not included in basic health plan
- Prescription co-payments
- Carry forward some or all of a yearly allocation to address health care needs in future years while continuing or retired from state service

Effect on state employee health insurance plan = Potential cost savings

- Larger and healthier pool of covered employees (including more children and more employees in better health)
- Early intervention and better management of chronic disease
- More cost-consciousness among employees and health care providers (employees have incentive to use their designated funds wisely, and health care providers have incentive to develop understandable and cost-efficient services)
- Current IRS rulings indicate that services provided under health reimbursement arrangement can be tapped through debit cards or similar arrangement that might reduce paperwork processing costs

Results:

1. Better health/welfare for state employees and families
2. Improved productivity due to better health and morale
3. Improved ability to recruit and retain employees
4. Better fiscal health for state employee health plan
5. Strategic model focused on early intervention
6. Innovative model that positions state in forefront

Funding Strategy:

Funds Needed = number of active state employees and teachers x defined contribution supplement amount, adjusted by actuarial factors (*funds to be "booked" but not accessed until actually used/drawn*)

Funding Sources:

- One-time appropriations (such as used for one-time bonuses; employee gets full value since not taxed)
- Funds freed and reallocated through prospective redefinition of vesting for state contributions to cover health insurance once draw retirement (50% of employee insurance after 5 years, then stepped up in 10% increments to 100% after 10 years state service) (significant increase in state employee turnover means substantial gain if changes in effect for hires after 7/1/04)
- Funds saved through improved fiscal health of existing state teachers and employees health plan (more premiums as employees can use HSRS funds to pay toward dependent coverage, more early intervention to keep health problems from worsening; reduced paperwork costs if electronic access to benefits cut paperwork expenses, etc.)
- Reduced recruitment costs and increased productivity: new structure emphasizes benefit to employees to stay more than five years (changes in vesting for health insurance contribution by state; stay to tap HSRS funds carried forward).

1 **Resolution 2004-5. On Tuition and Related Policies**

2 Whereas, the University stands at a critical juncture in its history as a result of factors including
3 recent state budget cuts, the general economic climate, escalating costs of research and library resources,
4 and other factors; and

5 Whereas, after extended deliberations, the campus Tuition Task Force unanimously recommended
6 staged increases in tuition for undergraduate, graduate, and professional students (including both resident
7 and non-resident students) in the amount of \$300 in each of the next three years in order to address
8 pressing needs related to student financial aid, teaching assistant salaries, and faculty and staff salaries;
9 and

10 Whereas, after similar deliberation, the student fee committee recommended fee increases for
11 designated purposes in the amount of \$121; and

12 Whereas, several of the professional schools recommended school-based tuition increases in varying
13 amounts to address pressing needs facing their programs, after deliberation and consultation with their
14 faculty and students; and

15 Whereas, the Board of Trustees has in recent weeks considered these proposed tuition and fee
16 increases, and is expected to adopt substantial additional tuition increases targeted toward non-resident
17 students at its January meeting; and

18 Whereas, by long-standing practice, the Faculty Council, faculty committees, and individual faculty
19 members have functioned as stewards committed to maintaining and advancing the University's long-
20 standing excellence; and

21 Whereas, Faculty Council and faculty committees have adopted and monitored policies and practices
22 relating to student recruitment, admission, and academic performance; salary policies affecting the
23 campus as a whole; the balance between academics and athletics; and institutional priorities; and

24 Whereas, recent deliberations and possible actions by the Board of Trustees relating to the pace and
25 level of tuition increases, tuition differentials between academic programs and between residents and non-
26 residents, and allocation of anticipated tuition revenues raise substantial issues concerning the future of
27 the academic enterprise; now, therefore,

28 The Faculty Council resolves:

29 Section 1. The Faculty Council requests the Chancellor and the Board of Trustees to present
30 proposed tuition increases to the Board of Governors in a way that separates and does not put at risk
31 consensus recommendations (those presented by the Tuition Task Force, the student fee committee, and
32 individual schools based on consultation with those directly affected) and permits the Board of Governors
33 readily to distinguish and evaluate additional Trustee proposals for immediate and longer-term tuition
34 increases targeted to non-resident students.

1 Sec. 2. The Faculty Council requests that, to the extent that the Chancellor and the Board of Trustees
2 recommend immediate tuition increases affecting non-resident students in addition to increases
3 recommended by the Tuition Task Force, a sufficient proportion of resulting funds be allocated to ensure
4 that resulting financial need is met in full for all currently enrolled students (undergraduate, graduate, and
5 professional) throughout the duration of their studies.

6 Sec. 3. The Faculty Council requests that the Chancellor and Provost work with representatives of
7 the Undergraduate Admissions Office, the Graduate School, the professional schools, and the Office of
8 Institutional Research to complete and report by December 2004 on an appropriate study to determine the
9 effects of anticipated tuition increases on recruitment of talented non-resident undergraduate, graduate
10 and professional students, so that plans for further non-resident tuition increases can appropriately weigh
11 the impacts on student body quality and diversity that may result.

12 Sec. 4. The Faculty Council expresses its concern and urges the Board of Trustees to give more
13 considered attention to the special circumstances of graduate students who play such a distinctive and
14 significant role in the research and teaching mission of the University. Because a substantial proportion
15 of the graduate population enter as non-residents, are financially emancipated from their parents,
16 participate in programs of studies that often last for five or more years, and must balance their own course
17 work along with teaching and research responsibilities, substantial and sudden increases in non-resident
18 tuition are likely to result in more financial dislocation than would be true for undergraduates. Successful
19 recruitment and retention of the very best graduate students is crucial to the university's ability to retain
20 top faculty and secure external research funding. Substantial, precipitous tuition increases affecting non-
21 resident graduate students may also have a major, permanent impact on the university's ability to recruit
22 the most talented students in future years. Comparisons to peer research universities' nonresident
23 graduate student tuition "sticker price" should be taken into account the level of financial support
24 available elsewhere because recruitment of graduate students generally depends on the overall financial
25 package available rather than the listed price. While many graduate students receive relief from non-
26 resident tuition rates as a result of tuition waivers, not all such students are eligible for such waivers
27 (which depend upon service as teaching or research assistants), receive full waivers, continue in T A or
28 RA positions throughout their academic programs, or qualify for waivers if not enrolled in covered Ph.D.
29 programs. The Faculty Council therefore urges that any increases in nonresident graduate student tuition
30 be held to the minimum possible, phased in as slowly as possible, and accompanied by an allocation of
31 substantial revenues to provide financial aid for tuition waivers as well as supplemental types of support.
32 Sec. 5. The Faculty Council requests that the Chancellor and Provost begin immediately to work
33 with the Executive Committee of Faculty Council to develop appropriate university-wide policies for
34 allocation of tuition revenues toward faculty salary improvements, including policies that assure the

1 availability of sufficient funds and appropriate processes to address (1) inequities that have arisen due to
2 salary compression and (2) inequities between units that have arisen or may subsequently arise as a result
3 of differential access to non-state revenues or differential professional school tuition funds.

4 Sec. 6. The Faculty Council requests that the Chancellor and Provost likewise begin immediately to
5 work with the Executive Committee of Faculty Council to develop revenue allocation principles designed
6 to assure that all campus units are required to bear a fair share of university-wide costs such as those
7 associated with the campus library system, utilities, administrative operations, and similar items; and
8 assure that the growing pattern of professional school differential tuition increases and other
9 developments not lead to expectations that some units need not contribute to shared expenses or bear
10 shared responsibility for the common enterprise.

11 Sec. 7. The Faculty Council expresses its grave concern about anticipated plans to allocate portions of
12 tuition revenues and revenues from sales of trademarked items exclusively for scholarship assistance to
13 student athletes and other needs of the athletic program, in contravention of longstanding policy and
14 practice. It requests the Chancellor to present to the Council by its April 2004 meeting complete and
15 accurate information regarding the extent to which such revenues have or will be used either directly or
16 indirectly to support the athletic program, and to defer any further action to implement such changes until
17 the Faculty Council has had the opportunity to study this matter and express its considered views. It
18 further requests that he at the same time inform the Council of any other similar plans or actions to
19 allocate revenues resulting from extraordinary tuition increases to non-academic purposes such as support
20 for the campus development office.

21 Sec. 8. The Faculty Council designates the Executive Committee of Faculty Council as its
22 representative in seeking additional information regarding administrative plans for fund allocations,
23 distribution of tuition revenues, and development of related policies and plans. The Council requests that
24 the Chancellor, the Provost, and the Board of Trustees accord faculty representatives a more integral role
25 in deliberations regarding financial decisions that are likely to have substantial implications for the
26 academic programs.

Overview of NACUBO Cost of College Model

January 7, 2004

*Presented by: Nancy D. Suttentfield
Vice Chancellor for Finance and Administration*

1

NACUBO Cost of College Model

- Why The Model Was Developed
- How NACUBO Developed The Model
- Costs Included
- Costs Excluded
- Limitations/Cautions
- Carolina's Projected Cost of College - FY 2003-04
- Carolina's Projected State Subsidy - FY 2003-04
- Comparison With Office of President's Methodology

2

"Why" The Model Was Developed

- Public concerns with the cost of college
- Congressional response: National Commission on the Cost of Higher Education
- Price Versus Cost Misunderstanding: the price the student pays (his/her cost) is not the same as the institution's cost of educating the student

3

"How" The Model Was Developed

The National Association of College and University Business Officers (NACUBO) undertook a "Cost of College Project" to create a uniform methodology that any college or university in the nation could use to explain how much it costs to provide one year of undergraduate education and related expenses.

4

“How” The Model Was Developed

- NACUBO charged an *Ad Hoc Committee on College Costs* to develop methodology
- Ad Hoc Committee consisted of various workgroups and solicited many perspectives (presidents, business officers, accountants, budget officers, faculty, economists, consultants, policy analysts, university relations personnel, and representatives from national associations)
- Extensive consultations with outside experts (including a national CPA firm)

5

“How” The Model Was Developed

- Almost three years of work to develop methodology
- Three pilot tests were run in 1999 and 2000 (involved 40 institutions)
- Field test was run in 2001 (involved 150 institutions, Carolina being one)

6

“How” The Model Was Developed

The challenge was to develop a uniform approach that was....

- Simple for the institution to use
- Simple for the public to understand
- Tied to audited annual financial statements
- Applicable to the full range of institutions
- Reasonably accurate when compared with detailed cost studies (based on an institution's internal accounting methods)

7

“How” The Model Was Developed

- Other Key Principles Guided The Study:
 - Reliance on basic averaging techniques
 - Concentration on the cost of undergraduate education
 - Use existing accepted cost allocation methods whenever possible (e.g. Methodologies Used to Allocate Research Costs / A-21)

8

***NACUBO's Model
"Includes" 3 Major Categories
of Cost***

- **Instruction and Student Service Costs**
- **Institutional and Community Costs**
- **Undergraduate Financial Aid Costs**

9

Instruction & Student Services Costs

- **Instruction (includes direct teaching costs)**
- **Department Administration (admin. in academic departments)**
- **Instructional Information Technology**
- **Student Services (social and cultural development, counseling and career guidance, financial aid administration, admissions, registrar's office, and student services administration)**
- **Libraries**

10

Instruction & Student Services Costs

- **Central Administration (e.g. executive management, fiscal operations, human resources, administrative computing, etc.)**
- **Allocation of Operation and Maintenance of Physical Plant**
- **Allocation of Facilities/Equipment Depreciation**

11

Institutional and Community Costs

- **Extracurricular cultural, religious, and recreational amenities, museums and gardens (for Carolina examples include Ackland Art Museum, Botanical Gardens, Morehead)**
- **Portion of Intercollegiate Athletics & Auxiliary Operations supported by student fees**
- **Allocation of Operation and Maintenance of Physical Plant**
- **Allocation of Facilities/Equipment Depreciation**

12

Undergraduate Financial Aid

- Institutional financial aid considered an investment in educational quality (expense) as opposed to discounts to fill empty seats
- Focus is on identifying source of funds and the control over disbursing the funds

<u>Source</u>	<u>Institution Controls</u>	<u>Institution Does Not Control</u>
Institution	include	NA
Government	exclude	exclude
Private	include	exclude

13

NACUBO's Model "Excludes" The Following Categories of Cost

- Professional School Costs (including overhead costs supporting those schools)
- Public Service Costs (activities established to provide non-instructional services beneficial to individuals and groups external to institution e.g. AHEC and Institute of Government Outreach)
- Sponsored Research Costs (including overhead costs attributable to research)

14

NACUBO's Model "Excludes" The Following Categories of Cost

- "Auxiliary Enterprise" costs are excluded, except for portion supported by student fees
- Example of auxiliaries where all or most of costs are excluded are: Athletics, Housing, Food Service, Parking, Printing Services, Telecommunications, and Health Services
- The charges related to excluded auxiliaries are, however, considered part of the "price of attendance" calculation.

15

Limitations and Cautions

- Cost study is a reasonable approximation, it is not an exact science
- Less precision within individual cost categories than in the total costs
- Data should not stand alone (character and mission of the institution affect costs)
- Methodology not developed to benchmark, but to assist in explaining each institution's costs
 - Does not claim to have the "right" answer on every issue
 - Does not explain differences in costs
 - Does not measure quality or efficiency

16

Carolina's Projected Cost of College for FY 2003-04

- \$15,230 = 2002-2003 Cost of College Analysis
NACUBO Methodology
- \$15,626 = 2003-2004 Projected Cost Using HE
Price Index (2.6%)

Tuition & Fees 2003-2004:

<i>Undergraduate</i>	<u>Tuition</u>	<u>Fees</u>	<u>Total</u>
— Resident	\$ 2,955	\$1,117	\$ 4,072
— Non Resident	\$14,803	\$1,117	\$15,920

17

Carolina's Projected Undergraduate State Subsidy for FY 2003-2004

Non Resident	Resident
\$15,626*	\$15,626*
<u>(15,920)</u>	<u>(4,072)</u>
(\$294)	\$11,554

*Cost of Education projected to be 2.6% above 2002-2003 actual costs.
With the projected values...
- The State's subsidy to resident students is \$11,554.
- Non-resident students pay the full cost of education plus \$294.

18

Comparison With Office of President's Costing Methodology

	NACUBO	Office of President
Type Model	Costing Model	Funding Policy Model
Source for Calculation	Audited Financials & Recognized Costing Principles	OP Analysis/BOG Policy
Instructional Costs	Actual Costs	Mixture of National Data & Carolina's Data
Other Academic, Library & Central Support Costs	Actual Costs	Predetermined Percentages
O&M Physical Plant Costs	Actual Costs	Not Included
Depreciation	Included Using Recognized Costing Principles	Equipment Funded on Cash Basis, Depreciation of Buildings Not Included
Financial Aid	Actual Costs	Per Student Fixed Amount

19

Board of Trustees

Workshop on Tuition: Enrollment and Price Sensitivity

January 7, 2004

Jerome A. Lucido
Vice Provost for Enrollment Management and
Director of Admissions

Our Goals

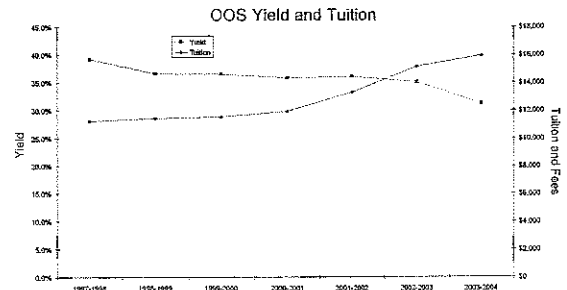
- Increase Academic Quality
- Increase Student Diversity

Cost and Yield

Recent OOS Tuition and Fees Increases

	\$ Increase
1998-99	218
1999-00	103
2000-01	403
2001-02	1,335
2002-03	1,871
2003-04	780

Cost and Yield



Peers and Competitors

Peer	Competitor
Virginia	Virginia
Michigan	Michigan
Texas	William & Mary
Washington	Georgia
Ohio State	Maryland
Florida	Florida
Illinois	South Carolina
Wisconsin	Indiana
UC-Berkeley	
UC-Los Angeles	

Testing Price Sensitivity

- Peer-group pricing assumes peers share our market.
- Students choose from among a mix of competitor institutions.
- Different students react differently to the interaction between price and other attributes.

Testing Price Sensitivity

- The impact of price increases varies dramatically from institution to institution.
- There are no highly predictable patterns.
- We must conduct research specific to UNC-Chapel Hill.

Discussion

Campus Based Tuition Increase Proposal for FY 2004-05

Robert N. Shelton
Executive Vice Chancellor and Provost
The University of North Carolina
at Chapel Hill
January 21, 2004

BOT Tuition Rate Philosophy

Undergraduate tuition for North Carolina residents must remain affordable to ensure accessibility. We will retain our position in the lowest quartile of our national public peers for in-state tuition.

Out of State tuition will be value and market driven. We will increase out of state tuition over time to the 75th percentile of our national public peers.

Assumptions

All campus based tuition receipts remain on campus

Minimum impact on resident students

Increases are consistent with philosophy articulated by the BOT on January 7th

Tuition Increase Uses

Need-based Student Aid

- Carolina Covenant

Merit/Talent Based Student Aid

- Chancellor's Scholars
- Morehead, Robertson, Other Academic
- Additional Merit-based scholarships
- Athletic scholarships

Graduate Tuition Remissions

Salary Support for Teaching Assistants

Faculty Salaries

New Faculty Positions (Reduce Student-Faculty Ratio)

Staff Salaries

Cost of Education

- \$15,230 = 2002-2003 Cost of College Analysis NACUBO Methodology
- \$15,626 = 2003-2004 Projected Cost Using H.E. Price Index (2.6%)

Tuition & Fees 2003-2004

	Tuition	Fees	Total
Undergraduate			
• Resident	\$ 2,955	\$1,117	\$ 4,072
• Non-Resident	\$14,803	\$1,117	\$15,920
Graduate			
• Resident	\$ 4,164	\$1,106	\$ 5,269
• Non-Resident	\$15,161	\$1,105	\$16,267

Cost Subsidy Undergraduate Education FY 2003-2004

Non-Resident	Resident
\$15,626	\$15,626
(\$15,920)	(\$ 4,072)
(\$ 294)	\$ 11,554

The State's subsidy to resident students is \$11,554.
Non-resident students pay the full cost of education plus \$294.

In State Tuition & Fees Comparison

	Undergraduate	Graduate
UNC-Chapel Hill	\$ 4,072	\$ 4,269
UNC System Peers		
Florida	\$ 2,780	\$ 4,926
Texas	\$ 4,188	\$ 4,554
Washington	\$ 4,968	\$ 7,071
Wisconsin	\$ 5,139	\$ 7,593
Cal-Berkeley	\$ 5,260	\$ 8,189
Cal-Los Angeles	\$ 5,298	\$ 6,318
Virginia	\$ 6,148	\$ 7,856
Ohio State	\$ 6,661	\$ 7,278
Illinois	\$ 7,010	\$ 7,756
Michigan	\$ 8,481	\$ 12,933
System Peer Mean	\$ 5,691	\$ 7,245
Percentile Values for Peer Group		
75th	\$ 6,651	\$ 7,756
25th	\$ 4,968	\$ 6,189
UNC Distance from 75th	\$ (2,579)	\$ (3,488)
UNC Distance from 25th	\$ (896)	\$ (1,901)

Out of State Tuition & Fees Comparison

	Undergraduate	Graduate
UNC-Chapel Hill	\$ 15,920	\$ 16,267
UNC System Peers		
Texas	\$ 11,268	\$ 10,218
Florida	\$ 13,806	\$ 18,589
Washington	\$ 16,121	\$ 16,794
Ohio State	\$ 16,638	\$ 18,489
Illinois	\$ 18,046	\$ 18,886
Wisconsin	\$ 19,139	\$ 22,883
Cal-Berkeley	\$ 19,460	\$ 18,859
Cal-Los Angeles	\$ 19,608	\$ 18,808
Virginia	\$ 22,169	\$ 19,964
Michigan	\$ 25,647	\$ 25,999
System Peer Mean	\$ 18,180	\$ 18,925
Percentile Values for Peer Group		
75th	\$ 19,908	\$ 19,964
25th	\$ 16,121	\$ 16,489
UNC Distance from 75th	\$ (3,588)	\$ (3,698)
UNC Distance from 25th	\$ (201)	\$ (2,223)

Tuition Increase Scenarios

Non Residents			
Excludes students paying professional degree tuition in excess of the campus base tuition			
SCENARIOS	BOT \$1500 increase	Tuition Task Force \$300 increase	
1 Yr. Target Tuition 2004-05 increased tuition income	\$ 16,303	\$ 15,103	
	\$ 9,415,500	\$ 1,883,100	
Residents			
Includes all resident students			
SCENARIOS		Tuition Task Force \$300 increase	
1 Yr. Target Tuition 2004-2005 increased tuition income		\$ 3,255	
		\$ 5,874,900	

Resident Tuition Increase

(Includes all resident students)

Increase	Permanent Increase at the end of 1 Year	Need Based Aid (35+0%)	Balance
\$300 Campus-Based	\$ 5,874,900	\$ 2,349,960	\$ 3,524,940

Non-Resident Tuition Increase

(Excludes students paying professional degree tuition in excess of the campus-based tuition)

Increase	Permanent Budget Increase at End of 1 Year	Need Based Aid (35+0%)	Merit/Talent Based Aid	Tuition Remissions	Balance
\$1500 per year	\$ 9,415,500	\$ 3,766,200	\$ 937,500	\$ 1,980,000	\$ 2,731,800

Summary of Campus-Based Tuition Proposal for FY2004-05

- Resident tuition increase: \$300
- Non-resident tuition increase: \$1,500
- Permanent budget increase: \$15,290,400
- Need-based aid: \$6,116,160
- Merit/talent-based aid: \$937,500
- Tuition remissions: \$1,980,000
- Balance: \$6,256,740

Tuition & Fee Increase Recommendation FY 2004-05

Undergraduate & Graduate				
	Tuition	Fees	Total	Percentile
Undergraduate				
Resident	\$ 2,955.00	\$ 1,117.00	\$ 4,072.00	
Increase Amount	\$ 300.00	\$ 121.50	\$ 421.50	
	\$ 3,255.00	\$ 1,238.50	\$ 4,493.50	<28th
Non Resident	\$ 14,803.00	\$ 1,117.00	\$ 15,920.00	
Increase Amount	\$ 1,500.00	\$ 121.50	\$ 1,621.50	
	\$ 16,303.00	\$ 1,238.50	\$ 17,541.50	40-80th
Graduate				
Resident	\$ 3,163.00	\$ 1,106.00	\$ 4,269.00	
Increase Amount	\$ 300.00	\$ 121.50	\$ 421.50	
	\$ 3,463.00	\$ 1,227.50	\$ 4,690.50	<28th
Non Resident	\$15,161	\$ 1,106.00	\$16,267	
Increase Amount	\$ 1,500.00	\$ 121.50	\$ 1,621.50	
	\$16,661	\$1,228	\$17,889	20-30th

Campus Based Tuition Info Session

Executive Branch of Student Government
Out of State Students Association

January 14, 2004

Summary of Information Provided by the Office of the Provost

BOT Tuition Rate Philosophy

- Undergraduate tuition for North Carolina residents must remain affordable to ensure accessibility. We will retain our position in the lowest quartile of our national public peers for in-state tuition.
- Out of State tuition will be value and market driven. We will increase out of state tuition over time to the 75th percentile of our national public peers.

Tuition Increase Uses

- Need-based Student Aid
 - Carolina Covenant
- Merit/Talent Based Student Aid
 - Chancellor's Scholars
 - Morehead, Robertson, Other Academic
 - Additional Merit-based scholarships
 - Athletic scholarships
- Graduate Tuition Remissions
- Salary Support for Teaching Assistants
- Faculty Salaries
- New Faculty Positions (Reduce Student Faculty Ratio)
- Staff Salaries

Cost Subsidy Undergraduate Education FY 2003-2004

Non Resident	Resident
\$15,626	\$15,626
(\$15,920)	(\$4,072)
(\$ 294)	\$ 11,554

The State's subsidy to resident students is \$11,554.
Non-resident students pay the full cost of education plus \$294.

In State Tuition & Fees Comparison

	Undergraduate	Graduate
LNC-Chapel Hill	\$ 4,972	\$ 4,269
LNC System Peers		
Florida	\$ 2,780	\$ 4,920
Texas	\$ 4,168	\$ 4,554
Washington	\$ 4,968	\$ 7,071
Wisconsin	\$ 5,139	\$ 7,593
Cal-Berkeley	\$ 5,250	\$ 6,169
Cal-Los Angeles	\$ 5,288	\$ 6,318
Virginia	\$ 6,149	\$ 7,856
Ohio State	\$ 6,651	\$ 7,276
Illinois	\$ 7,910	\$ 7,750
Michigan	\$ 8,481	\$ 12,933
System Peer Mean	\$ 5,591	\$ 7,245
Percentile Values for Peer Group		
75th	\$ 6,051	\$ 7,756
25th	\$ 4,988	\$ 6,169
LNC Distance from 75th	\$ (2,579)	\$ (3,488)
LNC Distance from 25th	\$ (866)	\$ (1,301)

Out of State Tuition & Fees Comparison

	Undergraduate	Graduate
LNC-Chapel Hill	\$ 15,920	\$ 16,267
LNC System Peers		
Texas	\$ 11,268	\$ 10,218
Florida	\$ 13,806	\$ 15,589
Washington	\$ 16,121	\$ 16,794
Ohio State	\$ 16,858	\$ 18,489
Illinois	\$ 18,046	\$ 18,866
Wisconsin	\$ 19,139	\$ 22,863
Cal-Berkeley	\$ 19,460	\$ 18,650
Cal-Los Angeles	\$ 19,508	\$ 18,808
Virginia	\$ 22,169	\$ 19,964
Michigan	\$ 25,647	\$ 25,989
System Peer Mean	\$ 18,180	\$ 18,925
Percentile Values for Peer Group		
75th	\$ 19,598	\$ 19,884
25th	\$ 16,121	\$ 18,489
LNC Distance from 75th	\$ (3,588)	\$ (3,638)
LNC Distance from 25th	\$ (201)	\$ (2,222)

Tuition Increase Scenarios

Non Residents

Excludes students paying professional degree tuition in excess of the campus base tuition

SCENARIOS	ROT \$1500 Increase	Tuition Task Force \$300 Increase
1 Yr. Target Tuition 2004-05	\$ 16,302	\$ 15,103
increased tuition income	\$ 9,415,500	\$ 1,882,100

Residents

Includes all resident students

SCENARIOS	Tuition Task Force \$300 Increase
1 Yr. Target Tuition 2004-2005	\$ 15,103
increased tuition income	\$ 5,874,900

Resident Tuition Increase (Includes all resident students)

Increase	Permanent Increase at End of 1 Year	Need Based Aid (\$50%)	Balance
\$300 Campus-Based	\$ 5,874,900	\$ 2,949,960	\$ 3,524,940

Non-Resident Tuition Increase (Excludes students paying professional degree tuition in excess of the campus-based tuition)

Increase	Permanent Budget Increase at End of 1 Year	Need Based Aid (\$50%)	Merit/Lance Based Aid	Tuition Remissions	Balance
\$1500 per year	\$ 9,415,500	\$ 3,766,200	\$ 937,500	\$ 1,980,000	\$ 2,751,800

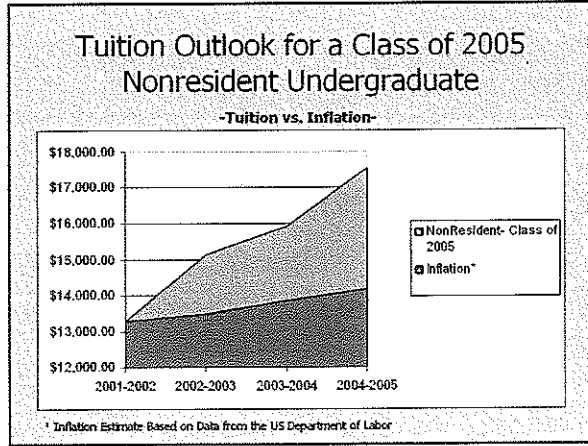
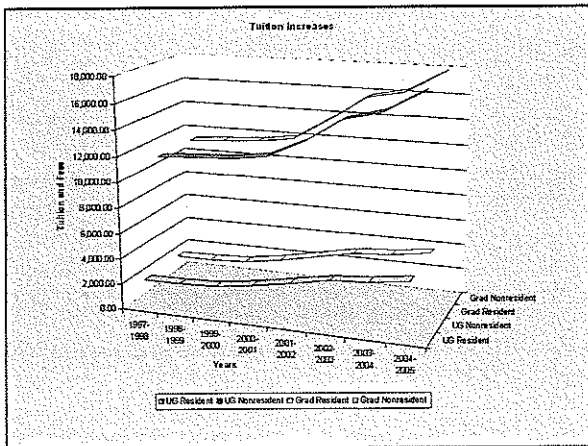
Summary of Campus-Based Tuition Proposal for F/2004-05

- ▣ Resident tuition increase: \$300
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- ▣ Permanent budget increase: \$15,290,400
- ▣ Need-based aid: \$6,116,160
- ▣ Merit/talent-based aid: \$937,500
- ▣ Tuition remissions: \$1,980,000
- ▣ Balance: \$6,256,740

Tuition & Fee Increase Recommendation F/2004-05

Undergraduate & Graduate
 Resident **\$300.00**
 Non resident **\$1,500.00**
 Fees **\$121.50**

Category	Tuition	Fees	Total	Percentile
U/Undergraduate				
Resident	\$ 2,955.00	\$ 1,117.00	\$ 4,072.00	
Increase Amount	\$ 300.00	\$ 121.50	\$ 421.50	
Non Resident	\$ 3,255.00	\$ 1,238.50	\$ 4,493.50	<25th
Increase Amount	\$ 1,500.00	\$ 121.50	\$ 1,621.50	
	\$ 10,303.00	\$ 1,238.50	\$ 17,541.50	40-60th
U/Graduate				
Resident	\$ 3,163.00	\$ 1,106.00	\$ 4,269.00	
Increase Amount	\$ 300.00	\$ 121.50	\$ 421.50	
	\$ 3,463.00	\$ 1,227.50	\$ 4,690.50	<25th
Non Resident	\$15,161	\$ 1,106.00	\$16,267	
Increase Amount	\$ 1,500.00	\$ 121.50	\$ 1,621.50	
	\$16,661	\$1,228	\$17,889	20-30th



Analysis

- Rebekah Burford- Student Body Vice President
- Dan Herman- President of GPSF
- Joy Diggs- President of the Out of State Students Association

Non-Resident Increases: The Effects on Graduate Students



Dan Herman
GPSF President
January 14, 2004

Who Pays?

- Non-residents are a significant graduate student population
 - ~40% Non-Residents overall
 - ~40% receive Tuition Remission
 - "Moving Target" not the same 40% semester to semester
 - Not all are at 100% level

Who Pays?

- Non-residents are a significant population
 - ~70% Non-Residents among first-year students!
 - Decreasing state funds have reduced departments' abilities to ensure funding over "educational lifetime"
 - May have significant effects on the recruitment of top graduate students

Effects?

- Graduate Students are a vital cog for the University
 - Effects are far-reaching
- **3 Main Contributions**
 - Research
 - Faculty Recruitment/Retention
 - Undergrad Education

Research

- Graduate Students conduct top research
 - Groundwork
 - Develop Research Proposals & Techniques
 - Essential to bringing in Research \$\$\$

Faculty

- Faculty retention/recruitment is a major campus issue
 - Faculty depend heavily on the quality of the students in their labs
 - Publications
 - Novel Research
 - Effect on Research \$\$\$ & Undergraduate Education

Undergraduate Education

- Graduate Students teach a significant portion of class and lab hours
 - ~50% of all undergraduate instructional hours
 - Quality of undergraduate instruction is dependent on the quality of graduate students

Grad Effects - Summary

- Decreased ability to recruit top graduate students
 - Ability to conduct research will suffer
 - Capacity of "workforce"
 - Faculty Retention and Recruitment
 - Undergraduate instruction will suffer

Professional Schools

- School based proposals based on Tuition Task Force Recommendation
 - How will this effect each schools' model?
 - Possibility of being exempted from campus-based increase
 - What about schools without a proposal?
 - An increase would be paid, but the revenue would not specifically return to the school

Other Considerations

- Process
 - Timing is short - ~2 months opposed to ~3 years for the Tuition Task Force
 - Much activity occurred over Winter Break
 - Difficult to get student input
- Legislature & Board of Governors
- "Moving Target" of 75th Percentile
 - UC System in line for large increases



The University of North Carolina at Chapel Hill

JOURNAL OF PROCEEDINGS OF THE GENERAL FACULTY AND FACULTY COUNCIL

January 16, 2004

The Faculty Council of the University of North Carolina at Chapel Hill convened at 3:00 p.m. in the Pleasants Family Assembly Room in the Wilson Library. The following 59 members of the Council attended: Anton, Bachenheimer, Bane, Bouldin, Bowen, Burford, Colindres, de Silva, Eiter, Eivers, Foley, Gerber, Givre, Gollop, Granger, Gulledege, Heenan, Holmgren, Howell, Klebanow, Kramer, Langbauer, Leigh, Lohr, McGraw, Mesibov, Miguel, Morris-Natschke, Muller, Nicholas, Nonini, Orthner, Pardun, Parikh, Pittman, Poole, Renner, Rippe, Rogers, Rowan, Salmon, Simpson, slawick, Jay Smith, Straughan, Strauss, Tauchen, Tobin, Toews, Tresolini, Tulloch, Vandermeer, Wallace, Weinberg, Willis, Wilson, Wolford, Yankaskas, and Yopp

The secretary of the faculty called the meeting to order. He reported that Chancellor Moesser had been unavoidably delayed and would be late in arrival.

In his remarks, Provost Robert Shelton:

Reported that the annual budget process would begin in February and that budget decisions this year will rely heavily on the recently completed Academic Plan;

Said that he was cautiously optimistic that there would be no mid-year budget cut this year due to the improving economy;

Reported that the annual competition for faculty research leaves has concluded and that this year it was possible to make 20 awards due to good performance of the fund that supports them; 38% of the applications this year resulted in successful awards; and

Reported on negotiations with EISVIER with respect to purchase of scientific journals published by that firm.

Prof. Richard Pfaff, Chair of the Administrative Board of the Library, expressed the Board's support for the University's stance in resisting efforts by EISVIER to inflate unreasonably the price of its journals and to insist on "bundling" contracts in which the University would be forced to subscribe to costly journals that it would not otherwise purchase in order to obtain those that it needs. University Librarian Joe Hewitt and Health Sciences Librarian Carol Jenkins said that faculty support has been critical in negotiating with EISVIER.

Prof. Elizabeth Gibson, Chair of the Committee on University Government, laid before the General Faculty for passage on second reading Resolution 2003-11, entitled "Amending the Faculty Code of University Government as it Relates to the General Faculty, the Faculty Council, Officers of the Faculty, and Standing Committees." The resolution was approved on first reading at the December 12, 2003, meeting of the General Faculty.

Prof. Gibson said that, in response to concerns expressed at the December meeting, the Committee on University Government recommends that librarians who are members of the voting faculty should be eligible for election to the Faculty Grievance Committee. She moved adoption of an amendment to Section 4-8 of the Faculty Code to accomplish that result. The amendment was adopted.

Dr. Jerome Lucido, Director of Undergraduate Admissions, pointed out that the revision of Section 1-1 deletes as ex officio members of the General Faculty the university registrar, the director of the office undergraduate admissions, and the director of the office of scholarships and student aid. He moved adoption of an amendment to restore those positions as ex officio, non-voting members of the General Faculty. The amendment was adopted.

Resolution 2003-11, as amended, was adopted and on second reading and took effect according to its terms. See Appendix A.

Prof. Della Pollock, Chair of the Advisory Committee, presented the committee's annual report.

Prof. Pollock, on behalf of the Advisory Committee, laid before the Council and moved adoption of Resolution 2004-1, entitled "Proposing an Amendment to the Trustee Policies and Procedures Governing Academic Tenure to Authorize the Faculty Ranks of Senior Lecturer and Professor of the Practice." She said that the proposal to create the rank of senior lecturer originated in the report of the Task Force and Appointment, Promotion, and Tenure, and had been endorsed by the Faculty Council in Section II.7 of Resolution 2003-7. The proposal to create the rank of professor of the practice originated from a request by Dean William Roper (Public Health). She said that both proposals have the support of Executive Vice Provost Bernadette Gray-Little.

In response to a question, Prof. Pollock said that the Advisory Committee understands that the title of professor of the practice is to be used only with respect to practitioners who join our faculty after a distinguished career of service in their professions, or for persons for whom none of the existing fixed-term titles is appropriate. It is not to be used with rank distinctions (assistant or associate) and should not be understood as introducing a new category of faculty appointments.

In response to other questions, the secretary of the faculty, Prof. Ferrell, said that the title senior lecturer would be appropriate for an individual who has rendered long and distinguished service to the University evidenced by such distinctions as awards for teaching or service. The title would not necessarily entail special incidents such as longer terms of appointment or salary increases. He also pointed out that professors of the practice would be on the same footing as other fixed-term faculty with respect to matters such as voting privileges and participation in departmental faculty meetings. In response to a suggestion that the proposal might be amended to make it clear that the use of the title professor of the practice was to be used in the manner that he and Prof. Pollock had described, Prof. Ferrell pointed out that the current language of Sec. II.b.5 of the Trustee Regulations Governing Academic Tenure provides that special fixed-term titles are to be used only for persons "for whom none of the professorial ranks nor the instructor rank is appropriate because of the limited duration of the mission for which appointed, or because of concern for continued availability of special funding for the position, or for other valid institutional reasons."

In response to a question as to the possibility of assistant professors transferring from tenure-track appointment to professor of the practice status, Prof. Ferrell said that it is currently possible under the tenure regulations for a faculty member to transfer from a tenure-track appointment to one of the fixed-term appointments and the proposal before the Council would neither encourage or discourage that practice in and of itself. He added that it is his understanding that such transfers are rare and at one time were not allowed in the Division of Academic Affairs (he did not claim knowledge of current practice in that regard).

Resolution 2004-1 was adopted. See Appendix B.

Prof. Pollock laid before the Council and moved adoption of Resolution 2004-2 entitled "Proposing an Amendment to the Trustee Policies and Procedures Governing Academic Tenure to Eliminate the Requirement that Tenured Assistant and Associate Professors be Reviewed for Promotion Not Less Frequently than Every Third Year."

Prof. Pollock said that this proposal originated from a request of Interim Dean of the College of Arts and Sciences Richard Soloway who pointed out that current policies on post-tenure review require that all tenured faculty be reviewed on a five-year cycle. When combined with the mandatory three-cycle for review of tenured associate professors, the two cycles are burdensome both on the department and the faculty member under review. Prof. Pollock said that this proposal also has the strong endorsement of Executive Vice Provost Gray-Little.

Prof. William Smith (Mathematics) pointed out that the three-year review of tenured associate professors and the five-year post-tenure review have different purposes and are of differing rigor. He said that the three-year review cycle was added at the request of the faculty to insure that tenured associate professors were not being overlooked for promotion. He also pointed out that the post-tenure review policy allows other reviews to substitute for post-tenure review. Vice Provost Gray-Little replied that deleting the explicit requirement from the tenure regulations would not prevent a tenured associate professor from requesting review for promotion at any time.

Resolution 2004-2 was adopted. See Appendix C.

Prof. Pollock laid before the Council and moved adoption of Resolution 2004-3 entitled "On the Use of Courtesy Titles by Retired Members of the Faculty." Prof. Ferrell said that he had requested an update of a 1978 council resolution on this topic. He said that the revision embodies current practice throughout the University insofar as he had been able to determine. Prof. Richard Pfaff (History) suggested adding "gym privileges" to the list of amenities appropriately accorded retired faculty. That amendment was incorporated without objection.

Resolution 2004-3 was adopted. See Appendix D.

Prof. Pollock laid before the Council and moved adoption of Resolution 2004-4 entitled "Proposing an Amendment to the Trustee Policies and Procedures Governing Academic Tenure Relating to the Duration of the Probationary Period in Certain Cases Where Required by Health, Child-birth or Child Care, or Similar Compelling Circumstances."

Prof. Pollock said that this resolution also originated from the Report of the Task Force on Appointment, Promotion, and Tenure and responds to Sec. 1.4 of Resolution 2003-7.

Resolution 2004-4 was adopted. See Appendix E.

Prof. Wegner submitted by title the annual report of the Executive Committee of the Faculty Council.

Prof. Wegner laid before the Council and moved adoption of Resolution 2004-5 entitled "On Tuition Policies." She said that she had prepared the resolution in response to current discussion and debate on tuition policies, and that the resolution has the endorsement of the Executive Committee of the Faculty Council.

Chancellor Moeser delivered a formal statement on recent developments in the matter of tuition increases. See Appendix F.

Provost Robert Shelton gave a PowerPoint presentation on the financial implications of tuition increases. A handout of slides in the presentation is appended to these Minutes.

Resolution 2004-5 was adopted. See Appendix G.

Its business having concluded, the Council adjourned at 5:15 pm.

Joseph S. Ferrell
Secretary of the Faculty

Appendix A

Resolution # 2003-11. Amending The Faculty Code of University Government as it relates to The General Faculty, The Faculty Council, Officers of the Faculty, and Standing Committees.

The General Faculty resolves:

Section 1. Articles 1-4 of *The Faculty Code of University Government* are rewritten to read:

ARTICLE 1

THE GENERAL FACULTY

§ 1-1. Members. The General Faculty consists of the President of The University of North Carolina, the Chancellor of The University of North Carolina at Chapel Hill, and all persons holding faculty appointments to the ranks of professor, associate professor, assistant professor, instructor, lecturer, or any of the formally authorized lecturer-equivalent ranks, and ~~persons~~ librarians holding the ranks of librarian, associate librarian, assistant librarian, and general librarian under procedures approved by the chancellor, who hold an appointment to the faculty of The University of North Carolina at Chapel Hill or to a librarian position within any of the University libraries, and the following officers of the administration, ex officio: the president, the chancellor, the provost and vice provosts, the vice chancellors, the university librarian, the university registrar, the directors of the Press, Extension Division, Undergraduate Admissions, and Student Health Service, and such other officials having responsibility for making and administering educational, research, and student welfare policies as shall be approved by the Faculty Advisory Committee for ex officio membership on the General Faculty, the registrar, the director of the Office of Undergraduate Admissions, the director of the Office of Scholarships and Student Aid, and such other officers of administration having responsibility for educational policy as may be approved for ex officio non-voting membership by the Faculty Council.

§ 1-2. Organization. (a) Presiding officer. The chancellor shall be the presiding officer of the General Faculty. The chair of the faculty shall be chair pro tempore of the General Faculty and shall preside in the absence of the chancellor.

(b) Minutes. The secretary of the faculty shall keep a record of the proceedings.

(c) Quorum. A quorum shall be conclusively presumed at any meeting of the General Faculty called on at least ten days' written notice. Otherwise, the presence of 125 voting members shall be necessary for a quorum.

(d) Bylaws. The General Faculty may adopt bylaws to govern its proceedings.

§ 1-3. Meetings. The General Faculty shall meet at least once in the fall semester and once in the spring semester in each academic year. Special meetings may be called by the chancellor, or, in his or her absence, by the chair of the faculty. The chancellor shall call a special meeting and shall be called, on the written request of ten percent of the voting members of the General Faculty.

§ 1-4. Voting. (a) Except as otherwise provided in this Code, the voting faculty comprises (i) all members of the General Faculty having tenured or probationary-term appointments, (ii) librarians who are members of the General Faculty, and (iii) fixed-term faculty whose positions satisfy the following criteria:

(4) ~~The position is for full-time employment not less than 75% of an equivalent full-time position and is not a visiting appointment; and~~

(2) ~~The duties of the position include teaching, research, or both; and~~

(3) ~~The actual or anticipated length of service in the position is at least three years. This criterion is satisfied if (i) the current term of appointment is for three years or more, or (ii) the appointment is a renewal appointment to the same position and the combined length of the current term and the immediately preceding terms is three years or more.~~

(b) For the purposes of Articles 1 through 4 and Article 13 of the Code, a member of the voting faculty who retires but continues on the faculty with a fixed-term appointment that calls for at least one-half time effort shall be deemed to retain the faculty rank and voting status that he or she held immediately prior to retirement.

§ 1-5. Office-holding. Only members of the voting faculty are eligible to hold offices established by the Code.

§ 1-6. Powers. The General Faculty shall have power:

- (1) To establish the policies governing the educational activities of, and the award of academic degrees by, The University of North Carolina at Chapel Hill and to promulgate such regulations as are necessary to implement established policies;
- (2) To request information and reports from and to give advice to the chancellor with respect to any matter affecting the life of the University;
- (3) To act upon reports from and to make recommendations to the Faculty Council, faculty committees, colleges, schools, institutes, and other units of the University;
- (4) To discuss and resolve upon matters relating to the life of the University;
- (5) To join with the chancellor and other officers of administration and the student body in regulating student conduct and discipline; and
- (6) To delegate its powers, except the power to establish or amend this Code, to such officers and bodies as may be established herein.

§ 1-7. Code amendments. Proposals to amend this Code must be passed on two separate readings—at different meetings. If a proposal has not been previously considered by the Committee on University Government before passing its first reading, it shall be referred to that Committee before being considered on second reading. At the meeting at which it is introduced, the proposal must receive the affirmative votes of a majority of the voting members of the General Faculty present and voting. Upon such tentative approval, the proposal shall be referred to the Committee on University Government, which The Committee shall consider the proposal and report its recommendations to the next regular or special meeting of the General Faculty promptly. When the proposal is reported by the Committee on University Government, those present shall first determine whether to submit the proposal to a general referendum, which shall be done upon motion of one third of those present and voting. If the proposal is not submitted to a general referendum, passage shall require the affirmative votes of two thirds of those present and voting. Before the final vote is taken on a proposal that is not submitted to a general referendum, any faculty member present may ask for a ruling of the presiding officer as to whether the proposal has been so materially amended that the text of the proposal as tentatively approved does not constitute a fair representation of the substance of the proposal as amended. If the presiding officer so rules, final action shall be deferred until the next meeting of the General Faculty, or the proposal shall be submitted to a general referendum, as may be decided by a majority of those present and voting. When a proposal is submitted to a general referendum, the secretary of the faculty shall mail a ballot and a copy of the proposal, together with any written report or explanatory material accompanying it, to each voting member of the General Faculty. Ballots must be returned to the secretary of the faculty not later than 15 days after the date of mailing. In a general referendum, passage shall require the affirmative votes of three fifths of those voting.

§ 1-8. Policy on selection of officers. It is the policy of the General Faculty that in selecting persons to fill positions established by or pursuant to this Code, consideration should be given to the factors of departmental affiliation, faculty rank, tenure status, color, age, and sex to the end that diversity of interests among the faculty are appropriately reflected in the various organs of faculty government.

ARTICLE 2

THE FACULTY COUNCIL AND FACULTY EXECUTIVE COMMITTEE

§ 2-1. Legislative power vested in Council. The legislative powers of the General Faculty shall be vested in a Faculty Council.

§ 2-2. Members. (a) The Council shall consist of two groups of members, ex officio and elected.

(b) The ex officio members shall be: the chancellor, the provost and vice provosts, the vice chancellors, the dean of the General College and the College of Arts and Sciences, the dean of the Graduate School, the chair of the faculty, the secretary of the faculty, and members of the Faculty Executive Committee of the Faculty Council and delegates to the Faculty Assembly who are not otherwise elected or ex officio members of the Council, and the chairs of standing committees of the faculty.

(c) All members of the voting faculty are eligible for election to the Council.

(d) The elected members of the Council shall be chosen by and from the electoral divisions defined in subsection (e), on the basis of one representative for each thirty-seven members of the voting faculty, or major fraction thereof, assigned to the respective divisions; provided that no college or school shall be represented by more than one-third of the elected members. In divisions entitled to two or more representatives, members shall be chosen on the basis of proportional representation of (1) professors, associate and assistant professors with permanent tenure, and librarians, and (2) all other ranks. If there are too few members of the voting faculty in either category to qualify for at least one representative, the two categories shall be combined. Representation is determined by the composition of the electoral division as of January 1 proceeding the date of the election.

(e) The electoral divisions are:

(1) The Division of Fine Arts of the College of Arts and Sciences;

(2) The Division of Humanities of the College of Arts and Sciences;

(3) The Division of Basic and Applied Natural Sciences of the College of Arts and Sciences and The Institute of Marine Sciences;

(4) The Division of Social Sciences of the College of Arts and Sciences;

(5) The University Libraries;

(6) The School of Information and Library Science;

(7) The Kenan-Flagler Business School of Business;

(8) The School of Education;

(9) The School of Journalism and Mass Communication;

(10) The School of Law;

(11) The School of Social Work;

(12) The ~~Institute~~ School of Government;

(13) The School of Medicine;

(14) The School of Dentistry;

(15) The School of Nursing;

(16) The School of Pharmacy; and

(17) The School of Public Health.

(f) Departments and other units initiating faculty appointments that are not assigned to an electoral division by subsection (e) shall be assigned to an appropriate division by the secretary of the faculty.

(g) In 1985 and every five years thereafter, the Committee on University Government shall adjust the apportionment factor so that the number of elected members of the Council is as near seventy as practicable. Such an adjustment shall be deemed an amendment of subsection (d) and shall be reported promptly to the secretary of the faculty and by him or her to the General Faculty.

(h) The Committee on University Government, with the approval of the chancellor, may amend the provisions of this section to adjust details of the pattern of ~~elective and ex-officio~~ membership herein established whenever required by changes in the organization of the University.

§ 2-3. Terms. Elected members of the Council shall serve for terms of three years and shall not be eligible for election more than twice in any period of seven years. Nominations and elections shall be held in the spring semester in each academic year and the term of office shall begin on July 1. A member's term of office shall not be affected by his or her promotion during the term or by reapportionment of the Council before expiration of the term.

§ 2-4. Nomination and election. (a) Nominations for election to the Faculty Council shall be the responsibility of the Nominating Committee. Other names may be added to the ballot by written nomination submitted to the secretary of the faculty by ~~ten percent~~ three or more ~~of the~~ faculty members of the division for

which the nomination is made.

(b) The Nominating Committee shall establish divisional nominating committees of five members within each electoral division of the Faculty Council. These committees shall recommend nominees for the Faculty Council. Each committee shall recommend at least two nominees for each vacancy within its electoral division unless the number of vacancies makes that impractical. ~~The divisional committees normally shall be drawn from the retiring members of the Faculty Council and each shall be as widely representative of the departments in its electoral division as possible. Service on a divisional nominating committee shall be for one year.~~

(bc) Members representing electoral divisions shall be chosen by members of the voting faculty whose primary appointments are in schools or departments assigned to that electoral division. Ballots containing the nominations shall be distributed to the appropriate division by the secretary of the faculty. Elections shall be determined by a plurality of the votes cast.

(ed) The secretary of the faculty shall decide tie votes by lot.

(de) The secretary of the faculty shall fill vacancies for the remainder of unexpired terms from the list of those voted on in the two most recent elections for that division in the order of the highest number of votes received. If all such persons decline appointment or are no longer eligible for election or there is an insufficient number, the Faculty Executive Committee of the Faculty Council shall fill the vacancy for the remainder of the unexpired term. Council members taking leave for not longer than one year may be temporarily replaced during such leave in like manner. Council members taking leave for longer than one year shall be deemed to have resigned from the Council.

§ 2-5. Organization. Pursuant to Section 502(D)(2) of *The Code of the Board of Governors of The University of North Carolina*, the chancellor has the right to preside over the deliberations of the Faculty Council. The chair of the faculty shall preside upon the request of the chancellor. The secretary of the faculty shall be secretary of the Council ex officio. The presence of a majority of the elected members shall be necessary for a quorum. The Council may adopt bylaws to govern its proceedings.

§ 2-6. Meetings. The Council shall meet regularly each month from September through April. Special meetings may be called by the chancellor, or, in his or her absence, by the chair of the faculty, and shall be called upon the written request of ten members of the Council. It shall be the duty of all members to attend all regular and special meetings of the Council, save for good cause. If any voting member is absent for two successive regular meetings without cause, the Council may declare his or her membership vacant.

§ 2-7. Voting. ~~All elected members, the chair of the faculty, and ex-officio members serving by virtue of membership on the Executive Committee of the Faculty Council shall have the right to vote. Ex-officio members shall have the right to make motions and otherwise participate in the Council's deliberations, but shall not vote. The presiding officer shall vote only in case of a tie.~~

§ 2-8. Powers. (a) The Council shall exercise the legislative powers of the General Faculty:

(1) To determine the educational policies of the University and the rules and regulations under which administrators and faculty will conduct the educational activities of the University;

(2) To prescribe the requirements for admissions, programs of study, and the award of academic degrees by the University in the context of the basic educational policies of the University and the special competencies of the faculties of particular colleges and schools;

(3) To recommend persons for honorary degrees and special awards; and

(4) To advise the chancellor and other officers of administration and the student body in matters of student conduct and discipline, and to approve any rules and regulations governing student conduct that affect academic standards of performance.

(b) The Council shall also have power, concurrently with the General Faculty:

(1) To provide for such standing and special committees as the Council may deem necessary or useful for the effective and expeditious conduct of its business;

(2) To act upon reports from and to make recommendations to the General Faculty, faculty committees, colleges, schools, institutes, and other units of the University;

(3) To request information and reports from and to give advice to the chancellor and other officers of administration with respect to any matter affecting the life of the University; and

(4) To discuss and resolve upon matters relating to the life of the University.

§ 2-9. Minutes. Summaries of the actions of the Council shall be sent/published promptly to every member of the General Faculty.

§ 2-10. Faculty Executive Committee of the Faculty Council. (a) The Faculty Executive Committee of the Faculty Council shall consist of the chair of the faculty, the secretary of the faculty, and twelve voting members of the voiting faculty/General Faculty elected by the Faculty Council for renewable three-year terms. The term of office shall begin on July 1. A member who has served two successive full three-year terms is ineligible for election to the succeeding term.

(b) The Advisory Committee shall nominate candidates for open seats in the ratio of no fewer than three to two. ~~Other names may be added to the ballot by written nomination submitted to the secretary of the faculty by seven or more Faculty Council members. Nominations and elections shall be held in the spring semester in each academic year. Members shall be nominated and elected and interim vacancies shall be filled in the manner provided for electing other standing committees [§ 4-3], except that the Advisory Committee shall act instead of the Nominating Committee.~~ vacancies in the Faculty Council [2-4(d)] except that the Advisory Committee shall act instead of the Nominating Committee.

(c) The chair of the faculty shall convene the Faculty Executive Committee and preside at its sessions.

~~(d) For the purposes of 4-4 of this Code, the Executive Committee shall be deemed a committee of the Faculty Council and not a standing committee of the General Faculty.~~

(e) The Faculty Executive Committee shall have the following powers and duties:

(1) To exercise the consultative powers delegated to the Faculty Council by sections 2-8(b)(3) and 2-8(b)(4), above, subject to such restrictions or instructions as the Council may from time to time establish;

(2) ~~When~~ When prompt action is required, to exercise the legislative powers delegated to the Faculty Council by sections 2-8(a)(1) and 2-8(a)(4), above, subject to confirmation by the Council at its next regular meeting;

(3) To serve as an advisory committee to the chair of the faculty;

(4) To represent the Faculty Council and the General Faculty in advising the University administration with respect to issues, such as planning the setting of University priorities, that the committee deems important to the University's mission;

(5) To work with the various officers and groups within the University toward the realization of goals set in actions of the Faculty Council; and

(6) To report to the Council at regular intervals, including reporting annually on the status of the implementation of resolutions of the Faculty Council; and

(7) to serve as members of the Faculty Council as provided in § 2-2(b).

ARTICLE 3

OFFICERS OF THE FACULTY

§ 3-1. The chair of the faculty. (a) The chair of the faculty shall serve as chair pro tempore of the Faculty Council and of the General Faculty, shall make an annual report to the Faculty Council on the state of the faculty, shall represent the chancellor in all academic matters whenever the chancellor may request him or her to do so, and shall have such other responsibilities as may be determined by the chancellor or the Faculty Council. ~~He or she shall serve ex-officio as chair of the Executive Committee of the Faculty Council, the Agenda Committee, and the Faculty Assembly Delegation, and as a member of the Advisory Committee and the Nominating Committee.~~

(b) The chair of the faculty shall serve for a term of three years and shall not be eligible for immediate ~~re-election~~ re-election to more than two consecutive terms. Nominations and elections shall be held every third year, and the person elected shall take office on July 1 following the election.

(c) Nominations shall be made by the Advisory Committee, which shall announce the upcoming election to all members of the voting faculty and invite recommendations of persons to be nominated, which shall ~~The Committee shall select and submit the names of at least two~~ three qualified persons. The nominee receiving the highest number of votes in the election shall be deemed elected, unless he or she has failed to receive a majority of the votes cast. In that event, a run-off election shall be held between those who received the highest and the next highest number of votes in the previous election, and the person receiving the highest number of votes in the run-off election shall be deemed elected. Interim vacancies in the office of chair of the faculty shall be filled through appointment by the Advisory Committee.

§ 3-2. The secretary of the faculty. (a) The secretary of the faculty shall keep minutes of all meetings of the General Faculty and of the Faculty Council and enter them in the permanent minute books of the faculty, conduct all elections of the General Faculty and the Faculty Council, and conduct correspondence pertaining to elections and actions of the two faculty bodies. He or she shall maintain files of all nominations and citations for honorary degrees and special awards and shall also maintain records of the charge, membership, and duration of all committees about which he or she is notified pursuant to § 4-1(b). ~~He or she shall serve ex-officio as a member of the Agenda Committee, the Nominating Committee, the Advisory Committee, the Committee on University Government, and the Committee on Honorary Degrees and Special Awards.~~

(b) The secretary of the faculty shall serve for a term of five years and shall be eligible for re-election. The Advisory Committee shall nominate one member of the voting faculty for the position, to ~~The Faculty Council,~~ which after opportunity has been given for additional nominations from the floor, shall proceed to elect a secretary of the faculty.

ARTICLE 4

STANDING COMMITTEES

§ 4-1. Organizational principles. ~~(a) The existing~~ Standing committees of the faculty ~~and new committees~~ shall be organized as nearly as practicable in accordance with the following principles:

(1) unless otherwise specified in this Article, ~~Each~~ committee shall consist of no more than seven members, ~~unless authorized by the chancellor and Advisory Committee;~~

(2) unless otherwise specified in this Article, Members shall serve for staggered terms of three years;

~~(3) each and no person shall serve more than two consecutive terms on one or~~ each and, no person shall serve more than two consecutive terms on one or ~~elective committee; s-a member who has served a full three-year term is ineligible for election to the succeeding term; (3) When a committee is created by faculty action, its functions shall be specifically stated in the motion or resolution;~~

~~(4) When a committee is created by administrative action, its functions shall be specifically stated in a written communication to the faculty;~~

~~(5) Before any new special or standing committee is created, consideration shall be given to the question whether one of the existing committees could effectively undertake the assignment;~~

(4) elective committees shall select their own chairs, and appointing officers shall designate the chairs of committees they appoint;

(6) Unnecessary aid and assistance shall be provided to expedite the work of the committees of the

faculty, and

(7g) ~~Service on all standing committees shall begin on July 1 following election or appointment and end on June 30 of the appropriate year.~~

~~(7) standing committees shall report to the Faculty Council on their activities at least once each academic year unless the chair of the faculty authorizes the postponement of a committee's annual report.~~

~~(b) When University-wide committees with faculty representation, other than those established under this Article, are created, the officer appointing the committee shall inform the secretary of the faculty of the committee's charge, membership, and duration. When a committee is created by faculty action, its functions shall be specifically stated in the motion or resolution. When a committee is created by administrative action, its functions shall be specifically stated in a written communication to the faculty.~~

~~(c) Before any new special or standing committee is created, consideration shall be given to the question whether one of the existing committees could effectively undertake the assignment.~~

~~§ 4-2. The Nominating Committee. (a) The Nominating Committee shall consist of the chair of each of the standing committees established by this Article, or the chair's designee, and four members of the voting faculty appointed by the chair of the faculty, all faculty members retiring from the elective faculty committees (Advisory, Athletics, Educational Policy, Faculty Grievance, Faculty Hearings, Financial Exigency and Program Change, and Honorary Degrees and Special Awards). The Executive Committee of the Faculty Council may appoint up to five additional members. Service shall be for one year. The chair and secretary of the faculty shall serve as ex officio, non-voting members. The secretary of the faculty shall act as convener of the committee whenever the Nominating Committee each year and shall serve as its secretary of the committee.~~

~~(b) The committee nominates members of the voting faculty for all positions established by or pursuant to this Article that are to be filled by election. It also makes recommendations for positions that are to be filled by appointment.~~

~~§ 4-3. Procedure for electing standing committees. (a) Each spring the Nominating Committee shall provide the secretary of the faculty establishes a schedule for conducting elections for the elective standing committees. At least 60 days before the date set for distribution of ballots, the secretary of the faculty announces the opening of the nomination period to all members of the voting faculty. The announcement invites voting faculty members to express interest in being nominated and to recommend other members of the voting faculty to be nominated. Recommendations must be in writing, and no person shall be recommended without his or her consent. In addition, the Nominating Committee identifies and recruits faculty members who are willing to stand for election. The Nominating Committee provides the secretary of the faculty with at least two nominees for each vacancy on each elective committee established by this Article, with three nominees for each vacancy on each elective committee. Additional nominees may be added to the ballot by written nomination of ten or more faculty members submitted to the secretary of the faculty.~~

~~(b) Ballots shall be distributed by the secretary of the faculty distributes ballots to the voting faculty, receives completed ballots, and tabulates the votes, and these nominees receiving the highest number of votes shall be declared elected.~~

~~(c) The secretary of the faculty declares the election of the nominees who receive the highest number of votes for each position. In the event of a tie, the secretary shall determine election by lot.~~

~~(d) Interim vacancies shall be filled by the secretary from the list of those voted on in the two most recent elections in the order of the highest number of votes received unless all such persons decline appointment, or are ineligible, or there is an insufficient number, in which case the vacancy shall be filled by appointment of the chair of the faculty for the remainder of the unexpired term.~~

~~§ 4-4. Procedure for selecting appointed standing committees. The Nominating Committee may act in an advisory capacity to the chancellor, and the chair of the faculty, and other appointing officers, as they see appointing officers deem appropriate, in the appointment of standing and special committees.~~

~~§ 4-5. Advisory Committee. (a) The Advisory Committee shall consist of nine elected members, the chair of the faculty, the secretary of the faculty, and the chair of the Committee on Appointments, Promotions, and Tenure.~~

~~(b) The committee shall be advisory to the chancellor in any matter deemed important by the chancellor~~

or the committee, and particularly with respect to:

- (4) proposed amendments to the trustee policies and procedures governing academic tenure;
- (2) review of school and departmental statements of criteria for appointment, promotion, and tenure;
- (3) academic program planning and assessment;
- (4) appointment of vice chancellors, deans, and other senior administrators; and
- (5) recommendations for corrective action

(i) pursuant to a report of the Faculty Hearings Committee with respect to a decision not to reappoint a probationary-term faculty member, or

(ii) pursuant to a report of the Faculty Grievance Committee with respect to a decision not to promote to a higher rank a person holding permanent tenure at the rank of associate professor or assistant professor.

No faculty member shall may serve simultaneously as an elected member of the Advisory Committee and the Faculty Executive Committee of the Faculty Council; the Committee on Appointments, Promotions, and Tenure; the Faculty Hearings Committee; or the Faculty Grievance Committee.

~~(c) It shall elect a chair for a term of one year. The secretary of the faculty shall serve as secretary of the committee.~~

~~(d) The committee shall hold regular meetings once each month, at such time and place as may be fixed by the committee and the chancellor. The presiding officer shall be the chancellor, or, in his or her absence, the chair of the Advisory Committee. Special meetings may be called by the chancellor or the chair of the Advisory Committee. Notice of a special meeting called by the chair shall be given to the chancellor. Whoever calls the special meeting shall preside.~~

§ 4-5.1. Committee on Appointments, Promotions, and Tenure. (a) The Committee on Appointments, Promotions, and Tenure is composed of twelve members of the faculty holding permanent tenure at the rank of professor. Four members shall hold primary appointments within the College of Arts and Sciences, four shall hold primary appointments in the School of Medicine, and four shall hold primary appointments within professional schools other than the School of Medicine. Members shall be elected by the voting faculty at large for three-year terms. Terms shall be staggered so that at least one term from each of the three constituencies expires each year. Elected Members of the Advisory Committee, the Faculty Executive Committee of the Faculty Council, the Faculty Hearings Committee, and the Faculty Grievance Committee are not eligible to serve on the committee. The committee shall hold regular meetings once each month throughout the calendar year. It shall choose its own chair.

(b) The committee is advisory to the provost in any faculty personnel matter deemed important by the provost or the committee, and particularly with respect to:

- (1) appointments, reappointments, and promotions that have the effect of conferring permanent tenure;
- (2) promotions to a higher rank of persons holding permanent tenure at the rank of associate professor or assistant professor;
- (3) appointments to distinguished professorships that are not restricted by the terms of the endowment to a particular school or department.

(c) The committee holds regular meetings once each month throughout the calendar year.

§ 4-6. Educational Policy Committee. (a) The Educational Policy Committee is composed of nine members elected by the faculty for staggered three-year terms, one undergraduate student appointed by the chair of the faculty for a one-year term on recommendation of the president of the Student Body, and one graduate or professional student appointed by the chair of the faculty for a one-year term on recommendation of the president of the Graduate and Professional Student Federation. The University Registrar is an ex officio non-voting member.

~~(b) The committee is concerned with those matters of educational policy and its implementation which have significant impact upon graduate and undergraduate instruction within the Division of Academic Affairs, and as to which the Faculty Council possesses legislative powers by delegation from the General Faculty under~~

Article II of the Code. The committee's function is advisory to the Faculty Council, ~~in respect of such matters. The committee and it exercises its advisory function by:~~

- ~~(1) routinely taking on reference from the Faculty Council any matter lying within its range of concern which has been formally presented to the Council for study or for action, and on which the Council desires to have substantial committee study prior to undertaking formal consideration;~~
 - ~~(2) from time to time taking on reference from the Faculty Council any specific proposal which has come through the normal administrative channels for approval by the Council (such as adding or dropping academic programs) and on which the Council desires further review and advice prior to taking final action;~~
 - ~~(3) acting as a council of advice for the university registrar in administering faculty regulations concerning student records and transcripts, registration, class and examination schedules, grading systems, grade reports, academic deficiencies, probation, and readmission;~~
 - ~~(4) setting general policy on the kind of catalogs to be issued, their content, and their design; and~~
 - ~~(5) originating studies of particular matters lying within its range of concern by requesting authority from the Faculty Council to make such studies, conducting the studies if authorized, and reporting the results of the studies to the Council.~~
- ~~(b) The committee is composed of nine members elected by the Faculty for staggered three-year terms, one undergraduate student appointed by the chair of the faculty for a one-year term on recommendation of the president of the Student Body, and one graduate or professional student appointed by the chair of the faculty for a one-year term on recommendation of the president of the Graduate and Professional Student Federation. Eight members shall be elected by the Division of Academic Affairs voting at large. Of these, two members shall hold primary appointments in the Social Sciences Division of the College of Arts and Sciences, one in one of the professional schools or other academic units in the Division of Academic Affairs (other than the College of Arts and Sciences), two in the Humanities Division of the College of Arts and Sciences, two in the Basic and Applied Natural Sciences Division of the College of Arts and Sciences, one in the Institute of Marine Sciences, and one in the Fine Arts Division of the College of Arts and Sciences. One member shall be elected by the Division of Health Affairs voting at large and shall hold a primary appointment in one of the professional schools or other academic units of that Division. The committee shall elect its own chair at the first meeting after July 1 of each year.~~
- ~~(c) In considering any matter referred to it and prior to its report to the Faculty Council, the committee shall provide reasonable opportunity for comment upon the matter by members of the faculty and of the student body.~~

~~§ 4-7. Faculty Athletics Committee. (a) The Faculty Athletics Committee consists of nine members elected by the voting faculty. The voting delegate to the Atlantic Coast Conference, if not otherwise an elected member of the Faculty Athletics Committee, is an ex officio member of the committee.~~

~~(b) The 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 community, and the general conduct and operation of the University's athletic program. The committee will report on its activities at least once each academic year to the Faculty Council.~~

~~(b) The committee shall consist of ten members to be elected by the faculty for five-year, staggered terms, two new members being elected each year. In addition to the considerations established by 1-8, the Nominating Committee should attempt to assure that units that teach undergraduates are substantially represented on the Faculty Athletics Committee.~~

~~(e) The voting delegate to the Atlantic Coast Conference, if not otherwise an elected member of the Faculty Athletics Committee, shall be a voting ex officio member of the committee. The total committee may thus number either ten or eleven members. (d) The committee shall choose its chair from among its membership.~~

~~§ 4-8. Faculty Grievance Committee. (a) The Faculty Grievance Committee shall consist of ten elected members, and is structured to represent faculty of all ranks. At all times three of the members are elected at the time they hold the rank of professor or librarian, shall have been professors when elected, three at the time they hold the rank of associate professor or associate librarian shall have been associate professors, three at~~

the time they hold the rank of assistant professor or assistant librarian or general librarians shall have been assistant professors, and one at the time he or she holds shall have held a fixed-term appointment. A member's promotion in rank during a term of office shall does not terminate his or her membership. ~~The term of office shall be three years. One professor or librarian, one associate professor or associate librarian, and one assistant professor or assistant librarian or general librarian shall be elected each year. One person holding a fixed-term appointment shall be elected in 1997 and every third year thereafter.~~

(b) The committee is authorized to hear, mediate, and advise with respect to the adjustment of grievances of all persons designated as members of the Faculty by the *Trustee Policies and Regulations Governing Academic Tenure* and those librarians who are members of the General Faculty. The power of the committee is solely to hear representations by the persons directly involved in grievances, to mediate voluntary adjustment by the parties, and to advise adjustment by the administration when appropriate. Advice for adjustment in favor of an aggrieved faculty member may be given to the chancellor only after the dean, department chair, or other administrative official most directly empowered to adjust it has been given similar advice and has not acted upon it within a reasonable time.

(c) As to members of the General Faculty, grievances within the committee's jurisdiction include matters directly related to a faculty member's employment status and institutional relationships within the University, except for those within the jurisdiction of the Faculty Hearings Committee or arising from the termination of an administrative appointment.

(d) As to graduate students or others who have teaching duties, grievances within the committee's jurisdiction include only those which meet all four of the following conditions: (1) they arose in connection with the grievant's teaching duties, (2) they raise a question of academic freedom, (3) the dean or chair with immediate responsibility for the grievant has no authority to fashion an appropriate remedy, and (4) there is no other appropriate grievance procedure.

(e) No grievance may be considered except on the basis of a prior written statement of its nature by the aggrieved faculty member and nor until determination is made that an unsuccessful attempt has been made by the faculty member to resolve it with the administrative official most directly concerned.

(f) The committee shall elect its own chair. It may act as a whole or, by designation of the chair, in panels of two or more, for the consideration of particular grievances. It may promulgate rules of procedure for its operations. When promulgated, these rules shall constitute the exclusive formal procedures for the adjustment of faculty grievances herein described. No formal appeal procedure shall be provided.

§ 4-9. Faculty Hearings Committee. (a) The Faculty Hearings Committee is composed of six faculty members elected by the voting faculty. Members must hold permanent tenure when elected, serving five-year terms.

(b) The committee performs functions assigned to it in the *Trustee Policies and Regulations Governing Academic Tenure*.

§ 4-10. Financial Exigency and Program Change Committee. (a) The Financial Exigency and Program Change Committee shall consist of twelve elected members, six from the Division of Academic Affairs and six from the Division of Health Affairs, each of whom shall hold a tenured or probationary term appointment when elected. ~~The term of office shall be five years, and members may not be immediately re-elected to office. The committee shall elect its own chair to serve a one-year term, and the chair may be re-elected by the committee to successive one-year terms as chair.~~

(b) The committee discharges the functions provided in Section 6 of the *Trustee Policies and Regulations Governing Academic Tenure*, in accordance with the following procedures:

(1) In considering the chancellor's preliminary statement (*Trustee Policies*, Section 6.c), the committee shall request advice in the form of a written report from the chair and faculty of each department which in the judgment of the committee might be directly affected by the adoption of any option potentially involving terminations of faculty employment which is described in the chancellor's statement. The committee may request advice on any matter deemed by the committee to be relevant to the problem presented by the chancellor's statement, but in any event shall require response directly to the following points:

(i) in the case of financial exigency, whether other options than any affecting the particular department would

better serve the interests of the University, and how, if any option directly affecting a particular department were to be implemented, a sound and balanced educational program might be maintained by the department without any, or a minimum of, terminations of faculty employment;

(ii) in the case of program change, whether on balance it is justified, and how, if it is to be effected, this may be accomplished without any, or a minimum of, terminations of faculty employment.

(2) In considering the chancellor's proposal for specific action (*Trustee Policies*, Section 6.f), the committee shall request advice in the form of a written report from the faculty and chair of each department identified in the proposal as a unit to be directly affected by the proposed action. The committee may request advice on any matter deemed by the committee to be relevant to its consideration of the proposed action, but in any event shall require advice as to the propriety and efficacy of the criteria proposed by the chancellor for determining individual faculty members for termination.

(3) In requesting advice at either stage, the committee shall specify a time for submission of written reports which allows not less than seven days between receipt of such reports and the time for submission of the committee's report to the chancellor.

(4) For the purposes of this section (~~§ 4-10~~), the terms "termination," "financial exigency," and "program change" have the meanings given them by Section 6.a of the *Trustee Policies and Regulations Governing Academic Tenure*; the word "department" is used to include departments, schools, and any other unit of the University which initiates appointments and other personnel actions affecting faculty members; and the word "chair" is used to include the chief administrative officer of each such unit.

§ 4-11. Honorary Degrees and Special Awards Committee. (a) The Honorary Degrees and Special Awards eCommittee consists of six members elected by the voting faculty to staggered three-year terms. The secretary of the faculty is a member of the committee ex officio.

(b) The committee considers nominations from the faculty for (1) Honorary Degrees, awarded at Commencement each May; (2) Distinguished Alumnus and Alumna Awards, presented each University Day, 12 October; (3) the Thomas Jefferson Award; and (4) the O. Max Gardner Award; and (5) other awards referred to the committee by the chancellor or the chair of the faculty. Nominees for Honorary Degrees and Distinguished Alumnus and Alumna Awards are recommended for approval to the Faculty Council and the Board of Trustees. The chancellor presents the nominee for the Gardner Award to the Board of Governors.

§ 4-12. Faculty Assembly Delegation. (a) The delegation of the General Faculty to the Faculty Assembly of the University of North Carolina is composed of the chair of the faculty and four members elected by the voting faculty for staggered three-year terms and the chair of the faculty or the chair's designee. The chair of the faculty shall designate the chair of the delegation ex officio. The Committee on University Government may amend the provisions of this paragraph with respect to the number of members of the delegation when required by a change in the number of members of the Faculty Assembly apportioned to the University. Such amendments shall be reported promptly to the secretary of the faculty and by him or her to the General Faculty.

(b) The delegation represents the faculty of the University at the Faculty Assembly of the University of North Carolina and reports to the Faculty Council on matters of interest relating to the Faculty Assembly and actions taken by that body.

§ 4-13. Buildings and Grounds Committee. (a) The Building and Grounds eCommittee is appointed by the chancellor.

(b) The committee advises the chancellor on plans for the long-range physical development of the campus, the siting and exterior design of new and renovated buildings, major landscaping changes, the selection of architects, the location of monuments and memorials, and such other matters as the chancellor may refer to it.

§ 4-14. [Reserved].

§ 4-15. Faculty Welfare Committee. (a) The Faculty Welfare eCommittee is appointed by the chancellor/chair of the faculty.

(b) The committee works for and reports on monitors and works toward the improvement of faculty working conditions, including salaries and benefits.

§ 4-16. Faculty Committee on Research. (a) The Faculty eCommittee on Research consists of nine

members appointed by the chancellor for staggered and renewable three-year terms.

(b) The committee advises the chancellor, other officers of administration, and the Faculty Council on matters of University policy and its implementation that have significant impact upon research.

§ 4-17. Scholarships, Awards, and Student Aid Committee. (a) The Scholarships, Awards, and Student Aid eCommittee is appointed by the chancellor.

(b) The committee establishes policy for scholarship and student aid funds, monitors the operations of the Office of Scholarships and Student Aid, and advises

the chancellor on matters regarding scholarships and other forms of student aid.

§ 4-18. Committee on Community and Diversity. (a) The eCommittee on Community and Diversity consists of five faculty members and two students appointed by the chair of the faculty.

(b) The committee is responsible for fostering community and promoting pluralism in the University by encouraging social interaction, mutual acceptance, and respect among various groups on campus. The committee is especially attentive to matters generated by discrimination on the basis of age, race, gender, disability, religion, socio-economic status, national or ethnic origin, or sexual orientation. The committee is appointed by the chancellor and will include five faculty members and two students.

§ 4-19. Faculty Committee on University Government. (a) The Faculty eCommittee on University Government shall consist of seven members appointed by the chancellor, serving for staggered and renewable terms of three years each. The secretary of the faculty will serve as an ex officio member.

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

(c) The committee should periodically review the existing Code and solicit suggestions for its improvement; based on its review the committee and should recommend appropriate amendments in the Code for consideration and vote of the General Faculty. As provided under Article I of the Code, the committee should consider and report on other proposals to amend the Code and shall also periodically make appropriate adjustments of the elective representatives in the Faculty Council. The committee may also consider and report on special questions of University governance which may be referred to it by the chancellor or members of the faculty. The committee shall be especially concerned with maintaining internal forms and procedures of academic administration which reflect principles of democracy and equity, vision and adaptability, and quality and responsibility, toward achieving the intellectual aims of the University.

§ 4-20. Agenda Committee. The Agenda Committee consists of the chair of the faculty, the secretary of the faculty, and five elected members of the Faculty Council appointed by the chair of the faculty for renewable one-year terms. The committee develops the agenda for meetings of the Faculty Council and the General Faculty. There shall be a Committee on Agenda of the Council, whose primary responsibility shall be to program the work of the Council. This shall not preclude the initiation of proposals from the floor. The Committee on Agenda

shall consist of the chair of the faculty, as chair, and of five elected members of the Council, each representing a separate electoral division of the Faculty, to be appointed by the chair annually at the April meeting of the Council, to serve for the next academic year.

§ 4-21. [Reserved] Committee on Black Faculty and Students. The committee is appointed by the chair of the faculty. It addresses recruitment procedures and the ongoing concerns of black faculty members and students.

§ 4-22. Status of Women Committee. (a) The Status of Women eCommittee is appointed by the chair of the faculty.

(b) The committee addresses ongoing concerns of women faculty members, identifies obstacles to achievement and maintenance of equality in the representation and status of women on the faculty, and proposes steps for overcoming those obstacles.

§ 4-23. Committee on Instructional Personnel. (a) The eCommittee on Instructional Personnel shall consist of the deans of all the undergraduate, graduate, and professional colleges and schools (except those in the Division of Health Affairs), ~~the director of the Institute of Government,~~ and the chairs of the divisions of the College of Arts and Sciences. The committee may add such consultants and delegate such authority to sub-committees as it deems necessary. The provost shall serve as chair of the committee.

(b) The committee shall review the recommendations of the chairs of the respective departments and of the deans of all the undergraduate, graduate, and professional colleges and schools (except those in the Division of Health Affairs) with respect to additions, promotions, and advancements in personnel and with respect to courses of instruction. It shall review, improve, and implement the educational and research program of the University. The arrangement of the University calendar shall come within its purview, and such other matters as the chancellor shall from time to time refer to it.

§ 4-24. Advisory Committee on Undergraduate Admissions. (a) The Advisory Committee on Undergraduate Admissions shall consist of the dean of the College of Arts and Sciences or the dean's designee as chair; the associate dean for academic advising in the College of Arts and Sciences; and two other academic deans from outside the College of Arts and Sciences and seven faculty members engaged in undergraduate instruction, all appointed by the provost/chancellor. At least five of these faculty members shall hold primary appointments in the College of Arts and Sciences. The university registrar, the director of undergraduate admissions, and the vice chancellor for student affairs shall bare ex officio, non-voting members of the committee. ~~The committee shall meet at least once each semester or more on call of the chair. The chair shall call a meeting whenever requested by the director of undergraduate admissions.~~

(b) The committee shall serve in an advisory capacity to the director of undergraduate admissions. In particular, it shall address the design and application of admissions policy, recommends guidelines for special talent and exceptional admissions, and monitors and responds to the national college admissions environment.

(c) The committee meets at least once each semester or more on call of the chair. The chair calls a meeting whenever requested by the director of undergraduate admissions.

§ 4-25. University Committee on Copyright. (a) The University eCommittee on Copyright is appointed by the chancellor. It shall consist of (i) faculty members, who shall constitute a majority of the members, (ii) one or more graduate students, serving one-year renewable terms, and (iii) members from campus units, such as the campus libraries and the Office of Technology Development, that are involved in intellectual property matters. Faculty members constitute a majority of the members of the committee.

(b) The committee represents to the chancellor and the University community the concerns of faculty and other users and creators of scholarly information. The committee's functions include:

(1) monitoring trends in such areas as institutional or consortial copyright use policies, changes in copyright ownership models, and guidelines for fair use of information in all formats;

(2) identifying areas in which policy development is needed and recommending to the chancellor new or revised institutional policies and guidelines;

(3) cooperating with the administration to propose and monitor the application of University policies and guidelines regarding ownership and use of copyrighted or licensed scholarly works; and

(4) assisting in identifying educational needs of the faculty and others related to compliance with copyright policies and guidelines, and advising on appropriate ways to address those needs.

§ 4-26. Faculty Information Technology Advisory Committee. (a) The Faculty Information Technology Advisory eCommittee is appointed by the chair of the faculty. It shall consist of (i) faculty members, who shall constitute a majority of the members; and (ii) one or more students, serving one-year renewable terms. Faculty members constitute a majority of the members of the committee.

(b) The committee represents to the chancellor and the University community the concerns of faculty and others with regard to information technology. The committee's functions include:

(1) considering issues pertaining to the use of information technology in teaching and learning, research, and other professional activities in the University; and

(2) advising University officers and offices of administration on faculty needs and interests relating to

information technology.

Section 2. This resolution shall become effective upon adoption.

I certify that the foregoing is a true copy of a Resolution adopted by the General Faculty on January 16, 2004.

Joseph S. Ferrell
Secretary of the Faculty

Appendix B

Resolution 2004-1. Proposing an Amendment to the Trustee Policies and Procedures Governing Academic Tenure to Authorize the Faculty Ranks of Senior Lecturer and Professor of the Practice.

The Faculty Council resolves:

The Chancellor is requested to recommend to the Board of Trustees an amendment to Section 2.b.5. of the Trustee Policies and Procedures Governing Academic Tenure as follows to authorize the faculty ranks of senior lecturer and professor of the practice, as follows:

Amend Sec. 2.b.5. to read:

5. **Fixed-term faculty ranks:** lecturer and equivalents. Appointments may be made to fixed-term faculty ranks with title designations "Professor of the Practice," "Lecturer," "Senior Lecturer," "Artist in Residence," "Writer in Residence," and any of the faculty rank designations provided in paragraphs (1) through (4) of this subsection with the prefix-qualifier "Adjunct," "Clinical," or "Research," under the conditions and with the incidents herein provided. Such an appointment, utilizing any of the foregoing title designations, is appropriate for one who possesses unusual qualifications for teaching, research, academic administration, or public service from an academic base, but for whom none of the professorial ranks nor the instructor rank is appropriate because of the limited duration of the mission for which appointed, or because of concern for continued availability of special funding for the position, or for other valid institutional reasons.

Initial appointment may be for a fixed term of from one to five years.

Subsequent appointments for fixed terms of one to five years' duration may be made either in direct succession or at intervals. Each is considered an initial appointment. No obligation exists on the part of the University to give any notice in advance of expiration of a current term as to whether appointment will be offered for a succeeding term. But upon request of the faculty member made in writing to the chairman of the department concerned not earlier than 180 calendar days nor later than 90 calendar days before the expiration of a current term, the department chairman shall within 20 calendar days thereafter communicate in writing to the faculty member a decision whether such an offer will be made, and if so, its terms. Failure to communicate a decision constitutes notice that no offer will be made.

The decisions herein required shall be made as provided in Section 2.c. hereof.

I certify that the foregoing is a true copy of a Resolution adopted by the Faculty Council on January 16, 2004.

Joseph S. Ferrell

Secretary of the Faculty

Appendix C

Resolution 2004-2. Proposing an Amendment to the Trustee Policies and Procedures Governing Academic Tenure to Eliminate the Requirement that Tenured Assistant and Associate Professors be Reviewed for Promotion Not Less Frequently than Every Third Year.

The Faculty Council resolves:

The Chancellor is requested to recommend to the Board of Trustees an amendment to Section 2.b.2. and 2.b.3. of the *Trustee Policies and Regulations Governing Academic Tenure* as follows:

"2. Associate Professor. A promotion at any time to the rank of associate professor confers permanent tenure from the effective date of the promotion.

Initial appointment to the rank of associate professor is ordinarily for a probationary term of five years. With the written approval of the immediate supervisor of the department chairman obtained in advance of the initiation of formal appointment procedures, an initial appointment to the rank of associate professor with permanent tenure may be initiated and made effective upon subsequent approval of the appointment by the regularly prescribed procedures for initiation, review and final approval.

No less than 12 months before the end of a five year probationary term appointment as associate professor, a decision shall be made and communicated in writing to the associate professor as to whether he or she will be reappointed upon expiration of the current term. This decision shall be made and communicated as provided in Section 2.c. hereof. No decision need then be made as to the rank to be had upon reappointment. If a decision is made to reappoint and no promotion has been made prior to expiration of the five year term, the associate professor is thereupon reappointed at the rank of associate professor, with permanent tenure.

~~In any case where an associate professor has served five years in that rank and acquires (or continues to have) permanent tenure at that rank, a review shall thereafter be made not less frequently than every third year to determine his or her qualification for promotion. The review shall be made by the chairman of the department* concerned, in consultation with the assembled full professors of the department. ["Department" is used herein as a generic term for departments, professional schools, and any other academic units to which faculty appointments are made; "chairman," as a generic term for department chairmen, deans of professional schools, and any other heads of academic units to which faculty appointments are made.] A report of negative decisions, with supporting reasons, shall be put forward for information through the administrative channels prescribed for the review of recommendations for initial appointment of an associate professor to a five year term.~~

3. Assistant Professor. Initial appointment to the rank of assistant professor is for a probationary term of four years. [See Section 7.a.] No less than 12 months before the end of this term a decision shall be made and communicated in writing to the assistant professor as to whether he or she will be reappointed upon expiration of the current term. The decision shall be made and communicated in the manner provided in Section 2.c. hereof. No decision need then be made as to the rank to be had upon reappointment. If a decision to reappoint is made and no promotion is then made prior to the expiration of the current term, the assistant professor is thereupon reappointed for a second probationary term of three years at the rank of assistant professor.

No less than 12 months before the end of such a second term, a decision shall be made and communicated in writing to the assistant professor as to whether he or she will be reappointed upon expiration of the current term. The decision shall be made and communicated as provided in Section 2.c. hereof. If the decision is to reappoint, the notice thereof shall also inform the faculty member whether reappointment will be at the same rank or with promotion to the rank of associate professor; and a faculty member given notice that reappointment will be at the same rank shall be then informed by his or her chairman whether he or she will be reconsidered for promotion prior to the effective date of the reappointment. If a decision to reappoint is made and no promotion is then made prior to the expiration of the current term, the assistant professor is thereupon reappointed at the rank of assistant professor with permanent tenure. Reappointment at the rank of assistant professor following expiration of the second probationary term should be made only in clearly exceptional circumstances.

~~In any case where an assistant professor acquires permanent tenure at that rank, a review shall thereafter be made not less frequently than every third year to determine his or her qualifications for promotion. The~~

~~review shall be made by the department chairman concerned, in consultation with the assembled full professors of the department. A report of negative decisions, with supporting reasons, shall be put forward for information through the administrative channels prescribed for the review of recommendations for initial appointment of assistant professors."~~

I certify that the foregoing is a true copy of a Resolution adopted by the Faculty Council on January 16, 2004.

Joseph S. Ferrell

Secretary of the Faculty

Appendix D

Resolution 2004-3. On the Use of Courtesy Titles by Retired Members of the Faculty

The Faculty Council resolves:

The Resolution of the Faculty Council adopted September 15, 1978, relating to emeritus faculty is amended as follows:

~~"Be it resolved that the designation "Emeritus" be appended to the academic title of all individuals of professional rank at the time of their retirement from active teaching and that this title be used in subsequent listing of these retired individuals on University catalogs. Members of the voting faculty, as defined in the Faculty Code of University Government, who take service retirement and are no longer performing compensated services for the University may continue to use the professorial titles and distinctions that they held immediately prior to retirement with the courtesy designation "emeritus" or "emerita" appended. It is also appropriate that emeriti faculty be included in lists of school and departmental faculties in official University publications.~~

Be it further resolved that, based upon financial, space, personnel and other functional constraints, the appropriate schools or departments may and are encouraged to accord such retired individuals who continue active participation in the academic life of the University such amenities as may be appropriate for the nature and extent of their work, certain rights and privileges such as: (1) the opportunity to use or be assigned office space, laboratory facilities and library carrels, and (2) the opportunity to purchase limited access, parking permits and gym privilege cards; (3) and other amenities as the school or department may think appropriate.

I certify that the foregoing is a true copy of a Resolution adopted by the Faculty Council on January 16, 2004.

Joseph S. Ferrell

Secretary of the Faculty

Appendix E

Resolution 2004-4. Proposing an Amendment to the *Trustee Policies and Procedures Governing Academic Tenure to Increase the Maximum Time for Extending the Probationary Period of Faculty Appointment for up to Twenty-Four Months for Reasons of Child-Birth, Health, or Other Compelling Circumstances.*

The Faculty Council resolves:

The Chancellor is requested to recommend to the Board of Trustees an amendment to Sections 2.c(6)(ii), 2.c(6)(iii), and 2.c.(6)(iv) of the Trustee Policies and Procedures Governing Academic Tenure as follows:

"(6) Terms and conditions of appointments [omitted]

(i) Continued availability of special funding [omitted]

(ii) Provisions for less than full-time employment

Special terms for less than full-time employment with commensurate compensation, or for relief from all employment obligations for a specified period, may be included in an appointment or reappointment to any faculty rank, or may be added by written memorandum of amendment during the term of an appointment. For reasons of health, requirements of childbirth or child care, or similar compelling circumstances, such terms may, with the concurrence of the faculty member, include extensions of the period of a current probationary term of appointment at the rank of assistant professor or associate professor, and thereby the maximum probationary period, to coincide with the extent and duration of the relief from employment obligations. ~~Up to a maximum of 12 months. Extensions under this subsection (ii) may be granted in increments not to exceed 12 months, up to a maximum of 24 months (including any extensions that may have been granted under subsection (iii), below). [Amended 2/18/94]~~

(iii) Special provisions for extending the maximum probationary period

For reasons of health, requirements of childbirth or child care, or similar compelling circumstances, a faculty member holding a probationary term of appointment at the rank of assistant professor or associate professor may request a written memorandum of amendment extending the term of the current appointment and thereby the maximum probationary period that the maximum probationary period be extended for a period not to exceed 12 months (including any extension that may have been granted under subsection (ii) above), with no resulting change in normal employment obligations, in order to provide the faculty member additional time to demonstrate fully his or her professional qualifications for reappointment or permanent tenure. Extensions under this subsection (iii) may be granted in increments not to exceed 12 months, up to a maximum of 24 months (including any extensions that may have been granted under subsection (ii), above). [Amended 2/18/94]

(iv) Extension and special assignment

If possible under the circumstances, Any requests pursuant to subsection (ii) or (iii) above must should be initiated not later than 24 months before the end of the term to which it is to apply and must be initiated before the process for evaluating the faculty member for reappointment has begun. and All such extensions must be approved by the Chancellor before becoming effective. The total of all extensions granted under subsection (ii) and subsection (iii) above cannot exceed 12 24 months. A request for extension initiated during the third or fourth year of an initial probationary term at the rank of assistant professor shall be granted only upon the condition that the initial appointment is renewed. [Amended 2/18/94]

The provisions of subsections (ii) and (iii) above do not apply to informal temporary adjustments of the regularly assigned duties of faculty members by the department chairman who is responsible for their direct supervision; nor to the granting by the University of extended leaves of absence with or without compensation. [Amended 2/18/94]"

I certify that the foregoing is a true copy of a Resolution adopted by the Faculty Council on January 16, 2004.

Joseph S. Ferrell

Appendix F

Chancellor Moesser's Remarks on Resolution 2004-5

Let me urge that while we undertake this discussion, we keep our eye on the ends and not just the means. The ends, in my view, are this University's commitment to quality and excellence. At its core this campus-based tuition is about retaining and supporting the intellectual capital of this University, namely the faculty. Campus-based tuition is one way for us to identify the critical resources that are required to make this University the best that it can be for the people of North Carolina and the world. The current tuition proposal addresses the quality of the University by affirming that faculty salaries and the retention of our faculty are the top priority of this University. Secondly—and closely related—by keeping faith that every needy student—in-state and out-of-state, undergraduate or graduate—will be protected in terms of their need.

Why is this issue before us now in such a critical fashion? I submit it's because the University's academic leaders—deans, department chairs, our own faculty chair, Judith Wegner—so successfully convinced the board of trustees that we face potential crisis in the issue of faculty retention. In fact, all of us have worked hard to energize not only the board of trustees, but also the board of visitors and the Carolina First Campaign Steering committee, to the extent that each of these groups is now focused with razor-sharp intensity on this issue.

In the University funding model only one-fourth of the total University operating funds come from State appropriations. We rely increasingly on the faculty's ability to attract research funding and on our ability to generate private funding through the Carolina First Campaign. We're moving aggressively on many fronts to diversify our funding sources and strengthen our overall financial position. Campus-based tuition increases are just one of those revenue streams, but they can be very important. They enable us to target crucial Academic Plan priorities that directly affect the quality of education that we provide to our students.

Our Tuition Task Force unanimously voted to recommend an across-the-board \$300/year increase for resident and non-resident students over a three-year period. I supported their recommendations, which would have directed funds to support faculty salaries, teaching assistant compensation, need-based financial aid, and a small but symbolic allocation for in-range salary adjustments for staff. In November we took these recommendations to the board of trustees and requested that they adopt them. The trustees declined our request. Instead, they requested that we come back with a proposal that would look at non-resident tuition from a market perspective. It was their view that it was only fair to in-state students for non-resident students to bear the same percentage increase as resident students. There are trustees who will not support a \$300 increase for resident North Carolinians if the non-resident tuition is not increased by the same 10.1%. Last week, at our suggestion, we held a workshop on tuition for the trustees. They heard from the provost, from me, and from all of the professional school deans who are proposing school-based tuition increases, as well as Judith Wegner, chair of the faculty, student representatives. A number of scenarios were presented to the board, including the Tuition Task Force proposal. The distillation of that discussion on January 7 was a consensus from the board directing us to prepare a proposal to be presented at their meeting next week which would take non-resident tuition to the 75% percentile of our public peers over time.

Do I think that the board of trustees is right to look at non-resident tuition? Yes, I do.

Do I think we should increase non-resident tuition to the 75% percentile of our peers? Yes, I do, but we must be careful and judicious in our approach. We must at the same time keep resident tuition as low as possible and be as even-handed as possible. Since 2000, undergraduate resident tuition has risen 59% while non-resident tuition has risen by just 34%.

Do I think we need to think carefully and to study the potential long-term impact of moving to a market approach in setting out-of-state tuition? Absolutely, and Dr. Lucido is working on a study of the long-range impact of that approach. I do not think we should embark on anything more than a one-year increase until we have had the chance to study and evaluate the long-term impact.

Last year we did not have funds from a campus-based tuition increase to draw upon because of a freeze on tuition increases imposed by the Board of Governors. Notwithstanding that freeze, the legislature enacted a 5% increase. When the legislature enacts such an increase, we do not control the use of the funds. We do not necessarily even get all the additional funds generated by our own students. They go into the General Fund. When we enact our own increase, the funds stay on this campus. From the time that we were first authorized to impose campus-based increases, we have generated \$13 million that have been directly allocated toward faculty salaries and \$7.5 million has been set aside for need-based aid. In the most recent increase \$500,000

was directed toward graduate teaching assistant salaries. Without a campus-based increase last year, we felt a difference, especially in the College of Arts & Sciences. In past years we were successful in retaining 50% to 60% of the College faculty who were being recruited by other institutions. Last year we dropped from 60% to 40% in our retention success rate.

Where are we today? This has been an active week in which many views have been expressed. The resolution before you today expresses concerns that I believe all of us share. I want to speak directly to one issue that may be on your mind, and that is that the Department of Athletics might gain funding as one result of this tuition increase. At issue here is the difficulty being faced by both our merit scholarship programs and the Department of Athletics when there is any increase in tuition. Tuition has risen and scholarship endowments have not kept pace, so another increase will hit these programs very hard. The current proposal would provide some direct relief for talent-based and merit-based scholarships, such as athletics and Moreheads, by dedicating a share of new tuition revenues to offset cost increases to these programs. The question for me is how long would we provide that cushion. I would advocate that we do this only temporarily to give these programs bridge funds to allow them to raise their own funding to enable them to be self-supporting. I do not favor a long-term continuing commitment to this. For me, this aspect of the non-resident tuition proposal is the most problematic and the least critical to the successful addressing of our basic objectives.

Quality requires resources. We are committed to finding the resources it takes to be a world-class University. We are equally committed to need-based aid.

Appendix G

Resolution 2004-5. On Tuition and Related Policies

Whereas, the University stands at a critical juncture in its history as a result of factors including recent state budget cuts, the general economic climate, escalating costs of research and library resources, and other factors; and

Whereas, after extended deliberations, the campus Tuition Task Force unanimously recommended staged increases in tuition for undergraduate, graduate, and professional students (including both resident and non-resident students) in the amount of \$300 in each of the next three years in order to address pressing needs related to student financial aid, teaching assistant salaries, and faculty and staff salaries; and

Whereas, after similar deliberation, the student fee committee recommended fee increases for designated purposes in the amount of \$121; and

Whereas, several of the professional schools recommended school-based tuition increases in varying amounts to address pressing needs facing their programs, after deliberation and consultation with their faculty and students; and

Whereas, the Board of Trustees has in recent weeks considered these proposed tuition and fee increases, and is expected to adopt substantial additional tuition increases targeted toward non-resident students at its January meeting; and

Whereas, by long-standing practice, the Faculty Council, faculty committees, and individual faculty and staff members have functioned as stewards committed to maintaining and advancing the University's long-standing excellence; and

Whereas, Faculty Council and faculty committees have adopted and monitored policies and practices relating to student recruitment, admission, and academic performance; salary policies affecting the campus as a whole; the balance between academics and athletics; and institutional priorities; and

Whereas, recent deliberations and possible actions by the Board of Trustees relating to the pace and level of tuition increases, tuition differentials between academic programs and between residents and non-residents, and allocation of anticipated tuition revenues raise substantial issues concerning the future of the academic enterprise; now, therefore,

The Faculty Council resolves:

Section 1. The Faculty Council requests the Chancellor and the Board of Trustees to present proposed tuition increases to the Board of Governors in a way that separates and does not put at risk consensus recommendations (those presented by the Tuition Task Force, the student fee committee, and individual schools based on consultation with those directly affected) and permits the Board of Governors readily to distinguish and evaluate additional Trustee proposals for immediate and longer-term tuition increases targeted to non-resident students.

Sec. 2. The Faculty Council requests that, to the extent that the Chancellor and the Board of Trustees recommend immediate tuition increases affecting non-resident students in addition to increases recommended by the Tuition Task Force, a sufficient proportion of resulting funds be allocated to ensure that resulting financial need is met in full for all currently enrolled students (undergraduate, graduate, and professional) throughout the duration of their studies.

Sec. 3. The Faculty Council requests that the Chancellor and Provost work with representatives of the Undergraduate Admissions Office, the Graduate School, the professional schools, and the Office of Institutional Research to complete and report by December 2004 on an appropriate study to determine the effects of anticipated tuition increases on recruitment of talented non-resident undergraduate, graduate and professional students, so that plans for further non-resident tuition increases can appropriately weigh the impacts on student body quality and diversity that may result.

Sec. 4. The Faculty Council expresses its concern and urges the Board of Trustees to give more considered attention to the special circumstances of graduate students who play such a distinctive and significant role in the research and teaching mission of the University. Because a substantial proportion of the graduate population enter as non-residents, are financially emancipated from their parents, participate in

programs of studies that often last for five or more years, and must balance their own course work along with teaching and research responsibilities, substantial and sudden increases in non-resident tuition are likely to result in more financial dislocation than would be true for undergraduates. Successful recruitment and retention of the very best graduate students is crucial to the university's ability to retain top faculty and secure external research funding. Substantial, precipitous tuition increases affecting non-resident graduate students may also have a major, permanent impact on the university's ability to recruit the most talented students in future years. Comparisons to peer research universities' nonresident graduate student tuition "sticker price" should be taken into account the level of financial support available elsewhere because recruitment of graduate students generally depends on the overall financial package available rather than the listed price. While many graduate students receive relief from non-resident tuition rates as a result of tuition waivers, not all such students are eligible for such waivers (which depend upon service as teaching or research assistants), receive full waivers, continue in TA or RA positions throughout their academic programs, or qualify for waivers if not enrolled in covered Ph.D. programs. The Faculty Council therefore urges that any increases in nonresident graduate student tuition be held to the minimum possible, phased in as slowly as possible, and accompanied by an allocation of substantial revenues to provide financial aid for tuition waivers as well as supplemental types of support.

Sec. 5. The Faculty Council requests that the Chancellor and Provost begin immediately to work with the Executive Committee of Faculty Council to develop appropriate university-wide policies for allocation of tuition revenues toward faculty and librarian salary improvements, including policies that assure the availability of sufficient funds and appropriate processes to address (1) inequities that have arisen due to salary compression and (2) inequities between units that have arisen or may subsequently arise as a result of differential access to non-state revenues or differential professional school tuition funds.

Sec. 6. The Faculty Council requests that the Chancellor and Provost likewise begin immediately to work with the Executive Committee of Faculty Council to develop revenue allocation principles designed to assure that all campus units are required to bear a fair share of university-wide costs such as those associated with the campus library system, utilities, administrative operations, and similar items, and assure that the growing pattern of professional school differential tuition increases and other developments not lead to expectations that some units need not contribute to shared expenses or bear shared responsibility for the common enterprise.

Sec. 7. The Faculty Council expresses its grave concern about anticipated plans to allocate portions of tuition revenues and revenues from sales of trademarked items exclusively for scholarship assistance to student athletes and other needs of to the athletic program, in contravention of longstanding policy and practice. It requests the Chancellor to present to the Council by its April 2004 meeting complete and accurate information regarding the extent to which such revenues have or will be used either directly or indirectly to support the athletic program, and to defer any further action to implement such changes until the Faculty Council has had the opportunity to study this matter and express its considered views. It further requests that he at the same time inform the Council of any other similar plans or actions to allocate revenues resulting from extraordinary tuition increases to non-academic purposes such as support for the campus development office.

Sec. 8. The Faculty Council designates the Executive Committee of Faculty Council as its representative in seeking additional information regarding administrative plans for fund allocations, distribution of tuition revenues, and development of related policies and plans. The Council requests that the Chancellor, the Provost, and the Board of Trustees accord faculty representatives a more integral role in deliberations regarding financial decisions that are likely to have substantial implications for the academic programs.

I certify that the foregoing is a true copy of a Resolution adopted by the Faculty Council on January 16, 2004.

Joseph S. Ferrell
Secretary of the Faculty