



The University of North Carolina at Chapel Hill

MEETING of the GENERAL FACULTY and the FACULTY COUNCIL

Friday, April 23rd 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. |
| 3:00 | Presentation of the 2004 Thomas Jefferson Award. |
| 3:15 | Memorial for Deceased Faculty. |
| 3:20 | Introductory Remarks and Questions from the Floor: Chancellor Moeser. |
| 3:30 | Resolution 2004-7 Amending the <i>Faculty Code of University Government</i> as it Relates to Various Representatives of the Faculty. (<i>Second Reading</i> .)
Professor Elizabeth Gibson, Chair, Faculty Committee on University Government. |
| 3:35 | Quality Enhancement Plan Component of the SACS Reaccreditation Study.
Professor Bobbi Owen. |
| 3:40 | Faculty Forum Part I: Libraries and Educational Policy. <ul style="list-style-type: none">Library, particularly electronic resources: (Annual Report of the Administrative Board of the Library.) Professor Richard Pfaff.Educational Policy, particularly summer reading and grading: (Annual Report of the Educational Policy Committee.) Professor Peter Gordon. |
| 4:15 | Faculty Forum Part II: <ul style="list-style-type: none">Appointments, Promotions and Tenure, particularly departmental policies (Annual Report of the Committee on Appointments, Promotions and Tenure.) Professor Gilbert White.Faculty Welfare. (Annual Report of the Faculty Welfare Committee.) Professor Ed Halloran. |
| 4:30 | Faculty Forum Part III: <ul style="list-style-type: none">State of the Faculty Report and Discussion (including update on faculty retention study): Professor Wegner.Faculty Assembly Delegation (Annual Report.) Professor Wegner. |
| 4:55 | 2004 Faculty Elections Results. |
| 5:00 | Adjourn. |

Joseph S. Ferrell
Secretary of the Faculty



Resolution 2004-7. Amending the *Faculty Code of University Government* as it relates to various representatives of the faculty.

Introduced by the Faculty Committee on University Government

The General Faculty Council resolves:

1 Section 1. Article 3 of the *Faculty Code of University Government* is amended to
2 add the indicated language to the title and the following new sections:

3 **ARTICLE 3**

4 **OFFICERS AND REPRESENTATIVES OF THE FACULTY**

5 § 3-3. The faculty marshal. The faculty marshal is appointed by the chancellor
6 from among the voting faculty for a renewable five-year term. In making or renewing an
7 appointment to this position, the chancellor shall seek the advice of the Advisory
8 Committee. The faculty marshal shall assist the chancellor in planning commencement
9 ceremonies, the annual observance of University Day, and other University-wide
10 academic convocations and ceremonies, and shall bear the marshal's staff at the head of
11 the academic procession on all such occasions.

12 § 3-4. The faculty athletics representative. The faculty athletics representative is
13 appointed by the chancellor from among the voting faculty for an indefinite term, subject
14 to formal review at least every five years. In making an appointment to this position or
15 reviewing the incumbent, the chancellor shall follow a process established with the
16 advice and consent of the Advisory Committee. The faculty athletics representative is the
17 University's voting delegate to the Atlantic Coast Conference and the University's
18 faculty representative within the National Collegiate Athletic Association. He or she
19 shall make an annual report to the Faculty Council and shall make special reports to the
20 Council from time to time as may be requested by the Agenda Committee.

21 § 3-5. Faculty Assembly delegation. (a) The delegation of the General Faculty to
22 the Faculty Assembly of the University of North Carolina is composed of four members
23 elected by the voting faculty and the chair of the faculty or the chair's designee. The

1 chair of the faculty designates the chair of the delegation. The Committee on University
2 Government may amend the provisions of this paragraph with respect to the number of
3 members of the delegation when required by a change in the number of members of the
4 Faculty Assembly apportioned to the University. Such amendments shall be reported
5 promptly to the secretary of the faculty and by him or her to the General Faculty.
6 (b) The delegation represents the faculty of the University at the Faculty Assembly
7 of the University of North Carolina and reports to the Faculty Council on matters of
8 interest relating to the Faculty Assembly and actions taken by that body.
9 Section 2. Sections 4-5 and 4-7 of the *Faculty Code of University Government* are
10 amended as indicated, and section 4-12 is deleted:
11 **§ 4-5. Advisory Committee.** (a) The Advisory Committee consists of nine elected
12 members, the chair of the faculty, the secretary of the faculty, and the chair of the
13 Committee on Appointments, Promotions, and Tenure.
14 (b) The committee is advisory to the chancellor in any matter deemed important by
15 the chancellor or the committee, and particularly with respect to:
16 (1) proposed amendments to the trustee policies and procedures governing
17 academic tenure;
18 (2) review of school and departmental statements of criteria for appointment,
19 promotion, and tenure;
20 (3) academic program planning and assessment;
21 (4) appointment of vice chancellors, deans, and other senior administrators; ~~and~~
22 (5) recommendations for corrective action
23 (i) pursuant to a report of the Faculty Hearings Committee with
24 respect to a decision not to reappoint a probationary-term faculty
25 member, or
26 (ii) pursuant to a report of the Faculty Grievance Committee with
27 respect to a decision not to promote to a higher rank a person
28 holding permanent tenure at the rank of associate professor or
29 assistant professor; and
30 (6) appointment and renewal of appointment of the faculty marshal and
31 appointment and review of the faculty athletics representative.

1 **§ 4-7. Faculty Athletics Committee.** (a) The Faculty Athletics Committee consists
2 of nine members elected by the voting faculty. The voting delegate to the Atlantic Coast
3 ~~Conference~~faculty athletics representative, if not otherwise an elected member of the
4 Faculty Athletics Committee, is an ex officio member of the committee.

5 (b) The committee is concerned with informing the faculty and advising the
6 chancellor on any aspect of athletics, including, but not limited to, the academic
7 experience for varsity athletes, athletic opportunities for members of the University
8 community, and the general conduct and operation of the University's athletic program.

9 **§ 4-12. Reserved. Faculty Assembly Delegation.** (a) The delegation of the
10 General Faculty to the Faculty Assembly of the University of North Carolina is
11 composed of four members elected by the voting faculty and the chair of the faculty or
12 the chair's designee. The chair of the faculty designates the chair of the delegation. The
13 Committee on University Government may amend the provisions of this paragraph with
14 respect to the number of members of the delegation when required by a change in the
15 number of members of the Faculty Assembly apportioned to the University. Such
16 amendments shall be reported promptly to the secretary of the faculty and by him or her
17 to the General Faculty.

18 (b) ~~The delegation represents the faculty of the University at the Faculty Assembly~~
19 ~~of the University of North Carolina and reports to the Faculty Council on matters of~~
20 ~~interest relating to the Faculty Assembly and actions taken by that body.~~
21 Section 3. This Resolution shall become effective upon adoption.

Quality Enhancement Plan

Making Critical Connections

The curriculum, international presence, and research experiences for undergraduates at The University of North Carolina at Chapel Hill are the basis for the Quality Enhancement Plan that will be part of the SACS re-accreditation process scheduled for 2006.

These areas demonstrate the University's commitment to interdisciplinary work, support for diversity, reliance on ethical behavior, and commitment to public engagement. The connections between academic and health affairs, between graduate and undergraduate students, and among research, teaching, and service for the faculty and staff, will all be examined before the visit by the SACS re-accreditation team in spring 2006. Beginning in fall 2004, committees comprised of faculty, staff and students will study each area and make recommendations for ways to focus on and enhance these areas well into the future.

Curricular Innovation: The revised undergraduate curriculum, effective fall 2006, includes a requirement to connect the foundations (composition and rhetoric, quantitative reasoning, foreign language, lifetime fitness) and approaches (physical and life sciences, social and behavioral sciences, humanities and fine arts) in ways that eliminate traditional boundaries and allow unrestricted movement from the campus community into other ones - local, regional, national, and international. Intended to help undergraduates understand that what they learn in a specific course is not knowledge in isolation but part of a larger construct, "making connections" also suggests an important strategy for the entire University. Plans to assess the curriculum would be created as would ways to evaluate its implementation.

Internationalization: The range of activities throughout the entire University (health affairs, academic affairs, Continuing Education, etc.) devoted to global issues could be identified and long-term plans for enhancing the University's status as a leading international university would be created. In addition, short-term projects would begin, existing ones would be coordinated, and the resources necessary to fund international research, teaching, and service on a larger scale would be identified.

Research: Enhancing the research experience for undergraduates is important for everyone in the University community. UNC's growth in extramural research funding is a valuable asset that might be drawn upon to provide additional opportunities to undergraduates whose strong pre-college preparation makes them eager for research opportunities and interaction with faculty and professional staff. Increasing the number of students involved in basic and applied research, with departmental honors programs, and who are attending and making presentations at national meetings are significant goals. In addition, the ethical considerations of using undergraduate students to conduct research must be evaluated and provisions for adequate resources made.

April 15, 2004

April 16, 2004
ACADEMIC AFFAIRS LIBRARY
ADMINISTRATIVE BOARD OF THE LIBRARY
(Elected by the General Faculty)

2003-2004 ANNUAL REPORT

MEMBERS: Richard W. Pfaff, Chair (2003/4-2005/6); Daniel Anderson (2003/4-2005/6); Larry Benninger (2002/3-2004/5); Stephen S. Birdsall (2001/2-2003/4); M. Ewan Bonds (2001/2-2003/4); Dino S. Cervigni (2002/3-2004/5); Michael Louis Corrado (2002/3-2003/4); Patricia A. Curtin (2002/3-2004/5); Robert S. Dalton (2001/2-2003/4); Paul Farel* (2003/4-2005/6); Michel Gagne (2003/4-2005/6); Donald Haggis (2002/3-2004/5); Theodore Leinbaugh (2001/2-2003/4); Don Madison (2003/4-2005/06); J. Stephen Marron (2001/02-2003/4); Charlotte Mason (2003/4-2005/6); Robert Peet (2002/3-2004/5); *Graduate Student representatives:* Jenne Powers, John Vickery; *Ex officio:* Linda Dykstra, Joe A. Hewitt, Robert Shelton

*Replacement for Don Madison

MEMBERS LEAVING DURING PAST YEAR: Deborah Bialeschki (2002/3); Mackay Anne Coble (2000/1-2002/3); Beth C. Holmgren (2000/1-2002/3); Diane M. Juffas (2002/3); Anne MacNeil (2002/03); Karl E. Petersen (2000/1-2002/3); *Graduate Students,* Chad Fogleman and Scott Turner; *Undergraduate Student,* Paige Werhan

NUMBER OF ANNUAL MEETINGS: Seven

REPORT PREPARED BY: Richard W. Pfaff and senior Library staff

Reviewed by full Board April 14, 2004.

CHARGE: Shall advise the University Librarian on the administration of the University library system; formulate, together with the University Librarian, the basic policies governing the acquisition of library materials and the use of such materials; allocate, with the advice of the University Librarian, the book funds which are not specifically designated; submit to the Chancellor, through the University Librarian, its advice on the establishment or discontinuance of library service units outside of the general library building; review the University Librarian's budget request; and report annually to the Faculty Council.

BUDGET STATUS: Protecting the materials budget continues to remain the Library's highest priority. As has happened for several years, the Academic Affairs Library avoided cuts to its acquisitions program in the current fiscal year largely because the University Administration protected the library materials budget from permanent cuts. The University Administration continues to recognize the centrality of the library collections, both electronic and print, to the academic mission of the university, by exempting the materials budget from mandated cuts. It has also for several years transferred one-time allocations to the campus libraries to help cover the escalating costs of serial subscriptions and electronic resources. Without these allocations, the libraries

would have had to make major cuts in subscriptions and book purchases. Thus, in the current year the campus libraries will spend \$2,453,350 on library materials from non-recurring funds. Approximately \$1.1 million of this money came from 02/03 end-of-year allocations by the University Administration to pay for serial subscriptions. The uncertainty of such funding requires that the libraries plan for serials cancellations and a reduction in monograph purchasing for next year. The Law and Health Sciences Libraries were able to interrupt two consecutive years of budget-driven cancellations this year only because of the infusion of year-end funds from the University Administration. Additional measures taken by the Library also helped to safeguard the acquisitions program. As in past years, the Library postponed building repairs and equipment replacement and held positions vacant (with consequent strain on the existing staff), diverting funds to support the purchase of library materials. Although these strategies have enabled the library to maintain the collections, the lack of sufficient operating funds is beginning to be felt as the buildings and equipment age and cannot be replaced and repaired. As has been noted in this report in the past, the long-term solution is sufficient additional permanent funding to enable the Library to purchase the electronic and print information expected and required in a leading research institution.

In its annual budget planning documents submitted to the Office of the Provost, the Library has identified the following major budget needs:

- A permanent increase of \$2,907,040 to purchase library materials at the 2003/04 level and eliminate the reliance on one-time funding to support the materials budget.
- Restoration of the annual library materials budget inflation component, previously provided through the continuation budget.
- Increase in support for building maintenance and equipment replacement cycles and provision of capital support for a renovation of Davis Library which is now twenty years old
- Funds for technology upgrades and additions to the library technology infrastructure.
- Funds to begin planning for a high-density book repository off campus.
- Funds for the second year of the two-year Integrated Library System and Online Catalog replacement.

As has already been stated, the University Administration has made support of library collections a major priority. To assist further in meeting that need, it also made available to the library an additional permanent allocation of Facility and Administrative Funds. This welcome permanent addition to the library F&A budget is helping the libraries meet some of the most critical campus information needs.

ELSEVIER NEGOTIATIONS: The Libraries are increasingly subject to pricing models for electronic access to journal packages that are inflexible and jeopardize the ability to manage costs and make collection decisions that support all disciplines equitably. A clear example of this problem is the recent unsuccessful negotiation by TRIN Libraries, including Carolina, with Reed-Elsevier. In January 2004, the Provosts at Carolina, Duke, and NCSU announced that the three institutions would not renew their consortial license with Elsevier for electronic access to Elsevier titles. The institutions took this bold step because the proposal from Elsevier for a new license did not meet two important objectives. Those objectives, as stated in the announcement from the Provosts, were "to regain and maintain control over library collecting decisions in order to meet the constantly evolving information needs of faculty, researchers, and students; and to manage overall costs in order to keep Elsevier expenditures consistent with materials budgets that have not been increasing at anywhere near Elsevier's annual inflation rate." The Library consulted closely with faculty across the university and with the Administrative Board of the Library in making this decision. The fact that the three Provosts announced the decision jointly is indicative of its importance to the three universities and its impact on the future of scholarly communication. At UNC, 109 Elsevier journals were canceled. Print and, therefore, guaranteed archival access was dropped for others. The Library, however, paid Elsevier less money in 2004 than it paid in 2003 rather than the significant increase it would have paid under the proposed license renewal. The Library is making every effort to minimize the impact of this decision on teaching and research by providing critical information as quickly as possible from alternate document delivery sources. As is discussed below, the library hopes that the Elsevier decision will lead to further discussions about alternatives to the current scholarly communication model. It is clear that there is no possible budget model that can sustain the escalating costs of scholarly communication indefinitely.

COLLECTIONS: As noted in the budget section, the Library will continue to purchase serials and books at or near the levels of the past few years for FY03-04. This is due to the significant support provided by the University Administration in the form of one-time funding and the transfer from within the library budget of operating funds by deferring maintenance and critical operating needs. In the budget-planning proposal, the campus libraries noted that they are increasingly reliant on non-recurring money to fund the ongoing library materials budget at a level adequate to support the teaching and research needs of a major university. This problem is compounded by emerging programs and areas of interest that require substantial new commitments to the acquisition of library materials and the growing importance and increased cost of electronic information. These include growing global studies areas such as South Asia and new areas of research and teaching not previously supported on campus. The libraries do continue to acquire important new resources in all formats and in many languages. The cost of licenses for electronic resources, which generally supplement rather than replace print materials, also rises unabated. This threatens the libraries' ability to provide continued access to core research materials, and to continue participation in consortial agreements. The campus libraries estimate they need \$2,907,040 in new continuing funds in future years to purchase library materials at the 2003/04 level. It should be noted that full-text in electronic format is increasingly available to support the Humanities as well as the

Sciences and Social Sciences. This year the library added these major databases supporting the Humanities: *The Eighteenth Century Collections Online*, the full text of most English language publications from the 18th Century; *Black Drama from 1850 to 1900*, an online collection of plays written by African Americans; and the *Evans Early American Imprint Collection*, a collection of American texts published before 1800. These add to and enhance the substantial print collections in these areas held in Davis and Wilson Libraries and provide powerful tools for research in the Humanities.

SCHOLARLY COMMUNICATIONS OFFICE PROPOSAL: In 1998, the University Committee on Copyright, appointed by then Provost Richard J. Richardson, produced its final report which made several recommendations related to campus copyright policies and programs. Subsequently, a standing committee on copyright was established. A recommendation to establish an Office of Scholarly Communication, however, was not implemented due mainly to budget limitations.

This year the Scholarly Communications Committee of the Administrative Board of the Library recommended to the full Board that the proposal to establish an Office of Scholarly Communication be revived. This suggestion was approved by the Board, which decided to discuss the proposal with the University Committee on Copyright to develop an updated jointly sponsored proposal.

The purpose of the Office would be to assist members of the University community in dealing with copyright issues that arise in the course of creating original work and in the use of existing copyrighted works for teaching, research, and service, and would offer legal advice when appropriate. The Office would also provide legal advice to libraries and other agencies in the University concerning copyright and licensing issues affecting access to scholarly communication. The Office would promote awareness of copyright law in the community, including a working understanding of ongoing judicial interpretations of copyright law and proposed changes in laws. The Director of the Office would be housed in the University libraries and report jointly to the Associate Provost for University Libraries and the University Counsel.

NEW ONLINE CATALOG: Following an extensive review of four alternatives, library staff chose to replace the current DRA Classic system, which includes the online catalog and the circulation system, with the Millennium system developed by Innovative Interfaces, Inc. The DRA Classic system, which was selected in 1991, was purchased by another organization in 2001 and they intend to move DRA Classic sites to their software.

With financial support from the Office of the Provost, a contract was signed with Innovative Interfaces in November 2003. Work on the migration of all data to the new system has begun. The new system will offer increased functionality and more comprehensive information. Millennium will further integrate our operations with those of the Health Sciences and Law libraries. Users of the catalog will enjoy additional capabilities such as display of receipt status on current journals, "on order" materials will be integrated into the online catalog, and easier links from indexing and abstracting

services to full text online articles will be available. The new system will be in full operation in January 2005.

ELECTRONIC RESERVES: The biggest challenge facing Electronic Reserves (E-reserves) is the escalating cost of copyright licensing fees. Due to the popularity of the service, the size of the Reserves operation has grown from 2,185 items in 1999-2000 to over 18,000 items in 2002-2003. In 2002-2003, the library paid over \$62,000 to make E-reserves services freely accessible to faculty and students. Costs are projected to exceed \$70,000 for 2003-2004. This cost, at its current rate of growth, poses a clear threat to the library's long-term ability to afford and manage this service.

Discussion with faculty and the Library Administrative Board members has made it clear that faculty users of E-reserves are largely unaware of the costs associated with the service. Further, observation of faculty behavior has led to the conclusion that E-reserves is frequently being used as a replacement for coursepacks. The Board discussed ways in which the E-reserves user population could be educated as to the effects of practices that bypass traditional coursepacks and textbooks; it also explored options for managing and/or distributing costs.

In addition to the rising popularity of E-reserves, current copyright policies in the Undergraduate Library limit the number of materials for which the library can claim 'fair use.' The potential of broadening the library's current interpretation of 'fair use' was discussed by the Board, including the implementation of practices followed by some of the other ARL libraries. Interpretation of 'fair use' provisions as described in Section 107 of the Copyright law continues to be controversial, however, and opinions are divergent on the best approach to 'fair use' interpretation.

USA PATRIOT ACT: Although Library policies, professional ethics, and North Carolina State Law all seek to safeguard patron privacy, the USA PATRIOT Act (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism), passed in October 2001, broadly expands the surveillance and investigative powers of law enforcement agencies. Under its provisions, agents of the FBI and other law enforcement agencies may, upon stipulation to the Foreign Intelligence Surveillance Act Court of "possible relevance" to terrorism, seize library records, computer hard disks or "other tangible items," or install software on library computers to track use. A task force consisting of representatives from the Academic Affairs, Health Sciences, and Law Libraries was appointed in FY2002/2003 to draft a privacy policy and guidelines for library staff to follow in dealing with law enforcement agencies. The privacy policy, which includes the relevant portion of State law, is mounted on the library's Web site <<http://www.lib.unc.edu/aoffic/policies/privacy.html>>. Following discussion of the act and its ramifications for libraries, the Board drafted and approved the following resolution:

Resolution on the USA PATRIOT Act and Related Legislation, Regulation and Directives

Whereas the Library of the University of North Carolina at Chapel Hill has a long and distinguished history of supporting the research and teaching of North Carolina students, faculty, staff, and other library patrons;

Whereas protecting the confidentiality of library users promotes the free and open exchange of knowledge and ideas;

Whereas the USA PATRIOT Act and other recently enacted laws, regulations, and guidelines increase the likelihood that the activities of library users, including their use of computers to browse the Web or access email, may be under government surveillance without their knowledge or consent; and

Whereas increased surveillance of these activities threatens civil rights and liberties guaranteed under the Constitution;

Resolved, therefore, that the Administrative Board of the Library of the University of North Carolina at Chapel Hill:

1. Strongly condemns those provisions of the USA PATRIOT Act, and of any other current or future legislation, regulation or guidelines, that erode privacy, access to information, and Constitutional rights;
2. Opposes the use of government power to suppress the free and open exchange of ideas and published information;
3. Urges the Library of the University of North Carolina at Chapel Hill to defend and support user privacy and free and open access to knowledge and information; and
4. Supports the actions of the American Library Association on its passage of the Resolution on the USA PATRIOT Act.

The resolution, which was shared with other library directors, sent to the University News Service and the *Gazette*, has been mounted on the Library Web site <<http://www.lib.unc.edu/aofic/issues/patriot.html>>.

DEVELOPMENT AND EVENTS: The Library continues to progress toward its goal of raising \$35 million during the Carolina First campaign. With 59% of the campaign over, we have raised 61% of our goal, \$21.5 million. Significant new estate gifts were received from Gladys Hall Coates, Josephine Weeks, Margaret Susan Lewis and Lucile Turner. New endowments were established by the Lucius N. Littauer Foundation to support collections in Jewish Studies and by the John W. and Anna H. Hanes Foundation to honor Joe A. Hewitt. Eugene W. Earle's gift of recordings to the Southern Folklife Collection has received wide publicity, as did Daniel Breen's gift of comic books to the Rare Book Collection. An effort to match a challenge made by the original donor of the Joel Williamson Fund has resulted in gifts that more than double its original size.

The Friends of the Library has sponsored numerous events this year. The Music Library welcomed everyone for a reception in its newly renovated space in Wilson Library on

August 25. Photographer Hugh Morton entertained a large crowd with a talk and North Carolina Collection exhibit celebrating his newly published UNC Press book, *Hugh Morton's North Carolina*. The University Archives opened an exhibit on graduate education at Carolina with a reception and a talk co-sponsored by the Graduate School. Alumnus and collector Dave M. Davis, M.D., shared a selection of early maps from his extensive collection for an exhibit, talk and reception in the Melba Remig Saltarelli Room. The Rare Book Collection hosted an exhibit and conference on The Beats in America. The eleventh Winter Stories program, the Friends of the Library book sale, and an exhibit of the photographs of Jan Hensley rounded out the schedule. The Library is also a co-sponsor for the North Carolina Literary Festival, to be held on the campus of NC State from April 15-17, 2004.

SALARIES: Librarians' salaries continue to be low in comparison to peers in the Association of Research Libraries (ARL). In 2002-03, UNC-Chapel Hill average librarian salaries ranked 66th out of 114 in the ARL salary rankings. UNC librarians did not receive raises in 2003-04 and fell to 78th out of 114.

This year the Library Administration focused on classified staff salaries, which had not been raised since July 2000. Data collected to support a proposal for an In-Range Salary program for classified staff, showed that on average library employees are making only 82% of their qualifying salaries. To address this problem, our first priority is to give all classified staff a 3% increase. The next step will be to bring all employees up to at least 80% of their qualifying salaries. This plan will affect 144 out of 152 employees (8 of whom are ineligible because their salaries are at the top of the range) and will increase staff salaries overall.

Funding for the Library's In Range Salary Program will come from reserve funds. In the past, reserve money has been used to reclassify positions, to supplement funds for new hires, and to cover budget cuts. Now, reserve money will be used to supplement the In Range Salary Program as well. Since this program depends on the availability of funding, it must be phased in over time.

CONCLUDING SUMMARY: The year reported on is the last in the lengthy tenure of Joe A. Hewitt as University Librarian; he retires as of June 30th, 2004, but will continue as Professor in the School of Information and Library Science. Tributes will be paid to him elsewhere, but the Board wishes to record its gratitude for his long years of service, his sensitivity to faculty concerns and quickness to address them, and his affability. Our annual reports mark the steady progress of the Library to national and international eminence under his guidance. A graduate student in SILS shared with the Board a paper she had written comparing our library with an ancient English library of great renown, in which she characterized that library primarily as a center of learning and ours as a center of information. There is substantial truth in this generalization, but our Library is a center of learning, too, and that this is the case is in great measure due to Dr. Hewitt's efforts to preserve and enhance its excellence.

The Board's attention has been heavily taken up with the matters summarized above as the Elsevier Negotiations and Electronic Reserves, and as we have discussed these issues

(often at great length) it has been brought home to us how integrally they concern all aspects of the academic mission of the University. Indeed, we have more than once been surprised at the degree to which our business in general demonstrates that the frequently repeated maxim that the Library lies at the center of the University is not just a facile claim. We have found much of the Board's work to be exacting and urgent, and we commend service on it as an excellent way to become involved in genuinely pan-University concerns. We trust that relations between the Administrative Board and the new University Librarian who is about to be appointed will be as warm and productive as ours have been with Dr. Hewitt.

University of North Carolina at Chapel Hill

Annual Report of the Educational Policy Committee to Faculty Council

April 23, 2004

Membership: Lucia Binotti (2005), Karen Booth (2006), Peter C. Gordon (2005; Chair), Clayton Koelb (2006), David Lanier (ex officio), Brian Phelps (Undergraduate student), Susan Pierce (2004), Joseph Templeton (2004), Barbara Wildemuth (2005), Adam Versenyi (2006), James White (2004), Thomas Winkler (Graduate/professional student).

Meetings. In 2003-2004, the Educational Policy Committee met on the following dates: 9/3, 10/1, 11/5, 11/19, 12/3, 1/21, 1/28, 2/4, 2/18, 3/3, 3/17, 3/24 and 3/31.

Annual Report prepared by Peter C. Gordon (Chair), with review by the committee.

Committee charge: "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 Faculty Code. The committee's function is advisory to the Faculty Council in respect of such matters."

Activities, AY 2003-2004 (through April 12, 2004).

Report on Grades

In February 2000, EPC submitted a report to Faculty Council titled "Grade Inflation at UNC Chapel Hill"¹. This report, known now as the Turchi Report after its author, documented increases in GPAs at Carolina over the period of 1967 to 1999, with a focus on comparing grade levels in 1986 and 1999. It concluded that grade inflation was a serious problem at Carolina. In response to this report Faculty Council empanelled a task force on grading standards, which issued a report in April 2001². That report was far less critical of rising grade levels than was the Turchi Report. Since these two reports, Departments and Programs have been asked to regularly discuss grading standards and EPC has been asked to report annually on GPAs. A sense developed on EPC that by this current academic year there would be enough additional data on grading since the Turchi Report to merit a more in-depth report on grading than in previous years.

At the outset, we want to acknowledge that GPAs are an important and controversial subject. It is not controversial that average grades have gotten higher over the last 40 years, but there is strong disagreement about why this has happened, what it means, and whether anything should be done about it. Very different views on these questions can be seen in the Turchi Report and the *Report of the Task Force on Grading*

¹ <http://www.unc.edu/faculty/faccoun/reports/R2000EPCGrdInfl.PDF>

² <http://www.unc.edu/faculty/faccoun/reports/R2001GradingStandards.htm>

Standards. This report does not attempt to review all of the issues (e.g., the purpose of grading, why grades are getting higher, and disparities in grades across disciplines) that are covered in these previous reports or in the many discussions of this topic at other universities. Here, we review some developments related to grading since the Turchi report and we outline several steps for addressing rising GPAs that we believe should be studied for possible implementation at Carolina. A substantial majority of current EPC members believe that grade inflation is a serious problem that the University should address. However, a smaller group on EPC believes that grading practices are not a serious problem. These differing perspectives are similar to those found in the two reports mentioned above and in discussions of this issue at other universities.

Grading Since the Turchi Report

The Turchi Report provided information about changes in overall grade level between Fall of 1967 and Spring of 1999, as well as a number of more detailed comparisons of grading in Spring of 1987 and Spring of 1999. Here, we update most of those analyses.

Figure 1 shows changes in average grades given in the years since the Turchi Report. The increase in grades averages .0185 grade points per year over the four year period from Spring 1999 to Spring 2003. The rate of increase between 1987 and 1999 was .0208 per year. One substantial review of national trends in grading indicates that grades are increasing at a rate of .0146 per year.³ Thus, the rate of increase shown in Figure 1 is comparable to what is going on nationally and is similar to the average rate of increase reviewed in the Turchi report.

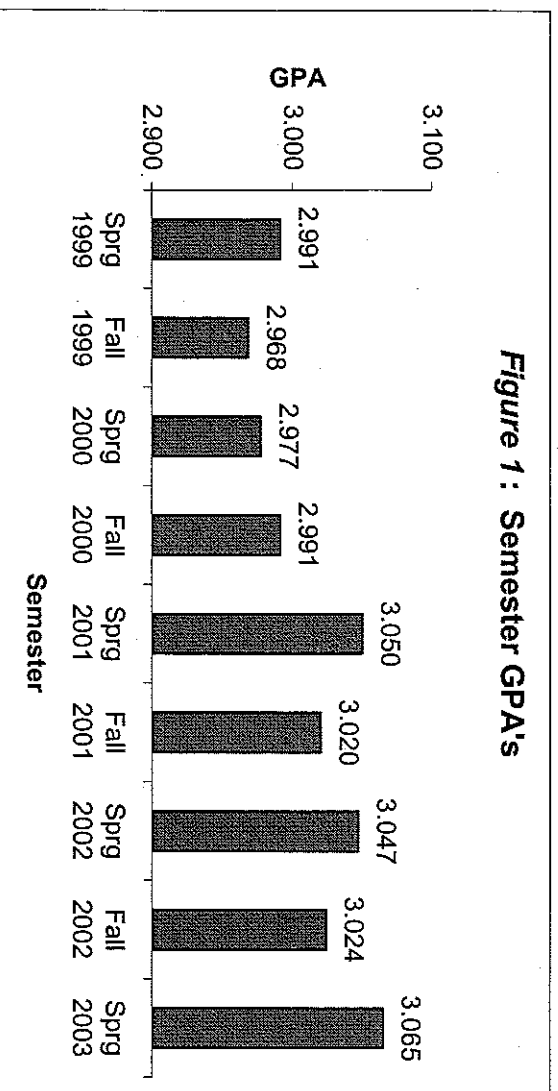


Figure 2 shows the same information broken down by class year of the students. The pattern suggests that the trend for increasing grades exists at all class levels.

³ Rojstaczer, S. *Grade inflation at American colleges and universities*. Retrieved March 29, 2004 from <http://www.gradeinflation.com/>.

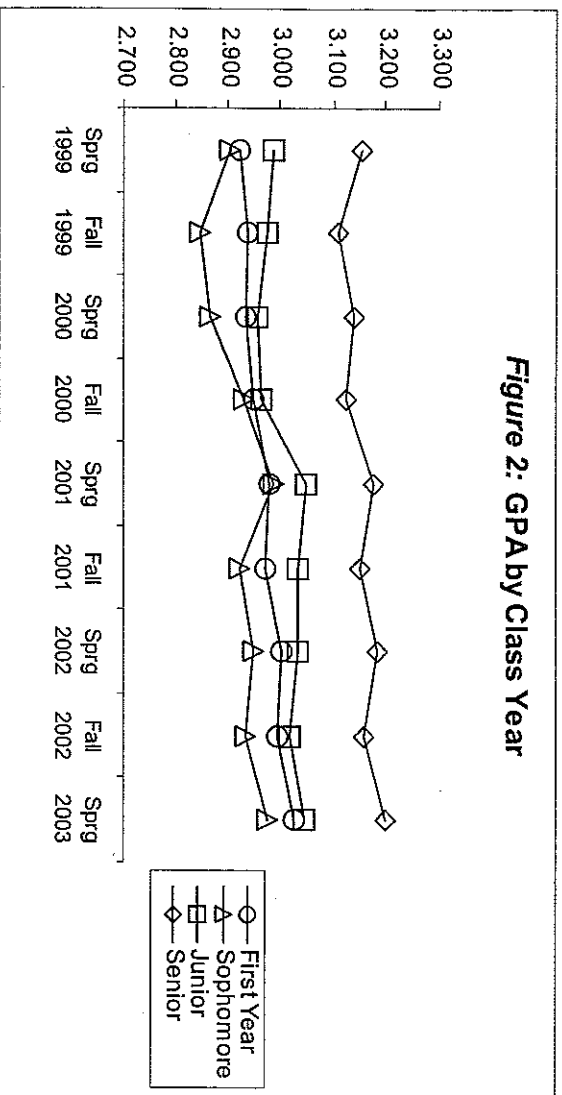


Figure 3 shows the distribution of undergraduate letter grades in Spring 1999 and Spring 2003. At the time of the Turchi Report, the most frequently given letter grade was B with A not far behind. Since then, A has passed B to become the most commonly given letter grade at Carolina.

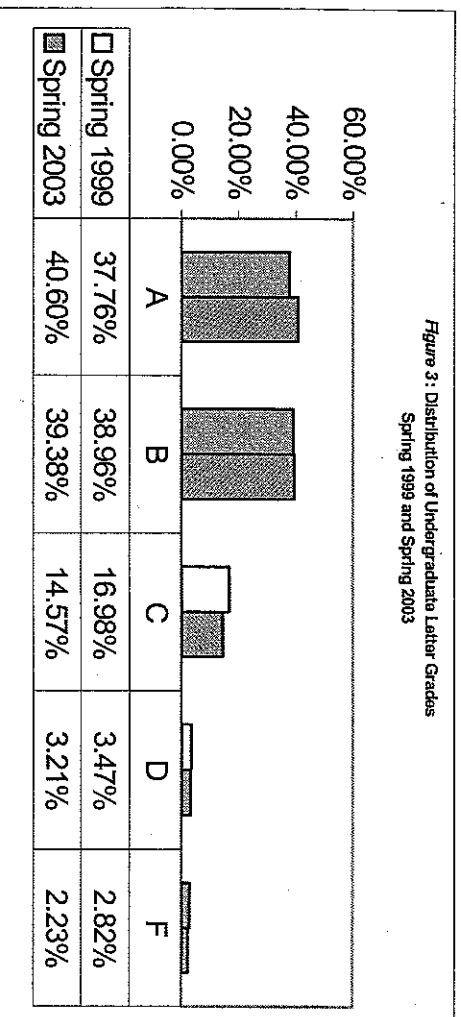
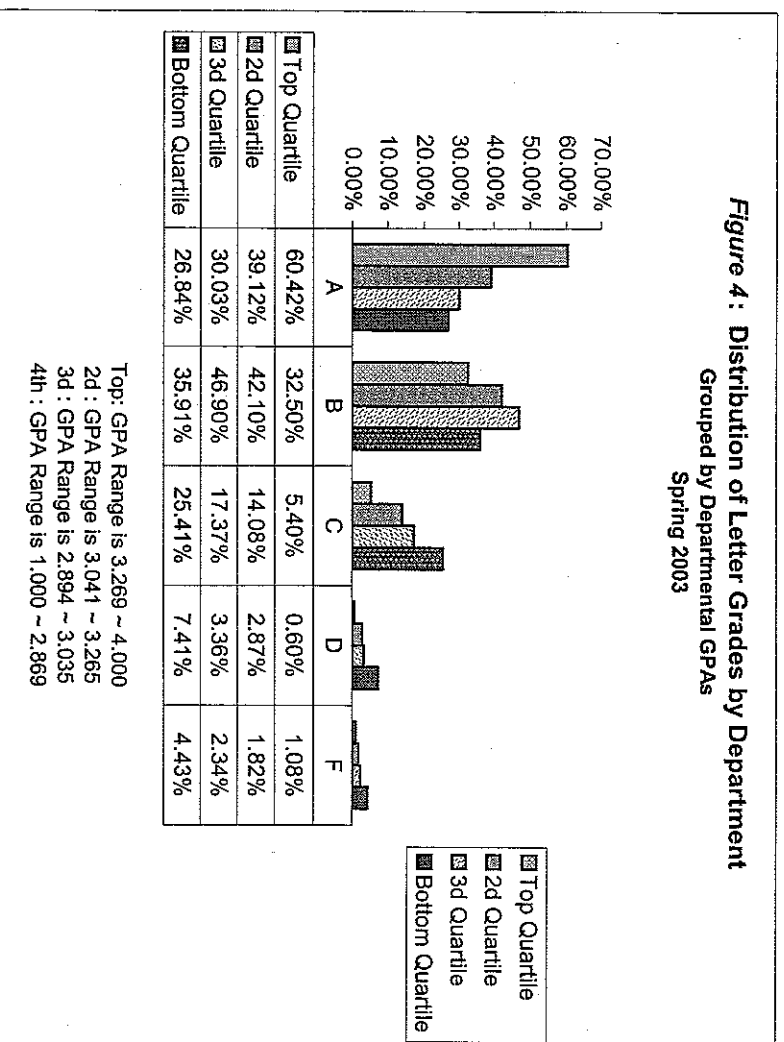


Figure 4 shows the distribution of undergraduate letter grades grouped into four roughly equal quartiles by departmental grading practices. The results show that there is very substantial variation in grading practices across departments, a pattern that was analyzed in more detail in the Turchi Report.

Figure 4 : Distribution of Letter Grades by Department
 Grouped by Departmental GPAs
 Spring 2003



Pick-a-Prof™

In addition to changes in grades, one other significant development since the Turchi Report merits discussion here. A for-profit web service, Pick-a-Prof, has begun to provide information about grade distributions in individual sections, listed by instructor, for classes taught at UNC Chapel Hill and many other universities. (Pick-a-Prof also provides a forum for students to post evaluations of courses and instructors.) Pick-a-Prof obtains grade information from the University Registrar under the State of North Carolina's public information law. At least one inquiry has been made to the Registrar from another organization about how to obtain this information in order to offer a similar service.

Ready accessibility of the kind of information offered by Pick-a-Prof could accelerate one of the dynamics that concerns critics of rising GPAs. That concern is that some students would use information about grading practices in individual sections for purposes of selecting courses. This would lead to greater demand for courses where grades are high and less demand for courses where grades are low, which in turn could lead faculty to compete for student enrollment (either consciously or unconsciously) by giving higher grades. Of course, this sort of dynamic may operate simply on a course's reputation, but Pick-a-Prof (and possible similar services to come) provide information that is far more detailed and comprehensive than word-of-mouth reputation. To our knowledge, there is only one study that has examined whether students would use such grading information to guide their selection of courses. From fall of 1998 to spring of 1999, a group at Duke University conducted a study in which information about grade

distributions was made available to Duke students through a web site that tracked how students' examination of grades was related to their subsequent enrollment choices. The study concluded that grade levels had a significant effect on students' enrollment choices, with students being inclined to select courses in which the grades were higher.⁴

Easily accessible information about grade distributions could also erode public confidence in whether the University is effectively fulfilling its obligations with respect to evaluating student performance. In recent years, some of the nation's most prestigious private universities have been subjected to ridicule in the press over the proportion of their students who graduate with honors. It is easy to imagine that information about grade distributions (at least for some classes or departments) could lead to the same kind of negative public reaction to grading at Carolina. For a state institution, loss of public confidence about the performance of a basic function, like evaluation of student performance, could undermine public support.

Possible Mechanisms for Addressing Grade Inflation

1. The Turchi Report recommended that the Provost set a standard that the mean grade for all departments be 2.7 and that after a transition period this standard be enforced by budgetary sanctions to departments where grade levels exceed the standard. This recommendation was not implemented, nor did it receive serious consideration as far as we know. We believe that this recommendation should be explored with senior academic administrators in order to hear their views on the value of this approach and on any practical difficulties that might emerge in implementing it.
2. It is a common belief that student evaluations of teachers (SETs) have promoted grade inflation because they provide a way for students to reinforce teachers for giving them high grades. (As with all other beliefs about increased grades, this view is also vigorously contested.) In an attempt both to break this feedback cycle and to obtain more accurate evaluations of teachers, the University of Washington has implemented a procedure where SETs are adjusted statistically for factors that have been shown to influence evaluations but which are not related to teaching effectiveness⁵. Those factors include class size, whether the class is in the student's major and the student's expected grade in the class. At Carolina, SETs are a mandated procedure for evaluating teaching. Therefore, we believe that approaches to SETs, such as the one taken at the University of Washington, should be explored so that any harmful effects of SETs on grading could be minimized and so that the validity of SETs could be maximized.
3. The Turchi report describes grade inflation as a market failure. Universities and society have an interest in grading practices that differentiate levels of student performance and that have a stable meaning that is comparable across disciplines and over time. However, the incentive for any individual student is to seek out higher grades and for any individual instructor is to give higher grades. The addition of

⁴ Johnson, V.E. **Grade inflation: A crisis in college education**. New York, NY: Springer.

⁵ University of Washington, Office of Educational Assessment:

<http://www.washington.edu/oea/uwrepts.htm>

ranking systems to letter grades alters the incentives faced by students and faculty in a way that might reduce or reverse rising grade levels. A simple system might convert grades for a class into ranks indicating the percentage of students who did more poorly than a given grade in relation to the percentage of students who did better than that grade. A more sophisticated system would take into account the abilities of the students in a class, by weighing their performance in other classes, before grades are converted to ranks in the class. The rationale is similar to that underlying the Rating Percentage Index (RPI) used in college sports; the RPI looks at a team's record in relation to the strength of a team's schedule (as indicated by its opponents' records) as a factor in determining whether it is invited to participate in postseason play. A normative procedure for ranking college grades in this way has been published⁶; this method was considered and rejected by the Arts and Sciences Council at Duke University in 1997. We believe that the use of ranking systems to augment letter grades at Carolina should be evaluated.

Recommendations

As stated above, a majority on EPC believes that grade inflation at Carolina is a problem and that steps should be taken to halt or reverse it. This general assessment is similar to that in EPC's last extensive analysis of the issue, as described in the Turchi Report. We have sketched additional mechanisms for addressing grade inflation beyond those in the Turchi Report, and we believe that those mechanisms should be studied further by EPC. However, we recognize that grading is a controversial topic where different people interpret exactly the same data in very different ways. We therefore take this opportunity to seek input from Faculty Council on how the issue of rising grades should be addressed.

Report on Carolina Summer Reading Program

The Carolina Summer Reading Program (CSRPP) at UNC Chapel Hill has been in existence for five years, having received its initial impetus from the UNC-CH Intellectual Climate Task Force Report (1997), which recommended that such a program be created as part of a First Year Initiative. In response to a request from the Chair of the Faculty, EPC has conducted a review of the CSRPP. This first review of the program by a body of faculty governance seems appropriate given that the University now has some experience with the program and because the program has received a great deal of public attention. EPC's review involved examination of data on the program's first five years, supplied by the office of the Vice Chancellor for Student Affairs, as well as consultation with a number of individuals who have had important roles in running the program and preparing materials for it.⁷ Our review has led to the following conclusions and recommendations.

⁶ Johnson, V.E. (1997). An alternative to traditional GPA for evaluating student performance. *Statistical Science*, 12, 257-278.

⁷ We thank the following individuals who graciously assisted us in our review: Cindy Wolf Johnson (Associate Vice Chancellor and Dean of Student Affairs), Judy DeShotels (Director, Student Affairs New Students' Program), Karen Gill (Senior Associate Dean for Undergraduate Education), Madeleine Grunnet

- EPC believes that the CSSRP has made valuable contributions to the University's intellectual climate and that it has the potential to continue to do so. The program enhances the intellectual substance of student orientation in a very visible way; it provides the opportunity for a conversation on a single reading among all entering undergraduate students and is one of the few intellectual activities that students can share among themselves and with the broader university community. The CSSRP has also attracted a great deal of public comment, both favorable and unfavorable. EPC believes that public attention to academic activities at the University is beneficial because it gives the University a chance to explain publicly its educational and intellectual values. The educational emphasis of the CSSRP is one of understanding issues not of advocating political positions. Though some of the public discussion of the CSSRP has created tension, we believe that the University must continue to respond to such situations by emphasizing its commitment to the fair-minded exploration of important ideas.
- EPC believes that it is important to recognize that the CSSRP is not an academic requirement for any degree or program, nor should it be. Students should be encouraged to participate in the CSSRP as a valuable addition to their academic coursework. In this way, the CSSRP is like many other academic activities that are not required for earning a degree but which are an important part of university life. These activities include departmental colloquia with invited speakers, lunch-time talks drawing on Carolina faculty and students, undergraduate clubs focused on academic topics, the annual celebration of undergraduate research, as well as many other important academic activities. The CSSRP does strive to involve many more students, faculty and staff than do most other voluntary academic activities, but it shares with them the purpose of giving students opportunities to experience the intrinsic reward of exploring ideas as part of an academic community.
- In recognition of the voluntary character of the CSSRP, and the necessarily selective nature of a single reading, EPC believes that the program should be kept within the bounds of an afternoon's discussion and that temptations to expand the program, or promote its integration into other academic activities, should be resisted. In particular, on some occasions the materials informing incoming students about the CSSRP have suggested that the selected book may also be covered in classes that are offered during the students' first semester at Carolina. EPC believes that the content of for-credit courses should not be guided by the selection of a book for the summer reading program. Administrative leaders of the CSSRP should not suggest to instructors that they consider covering the book and students should not be led to believe that the book may somehow be part of the courses that they will be taking. On the other hand, EPC believes that it is appropriate and valuable to make students aware of courses offered at Carolina that address topics that are raised by the selected book.

(Professor of Education and Chair of the Book Selection Committee for Fall 2003), Mike Stegman (Professor and Chair of the Department of Public Policy) and Dan Gitterman (Assistant Professor in the Department of Public Policy).

- Administering the CSRP is a complex affair for a number of reasons: It involves a very large number of people; it occurs at the very beginning of the school year; and it draws on administrative and instructional resources from a large number of units on campus. At least some of the controversies caused by the CSRP may be attributable to the growing pains involved in developing a new program that involves coordination of many units that do not usually work together. EPC came to the following conclusions about the administration of the program:
 1. The current arrangement of shared responsibility for program administration between Student Affairs and Academic Affairs seems to be working and we recommend that it continue.
 2. The process for selecting a book appears to work well. The book selection committee, comprised of students, faculty and staff, has a very difficult job. In selecting a single book, there is no way that the committee can please everyone and given the controversy that the program has generated, they are almost certain to severely annoy some. The book selection committees of the past years should be commended for their conscientious work. One aspect of the book selection process that could be improved would be to increase the book-buying budget for the selection committee. Given that the committee must consider many books in a short time (particularly at the final selection stage), it is impractical for committee members to share copies of the books being considered. This has led to the committee members having to buy their own copies of the books (or at least in one case to the chair of the committee using personal funds to buy books for student members of the committee). EPC believes that administrators in Academic and Student Affairs should consult with recent chairs of the book selection committee on this matter and should provide an adequate budget for the book selection process.
 3. The task of presenting the CSRP and the selected book to incoming students is very challenging. EPC has several specific recommendations about how to handle this task more effectively. Many of these recommendations come from those with direct experience in helping to run the CSRP and are being, or have already been, implemented.
 - The book selection committee has quite properly approached the task of book selection from the perspective of non-specialists on the topics of the books that they are considering. This is appropriate because a major goal of the CSRP is to contribute to students' educations as informed generalists. However, in selecting the supplementary readings, and in framing questions for discussion, it is valuable and necessary to draw on the specialized intellectual resources of the University community. In the past, this has not always happened in a timely manner. EPC believes that when the book-selection committee has made its selection (or perhaps when it has narrowed its choices to two or three books), the faculty chair of the committee should enlist efforts of faculty colleagues with specialized knowledge in the area of the book in suggesting appropriate supplementary materials. Participation at this stage by one of the academic deans may also be useful. The members of the book selection committee should also be asked to comment on suggested

supplementary materials as a way of assessing their intelligibility to non-specialists.

- The primary goals of the promotional materials for the CSRP should be to encourage students to participate in the program and to give a sense of the ideas that the selected book generates. Some of the materials used to promote the program in the past could be seen as promoting the book and its author, an impression that should not be created because it can be seen as endorsing the views expressed in the book and by the author.

- The promotional materials for the CSRP should be very clear in indicating that participation in the program is not an academic requirement. For three years those materials did say that the program was "required". As with any other voluntary academic activity, the CSRP must sink or swim based on its intrinsic appeal to students' curiosity.

Overall, EPC regards the CSRP as conceptually sound and valuable to the University. Data on rates of participation in the program by students, staff and faculty support that view. Insights gained by examining the first five years of the program suggest ways in which its operation could be improved, but that is to be expected for any program. In addition, as with any University program, the CSRP should be monitored and periodically evaluated.

Class Attendance Policy/Excused Absence Policy

Two factors prompted EPC to review class attendance policy: (1) a resolution from Student Government asked that students be provided with a way of appealing an instructor's decision not to count an absence as excused and (2) concerns that the current policy allowing unlimited excused absences for authorized extracurricular activities was problematic given developments in instructional techniques. We discuss these issues in turn.

Appeal of faculty decisions on absences... On November 4, 2003, Student Congress passed a resolution (SCR-85-042), which requested that students be given a way of appealing an absence whose notice was not approved by the instructor of a course. While the resolution outlined a variety of legitimate reasons why a student might need to miss class, it was EPC's understanding that a primary impetus for the resolution was concern about absences due to important religious holidays. The resolution stated that students should notify an instructor in writing two weeks in advance (if possible) about the reason for a planned absence. It then asked that students be given an avenue of appeal in cases where instructors deemed the planned absence to be unexcused.

EPC focused its discussion on cases where the planned absence could be anticipated well in advance (as is the case with important religious holidays). We concluded that it would be reasonable to provide an appeal process in such cases, but that the process would have to be streamlined so that a decision could be made in advance of the planned absence. Therefore, we propose that Faculty Council consider amending class attendance policy so that under specified circumstances a student could appeal an

instructor's decision not to consider a planned absence excused *as long as the appeal is made in advance of the date in question*. EPC believes that the appeal should be made to the head (chair or director) of the unit in which the course is being taught. (In cases where the instructor is the head of the unit, then the appeal would be made to the Dean to whom the unit head reports.)

EPC further believes that the statement of class attendance policy should be amended. Currently the policy states "The University calendar does not recognize religious holidays." However, the calendar does recognize holidays taken by the State of North Carolina; those include two religious holidays, Good Friday and Christmas. The current statement of policy can be seen as denying the reality that the calendar does recognize some religious holidays, if only indirectly through State policies. We believe that the statement concerning the recognition of religious holidays should either be deleted or modified to say that the University calendar only cancels classes on holidays that are recognized by the State of North Carolina.

Absences for regularly organized and authorized University activities. Current policy gives instructors sole responsibility and authority for excusing absences, except in the case of students who are out of town for scheduled events related to regularly organized and authorized University activities. In such instances students must be excused during the approved period of the absence. This policy is becoming problematic because there has been a shift toward instructional practices that emphasize activities and experiences rather than studying for tests and writing papers. Attendance has become essential to successful completion of many courses. In some instances, such as language courses, strict policies have been put in place such that a student cannot pass the course if absences exceed a certain number (3 class meetings in some language classes). Current policy creates a situation where there are two types of students, those to whom class attendance policy applies and those involved in extracurricular activities. In principle, this latter group of students could miss an unlimited number of classes. The new curriculum places a strong emphasis on experiential education, so conflicts between extra-curricular activities and need to attend class are likely to increase in the future.

Given the great variety of "regularly organized and authorized University activities", it is difficult to make general statements about the extent to which extra-curricular activities conflict with developing trends in class attendance policies. The Athletic Department houses a great number of such activities and maintains a strong commitment to keeping student athletes in good academic standing; it is likely that the Athletic Department has adequate records for assessing the extent to which student athletes miss class because of their participation in athletics. Determining the extent to which other types of extra-curricular activities impact class attendance will require some study. EPC recommends that two steps be taken in the coming year. First, Faculty Council (perhaps through EPC) should begin discussions with the Athletic Department about ways that schedules for student athletes could be arranged so that they are not absent from class more frequently than is allowed for other students in those classes that have mandatory class attendance policies. Second, data should be collected on the broad

range of non-athletic extra-curricular activities in order to facilitate development of appropriate mechanisms for handling absences in those classes.

Allowable Number of Majors and Minors

Revision of the General Education Curriculum has raised the issue of the allowable number of specializations that an undergraduate should be allowed to pursue. Some argue that a student should not be limited in this regard and should be able to complete as many majors or minors as he or she can. Others argue that a student who is very accomplished should expend effort in pursuing a smaller set of disciplines in greater depth rather than attempting to complete diverse sets of departmental requirements. In addition to these differing perspectives on desirable educational goals, there are also practical issues related to how students are allowed to declare majors. Students within a major get some preference in course registration within the major so some students might declare a major for purposes of registration without having a serious intention to pursue the major. If such activity occurred it would complicate an already challenging registration process.

In consideration of these issues, EPC recommends that students be allowed a maximum of three specializations (majors, minors and certificates) with a limit of two majors. This means that undergraduates now will be able to declare, for example, two majors and one minor or one major and two minors; this relaxes current rules that allow students to declare only two majors or one major and one minor. We include certificates in our listing of specializations because it is anticipated that the creation of interdisciplinary clusters as part of the new curriculum will lead to an increase in the number of certificates offered at Carolina.

Annual Report

University Committee on Appointments, Promotions, and Tenure

The University Committee on Appointments, Promotions, and Tenure (APT) provides a final campus-wide faculty review of all tenure-track appointments, promotions, and tenure decisions before they are forwarded to the Board of Trustees. The Committee is new, created to perform the APT responsibilities previously performed by the Chancellor's Advisory Committee. The Committee reports to the Provost.

In its first half year, the Committee has:

- 1) worked on developing its own procedures and policies for reviewing personnel decisions.
- 2) reviewed all of the appointments, promotions and tenure decisions brought before the Committee.
- 3) initiated a systematic review of the appointment, promotion, and tenure documents for each of the Schools and the College. The focus has been on making sure that the definitions and expectations are clearly presented. Another goal of the review is to identify parts of the various documents that could be reasonably expected to be common across the various campus units.
- 4) reviewed and discussed selected policies relevant to the APT process, including the School of Medicine's "tenure contingent upon the availability of funds" policy.

Respectfully submitted.

APT Committee:

Judith Bennett
Janne Cannon
Thomas B. Clegg
James F. Donahue
Mark Fraser
Lawrence L. Kupper
Laurie Langbauer
Melissa Saunders
John M. Thorp
Camilla Tulloch
Jonathan Wahl
Gilbert C. White, II, Chair

FACULTY COUNCIL
UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL

Faculty Welfare Committee

Annual Report, 2003-2004
15 April 2004

Committee Members:

Professors:	Term Expires
Halloran, Edward, Chair	2005
Guilkey, David	2005
James, Sharon	2006
Kurtz-Costes, Beth	2004
Marshall, Victor	2005
May, Stephen	2006
Moore, Jill	2006
Peck, Michael	2004

Charge and Composition:

The chancellor appoints the committee. It works for and reports on the improvement of faculty working conditions, including salaries and benefits.

Annual Report

The March-April 2003 issue of *Academe: Bulletin of the Association of University Professors* [89(2):78-9] reported a fall for UNC-CH in the ranking of average salary rating for Category I or doctoral level schools from those recorded a year earlier [*Academe*, 88(2):70-1]. The slippage represented a change from a rating of 1, 80th-94.9th percentile to 2, 60th-79.9th percentile for the ranks, Professor, Associate Professor and Assistant Professor. Benefits, as a percent of salary, were stable at a relatively low 19 percent.

The same source reported women professors at UNC-CH were paid 93 % of their male colleagues salaries, Associate Professors, 96% and Assistant Professors, 90 per cent. Improvements were noted in two of the three ranks recorded the previous year where women professors were paid 91% of their male counterparts, associate professors 91%, and assistant professors, 92 percent.

Three meetings of the Faculty Welfare Committee were held during the academic year. They were not well attended by the members.

Discussions at the meetings were evenly divided between concerns about salary and about benefits, especially health benefits. The committee went on record as supporting the initiative introduced by Professor Wegner, proposing the adoption of a Health System

REPORT TO THE UNC-CH FACULTY COUNCIL

FACULTY ASSEMBLY, UNIVERSITY OF NORTH CAROLINA

April 14, 2004

The Faculty Assembly is the elected body of representatives of the faculty of the sixteen campuses of the University of North Carolina. The Faculty Assembly was formed in 1972 when all 16 public senior institutions were placed under one Board of Governors. According to its Charter, the Faculty Assembly has the following objectives:

1. The Faculty Assembly of the University of North Carolina shall gather and exchange information on behalf of the faculties of the constituent institutions of The University of North Carolina.
2. The Assembly shall, through appropriate channels, advise the Board of Governors of The University of North Carolina, the General Assembly, and other governmental agencies and officers on matters of university-wide importance.
3. The Assembly shall advise and communicate with the President of the University of North Carolina with regard to the interests of the faculties and other matters of university-wide importance.

The Assembly has an expanded website current located at <http://www.ncfaculty.com> . UNC-Chapel Hill has five delegates elected from the faculty to represent this campus as part of the Assembly with terms as follows: Steve Bachenheimer (2005), Diane Holditch-Davis (2004), Emil Malizia (2006), Carol Pardun (2006), Bonnie Yankasas (2006) and Judith Wegner (ex officio) (2006). Joseph Ferrell, and Fleming Bell serve as alternates. During the current year, the delegates have been organized into standing committees on the following topics: academic freedom and tenure; budget; development; governance; planning/programs/administration; technology; welfare/benefits. In addition, an ad hoc task force on athletics was created and a caucus of historically minority universities was developed.

The Faculty Assembly traditionally meets four times per academic year in the UNC General Administration Building in Chapel Hill. The past year's meetings were held on November 21, 2003; January 23, 2004; February 20, 2004; and April 16, 2004. Meetings generally include presentations by President Molly Broad and other administrative personnel who are part of General Administration (including those responsible for budget, legislative relations, academic oversight, and faculty welfare), as well as meetings of the specified committees. During the current year, the Assembly passed resolutions urging legislative support for faculty and staff salaries; and asking the Board of Governors to refrain from limiting submission of amicus briefs. Other resolutions supported administrative proposals relating to documentation of faculty workload, centralized technology licensing, and study of post-tenure review. In addition, Assembly committees developed and distributed surveys relating to the role of faculty in governance at their respective institutions (see http://people.uncw.edu/veit/FacAssembly/governance_benchmarks_table.doc) and in providing counsel relating to athletics.

Respectfully submitted,

Judith Welch Wegner



The University of North Carolina at Chapel Hill

IN MEMORIAM

Elie Maynard Adams

Kenan Professor of Philosophy Emeritus; L.H.D., 1989 (Wake Forest University); Ph.D., 1948 (Harvard University); M.A., 1947 (Harvard University); B.D., 1944 (Colgate-Rochester Divinity School); A.M., 1944 (University of Richmond); A.B., 1931 (University of Richmond). Appointed September 1, 1948; died November 17, 2003.

John Bissell Carroll

William Rand Kenan Jr. Professor of Psychology Emeritus; Ph.D., 1941 (University of Minnesota); A.B., 1937 (Wesleyan University). Appointed 1974; died July 1, 2003.

Philip Palmer Green, Jr.

Albert Coates Professor of Public Law and Government Emeritus; J.D., 1949 (Harvard University); A.B., 1943 (Princeton University). Appointed 1949; died August 9, 2003.

Dennis G. Hillenbrand

Clinical Associate Professor of Oral and Maxillofacial Surgery; D.D.S., 1964 (Loyola University of Chicago); B.S., 1960 (Loyola University of Chicago). Appointed July 1, 1988; died November 10, 2003.

Robert Galloway Kirkpatrick, Jr.

Associate Professor of English; Ph.D., 1967 (Harvard University); A.M., 1962 (Harvard University); A.B., 1961 (Erskine College and Seminary). Appointed September 1, 1967, died February 24, 2004.

Anders S. Lunde

Adjunct Professor of Biostatistics Emeritus; Ph.D., 1955 (Columbia University); M.A., 1947 (Columbia University); B.A., 1938 (St. Lawrence University)

Pierre Morrell

Professor of Biochemistry and Biophysics; Ph.D., 1968 (Yeshiva University); A.B., 1963 (Columbia University). Appointed August 1, 1973; died July 15, 2003.

Jeffrey L. Obler

Associate Professor of Political Science; Ph.D., 1970 (University of Wisconsin-Madison); M.A., 1966 (University of Wisconsin); A.B., 1963 (New York University). Appointed February 1, 1968; died March 27, 2004.



The University of North Carolina at Chapel Hill

2004 FACULTY ELECTIONS RESULTS

Faculty Council

Electoral Categories	Elected	Alternates
Humanities (Tenured)	Douglas E. MacLean Todd W. Taylor	Paul H. Ferguson
Humanities (Not Tenured)	Robert Cantwell	Misha Becker
Kenan-Flagler Business School (Tenured)	Edward J. Blocher Robert A. Connolly	
School of Dentistry (Tenured)	Roland Arnold Carroll-Ann Trotman	
School of Dentistry (Not Tenured)	Teresa Morton Karen Tiwana	Charlotte Peterson
School of Nursing (Tenured)	Margaret Sandelowski	Joanne Harrell
School of Nursing (Not Tenured)	Barbara Jo Foley	Gail Mazzocco

Division of the Humanities in the College of Arts & Sciences

Electoral Categories	Elected	Alternates
Chair of the Division	Linda Wagner-Martin	Christopher Armitage
Chair of the Course Committee	Allan Life	Frank Dominguez

2004 Faculty Elections Voter Participation

Division	Voting Faculty	Ballots Cast	Turnout
Fine Arts	62	18	29%
Humanities	224	86	38%
Natural Sciences	297	73	25%
Social Sciences	242	92	38%
Libraries	135	61	45%
Education	59	8	14%
Kenan-Flagler	93	19	20%
Government	59	19	32%
Information & Library Science	23	11	48%
Journalism & Mass Communication	42	12	29%
Law	47	13	28%
Social Work	62	12	19%
Medicine	1106	154	14%
Dentistry	118	33	28%
Nursing	79	32	41%
Pharmacy	59	8	14%
Public Health	203	32	16%
Totals	2895	683	24%

In 2003, 2,853 ballots were distributed and 727 returned, for a turnout of 25%.

Prepared by Joseph S. Ferrell, Secretary of the Faculty
April 23, 2004



The University of North Carolina at Chapel Hill

JOURNAL OF PROCEEDINGS OF THE GENERAL FACULTY AND FACULTY COUNCIL

April 23, 2004

The General Faculty and Faculty Council of the University of North Carolina at Chapel Hill convened at 3:00 p.m. at the Pleasants Family Assembly Room of the Wilson Library. The following 46 members of the Council attended: Bachenheimer, Bouldin, Cairns, Daye, Elvers, Foley, Frampton, Gerber, Givre, Gollop, Granger, Kagarise, Kjervik, Klebanow, Kramer, Leonard, Lohr, McGraw, Miguel, Miller, Molina, Orthner, Owen, Pardun, Pereimuter, Perrin, Pittman, Reisner, Renner, Rippe, Rogers, Salmon, Sawin, Schauer, Shea, Simpson, Straughan, Strauss, Tobin, Toews, Tulloch, Vandermeer, Wallace, Willis, Wilson, and Winkler. The following 35 members were granted excused absences: Adimora, Ammerman, Anton, Bane, Bowen, Colindres, Conover, Elter, Gullede, Heenan, Holditch-Davis, Howell, Langbauer, Leigh, Malizia, Martin, Mesibov, Morris-Natschke, Muller, Nicholas, Pisano, Poole, Porto, Rock, Rowan, Slavick, Jay Smith, John Smith, Tauchen, Vick, Watson, Weinberg, Yankaskas, and Yopp. The following 7 members were absence without excuse: Arnold, Bowen, Holmgren, Lin, Nonini, Parikh, and Wolford.

Chancellor Moeser opened the meeting by honoring the memory of members of the faculty who died in the past year. The faculty rose in silent tribute. See Appendix A.

Chancellor Moeser recognized the following previous recipients of the Thomas Jefferson Award who were present: Prof. Emeritus Eugen Merzbacher (1972), Prof. Emeritus Daniel Okun (1973), Prof. Emeritus Daniel Pollitt (1982), Prof. Emeritus Richard Richardson (1987), Prof. Emeritus John Sanders (1988), Prof. Frank Wilson (1992), Prof. James Peacock (1995), Prof. Charles Stone (2002), and Prof. Joseph Ferrell (2003).

Chancellor Moeser announced that the Committee on Honorary Degrees and Special Awards has chosen Charles Edward Daye, Henry P. Brandis Professor of Law, as the recipient of the 2004 Thomas Jefferson Award. Prof. John Charles Boger read the citation, and Prof. Daye responded. See Appendix B.

In his remarks, Chancellor Moeser said that faculty retention is the most important issue that he faces. He said that the issue has risen to the top of the agenda of the Board of Trustees and the Carolina First Campaign Steering Committee. He reviewed the success of the campaign to date in raising funding for faculty salaries and support funds.

Chancellor Moeser offered the following remarks directed at the intellectual climate of the university:

There continues to be discussion in the campus community in recent weeks on topics related to the compliance review being conducted by the U.S. Department of Education and the Office of Civil Rights. I know it is a challenge, at times, to balance the very fine line between protecting free speech on the one hand and the prevention of a hostile environment on the other. I also understand that the specter of this OCR review is of concern to many of you, both within and outside your classrooms, and that you are concerned that when you protect one person's rights, another individual's may somehow be harmed. I have great confidence in the ability of this academic community to parse that very difficult equation—to balance free speech and civil discourse—to give consideration to minorities in this campus whatever they may be—ethnic, cultural, social, political, religious—in a context of respectful civil discourse. I'm proud to say that is not only our tradition, but I think it is our practice. I think we are doing it well and I commend the faculty for the way you are comporting yourselves in a very difficult situation.

Prof. Noelle Granger observed that most of the efforts of the Carolina First Campaign in the area of faculty salaries and support appear to be directed toward rewarding what she characterized as "super stars" on the faculty. She wondered what is being done for rank and file faculty members who probably will not be rewarded

with distinguished professorships or other special awards. Chancellor Moeser responded at some length, concluding by remarking that the main job of a leader is to keep hope alive. He assured the faculty that he is working on behalf of everyone, not just the favored few.

Prof. Andrew Perrin said that in his experience the faculty as a matter of course do balance the problems of free speech and those of a safe environment, especially in the social sciences and humanities, but that it seemed to him that the chancellor's actions in the recent case arising from the English department did not strike that balance at all. He said that the administration's response seems to regard the classroom as an extension of The Pit where any kind of ignorant behavior is protected. Chancellor Moeser rejected those characterizations and repeated his support for the way in which the English department had handled the incident. He said that there are appropriate ways to address inappropriate behavior and inappropriate ways to do so. In the case at hand, he felt that the means employed by the instructor were inappropriate.

Prof. Elizabeth Gibson, chair of the Faculty Committee on University Government, called up Resolution 2004-7 on second reading. The resolution, amending the Faculty Code, was adopted on first reading at the March 26 meeting of the General Faculty. The resolution was adopted on second reading without discussion and takes effect according to its terms. See Appendix C.

Prof. Bobbi Owen, Chair of the SACS Reaccreditation Task Force, briefed the Council on the Quality Enhancement Plan component of the self-study. A summary of the plan is attached to these minutes.

Prof. Richard Pfaff, chair of the Administrative Board of the Library, presented the Board's annual report, which is attached to these minutes.

Prof. Peter Gordon, chair of the Educational Policy Committee, presented the Committee's annual report, which is attached to these minutes. There was lively discussion of the issue of grade inflation addressed in the report. At the conclusion of the discussion, Prof. Wegner, summarized the sense of the Council as follows:

- Grade inflation is a matter warranting further review by the faculty.
- The Dean of the College of Arts and Sciences is requested to (1) distribute a copy of the report of the Educational Policy Committee to each department chair, (2) provide department chairs with data compiled by the University Registrar showing grade data by discipline, and (3) ask department chairs to reflect and report on the nature of grading patterns and whether they believe action is warranted either within their discipline or at the university level.
- The Academy of Distinguished Teaching Scholars and the Center for Teaching and Learning are asked to produce updates on best practices relevant to issues involved in the grade inflation phenomenon.
- The Educational Policy Committee is requested to consider and report on specific approaches to management of grading, such as reporting class rank, annotated transcripts, and other approaches.

Prof. Gilbert White, chair of the Committee on Appointments, Promotions, and Tenure, presented the committee's annual report, which is attached to these minutes.

Prof. Edward Halloran, chair of the Faculty Welfare Committee, presented the committee's annual report, which is attached to these minutes.

Prof. Wegner submitted the annual report of the Faculty Assembly Delegation by title. It is attached to these minutes.

Prof. Wegner gave a brief overview of the results of the faculty retention survey and said that a full report would be forthcoming in the fall.

Prof. Ferrell reported the results of the 2004 faculty elections. See Appendix D.

Appendix A

IN MEMORIAM 2004

Elie Maynard Adams

Kenan Professor of Philosophy Emeritus; L.H.D., 1989 (Wake Forest University); Ph.D., 1948 (Harvard University); M.A., 1947 (Harvard University); B.D., 1944 (Colgate-Rochester Divinity School); A.M., 1944 (University of Richmond); A.B., 1931 (University of Richmond). Appointed September 1, 1948; died November 17, 2003.

John Bissell Carroll

William Rand Kenan Jr. Professor of Psychology Emeritus; Ph.D., 1941 (University of Minnesota); A.B., 1937 (Wesleyan University). Appointed 1974; died July 1, 2003.

Philip Palmer Green, Jr.

Albert Coates Professor of Public Law and Government Emeritus; J.D., 1949 (Harvard University); A.B., 1943 (Princeton University). Appointed 1949; died August 9, 2003.

Dennis G. Hillenbrand

Clinical Associate Professor of Oral and Maxillofacial Surgery; D.D.S., 1964 (Loyola University of Chicago); B.S., 1960 (Loyola University of Chicago). Appointed July 1, 1988; died November 10, 2003.

Robert Galloway Kirkpatrick, Jr.

Associate Professor of English; Ph.D., 1967 (Harvard University); A.M., 1962 (Harvard University); A.B., 1961 (Erskine College and Seminary). Appointed September 1, 1967; died February 24, 2004.

Anders S. Lunde

Adjunct Professor of Biostatistics Emeritus; Ph.D., 1955 (Columbia University); M.A., 1947 (Columbia University); B.A., 1938 (St. Lawrence University). Appointed 1968; died April 4, 2004.

Pierre Morrell

Professor of Biochemistry and Biophysics; Ph.D., 1968 (Yeshiva University); A.B., 1963 (Columbia University). Appointed August 1, 1973; died July 15, 2003.

Jeffrey L. Obler

Associate Professor of Political Science; Ph.D., 1970 (University of Wisconsin-Madison); M.A., 1966 (University of Wisconsin); A.B., 1963 (New York University). Appointed February 1, 1968; died March 27, 2004.

Nelson Ferebee Taylor

Cary C. Boshamer Professor of Law Emeritus; Chancellor of the University of North Carolina at Chapel Hill (1972-1980); A.B., 1942 (The University of North Carolina at Chapel Hill); LL.B., 1949 (Harvard University); M.A., 1955 (Oxford University); LL.D., (The University of North Carolina at Chapel Hill, Duke University, Elon University). Appointed 1972; died February 25, 2004.

William Alexander White

Professor of Geology Emeritus; A.B., 1930 (Duke University); A.M., 1931 (The University of North Carolina at Chapel Hill); M.S., 1934 (Montana School of Mines); Ph.D., 1938 (The University of North Carolina at Chapel Hill). Appointed 1944; died February 12, 2004.

Warren Jake Wicker

Gladys Hall Coates Professor of Public Law and Government Emeritus; M.A., 1951 (The University of North Carolina at Chapel Hill); A.B., 1948 (The University of North Carolina at Chapel Hill). Appointed October 1, 1955; died June 25, 2003.

Marilyn V. Yarbrough

Professor of Law; J.D., 1973 (University of California-Los Angeles); B.A., 1966 (Virginia State University). Appointed July 1, 1992; died March 10, 2004.

Appendix B

CITATION FOR CHARLES EDWARD DAYE
2004 WINNER OF THE THOMAS JEFFERSON AWARD
University of North Carolina at Chapel Hill
Friday, April 23, 2004

Charles Edward Daye, Henry P. Brandis Professor of Law, is the 2004 recipient of the Thomas Jefferson Award, bestowed annually upon a Carolina faculty member whose personal influence, teaching, scholarship, and service best exemplify the ideals and objectives of Jefferson. Jefferson was a brilliant national leader, a sparkling presence on the young American scene, and thus our UNC award is most appropriate. . . but today, with a significant caveat: Charles Daye's many virtues fit less the mold of the author of the Declaration of Independence than of his Virginia colleague, James Madison, to whom we largely owe the American Constitution. Madison comes to us, scholars Stanley Elkins & Eric McKittrick suggest, as "the man of sagacity and intelligence, of great learning in the realms of history and political science, who nevertheless does not insist upon himself. He is the quiet builder, mindful of men's ideas and feelings, willing both to channel their energies and to allow them the credit. He is self-effacing, resourceful, and tireless, . . . It is thus James Madison who, almost in spite of himself, emerges as the chief architect of the United States Constitution."^[1]

Charles Daye has likewise played the role of "quiet builder" for thirty years, strengthening this University immensely while providing crucial national leadership to legal education through "resourceful and tireless" efforts. An honors graduate of North Carolina Central University and Columbia University School of Law, Daye clerked after graduation for Chief Judge Harry Phillips of the United States Court of Appeals for the Sixth Circuit before entering private practice with a distinguished Washington law firm. Drawn to teaching and scholarship, Daye came to Chapel Hill in 1975, where he began a brilliant academic career. Soon the lead author of one text, *Housing and Community Development* (3d. ed. 1999), that has become the national authority in its field, Daye later authored a second text, *North Carolina Law of Torts* (2d ed. 1999) which has achieved a similar reputation in North Carolina legal circles. A gifted but demanding teacher, Daye has long been beloved by students for his "sagacity and great learning," his enthusiasm for the law, and his unflinching respect for every student. Charles Daye is ever "mindful of men's [and women's] ideas and feelings."

Daye's life beyond scholarship has been marked, like Madison's, by extensive public service. Called early in his career to serve as Dean at North Carolina Central University School of Law, Daye returned to Chapel Hill in 1985 after four outstanding years as NCCU's Dean. Repeatedly selected to chair key UNC Law School and University committees, Daye developed national expertise in one of higher education's most crucial contemporary issues, student and faculty diversity. The list of those who sought his guidance grew long indeed, including the Law School (where he twice served as chair of a special Admissions Policy Committee), and the University (whose Affirmative Action Advisory Committee he chaired as well). National leadership lay ahead, for the Law School Admissions Council, which oversees the nation's law school admissions policies, first named Daye to its Board of Trustees in 1988 and then designated him its President and spokesperson from 1991-1993. Faced with serious, nationwide legal challenges to affirmative action admissions policies in the mid-1990s, the Association of American Law Schools drafted Daye to serve on a special Diversity Task Force in 1999 and to a Joint Committee on Diversity in 2001. In 2003, Daye coauthored an amicus curiae brief that swelled the chorus of voices ultimately influencing the Supreme Court to preserve affirmative action in college and university admissions. Despite his fearless speech and his indispensable contributions, Daye remained throughout a "quiet builder," willing for others to receive credit so long as the vital work was done.

Charles Daye's extensive service has extended well beyond university circles into the wider community-Vice President of Legal Affairs for the North Carolina Academy of Trial Lawyers for two years; President of the North Carolina Association of Black Lawyers for three years; chair of the Board of Directors of the North Carolina Fair Housing Center for eight years; chair of the Board of Directors of the North Carolina Poverty Project for fourteen years; and chair of the Board of Trustees of the Triangle Housing Development Corporation for sixteen years. Plainly once a group experiences the leadership of Charles Daye-one who does "not insist upon himself" but skillfully channels the energies" of others toward important accomplishments and then "allows them the credit"-they never want to let him go.

Daye's faculty colleagues at the School of Law know these qualities well. No voice brings more clarity to difficult faculty debates, no judgment is truer, no spirit quicker to ennoble petty disagreements by recalling the deeper principles that unite us all. Charles Daye is the soul of sagacity and good judgment, a perfect faculty colleague. And again like Madison, whose spouse Dolley proved his lifelong counselor and inspiration, Charles

Daye gratefully acknowledges the debt he owes his wife Norma, a gracious and constant stay and support.

While the visionary Jefferson gave us the Declaration of Independence, a document we dream by, it is the practical and determined Madison who managed to guide fifty-four querulous colleagues toward completion of the document we live by. If Carolina has no finer award than one named for Jefferson (not Madison), it is fully appropriate to bestow it today, for we have no finer colleague among us than Charles Edward Daye.

Prepared and delivered by Professor John Charles Boger

Remarks on the Occasion of Being Presented
The Thomas Jefferson Award
April 23, 2004
by
Charles E. Daye

Thank you, Jack.

Chair Wegner, Chancellor Moeser, Colleagues, Friends, Family:

This award is an amazing honor. I express my deepest and most profound appreciation to every person who has had a role in my selection for this award. When Chancellor Moeser told me of this honor, I found myself feeling an emotion with which I am not all that well acquainted—humility; and I found myself asking earnestly about my particular worthiness to receive this award.

What of humility? When I examined the list of prior recipients of this award and thought about its significance, I felt humility. For a black boy who grew up in rural Durham County, segregated and, though not poor, but certainly in very modest, circumstances, I felt humility reflecting on the great American social and political journey that has brought me to this award this day at the University of North Carolina at Chapel Hill, in the year that we celebrate the 50th Anniversary of the Supreme Court's *Brown v. Board of Education* desegregation decision. I feel humility because I know I am a beneficiary of the labors of every person, of all races, who struggled that descendants of slaves should have a fair right to engage their God-given talents to the work of their times and their circumstances. Although I have tried to carry my equitable share of the burden, I know I did not get to this place today entirely by my individual efforts or works.

What about worthiness? I think of the great privilege we all have who are associated with this great University. I reflect on all the wonderful colleagues I have observed giving much and bringing progress and honor through teaching, service, and scholarship who rightly could claim that they too are worthy of an award made to a "member of the academic community who through personal influence and performance of duty in teaching, writing, and scholarship has best exemplified the ideals and objectives of Thomas Jefferson." I would not need an overly keen sense of magnanimity to wonder what did I do that is so distinct as to be worthy when the most I have done is to try, like most everybody else does, to go about my chores every day with a keen awareness of the full measure of duty I owe in exchange for the privilege of being a faculty member at the University of North Carolina at Chapel Hill. Yet somebody observed what I was doing when I was not aware of the observation.

What could an observer have seen? If there is an overarching theme that unifies my work as a teacher, scholar, servant, it might be called a quest for justice. The philosopher John Rawls in his great work, *A Theory of Justice*, could create the hypothesis that persons who did not know the position in society they would occupy and who did not know what distribution of talents they would have, would set up a certain hierarchy of governing principles for that society. In working on what I believe the governing cherished ideals and principles are, or ought to be, I have two great passions – first, an abiding sense of a moral imperative to work for justice for all people, and second, a personal, even selfish, stake in pursuing justice for all in the belief that a broader achievement of justice, inevitably will redound to the benefit of people who look like me. So, I have recognized a personal stake in justice in part because I do know the position American society historically has assigned to black people and frequently in disregard of talent. I want to note that members of my family are here - my wife, aunt, sisters and brother, son, daughter, son-in-law. In particular, sometime when I do work on justice issues I have in focus my two grandsons – Christopher and Corey – and an urge about the kind of society they will enter. Christopher and Corey stand up so my colleagues can see "Pa Pa's boys."

My friends: today this award to me – born a Southern, rural, black child – in and of itself, attests to the enormous strides our society has made, our University has made, and that I personally have made. I am pleased and proud to accept it with great humility and a sense of unworthiness. However, because all of the work of justice for all people has not yet been done in society or here at Carolina, I also accept it with an understanding that if I work a few years more on justice, I can, at least retroactively, feel somewhat more worthy to have been a recipient of the Thomas Jefferson Award.

Thank you earnestly.

Appendix C

Resolution 2004-7. Amending the Faculty Code of University Government as it relates to various representatives of the faculty.

The General Faculty Council resolves:

Section 1. Article 3 of the Faculty Code of University Government is amended to add the indicated language to the title and the following new sections:

ARTICLE 3

OFFICERS AND REPRESENTATIVES OF THE FACULTY

§ 3-3. The faculty marshal. The faculty marshal is appointed by the chancellor from among the voting faculty for a renewable five-year term. In making or renewing an appointment to this position, the chancellor shall seek the advice of the Advisory Committee. The faculty marshal shall assist the chancellor in planning commencement ceremonies, the annual observance of University Day, and other University-wide academic convocations and ceremonies, and shall bear the marshal's staff at the head of the academic procession on all such occasions.

§ 3-4. The faculty athletics representative. The faculty athletics representative is appointed by the chancellor from among the voting faculty for an indefinite term, subject to formal review at least every five years. In making an appointment to this position or reviewing the incumbent, the chancellor shall follow a process established with the advice and consent of the Advisory Committee. The faculty athletics representative is the University's voting delegate to the Atlantic Coast Conference and the University's faculty representative within the National Collegiate Athletic Association. He or she shall make an annual report to the Faculty Council and shall make special reports to the Council from time to time as may be requested by the Agenda Committee.

§ 3-5. Faculty Assembly delegation. (a) The delegation of the General Faculty to the Faculty Assembly of the University of North Carolina is composed of four members elected by the voting faculty and the chair of the faculty or the chair's designee. The chair of the faculty designates the chair of the delegation. 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.

Section 2. Sections 4-5 and 4-7 of the Faculty Code of University Government are amended as indicated, and section 4-12 is deleted:

§ 4-5. Advisory Committee. (a) The Advisory Committee consists 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 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) 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; and

(6) appointment and renewal of appointment of the faculty marshal and appointment and review of the faculty athletics representative.

§ 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 faculty athletics representative~~, 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.

§ 4-12. [Reserved]. ~~Faculty Assembly Delegation. (a) The delegation of the General Faculty to the Faculty Assembly of the University of North Carolina is composed of four members elected by the voting faculty and the chair of the faculty or the chair's designee. The chair of the faculty designates the chair of the delegation. 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.~~

Section 3. This Resolution shall become effective upon adoption.

Appendix D

2004 Elections Results

2004 Responders by Division

[1] Stanley Elkins & Eric McKittrick, *The Age of Federalism: The Early American Republic, 1788-1800*, at 79 (Oxford, 1993)