

BOARD OF GOVERNORS MEETING

The University of North Carolina

February 9, 1996

The Board of Governors met in regular session in the General Administration Building, Chapel Hill, on February 9, 1996, at 9:30 a.m. Mr. Neill, the chairman, presided.

INVOCATION

Mr. Coward gave the invocation.

ROLL CALL

Secretary Ruffin was delayed and Mrs. Frances H. Hope, assistant secretary of the board, called the roll. The following members were present:

D. Samuel Neill	Jack P. Jordan
G. Irvin Aldridge	C. Ralph Kinsey, Jr.
Mark L. Bibbs	Helen R. Marvin
Lois G. Britt	W. Kenneth Morgan, Sr.
F. Edward Broadwell, Jr.	Ellen S. Newbold
William T. Brown	Maxine H. O'Kelley
Keith Bryant	Cary C. Owen
C. C. Cameron	Barbara S. Perry
John F.A.V. Cecil	D. Wayne Peterson
Derick S. Close	Earl N. Phillips, Jr.
Bert Collins	Samuel H. Poole
Orville D. Coward, Sr.	H. D. Reaves, Jr.
John C. Fennebresque	Paul J. Rizzo
John A. Garwood	Benjamin S. Ruffin
James E. Holshouser, Jr.	Joseph E. Thomas
Larnie G. Horton, Sr.	Harold H. Webb
Wallace N. Hyde	

The following members were absent:

Robert J. Brown
Marshall A. Rauch

The chair stated that Mr. Rauch, who was ill, had an excused absence under the provisions of the statute.

MINUTES

On motion of Mr. Bibbs, seconded by Mr. Collins, the minutes of the meeting of January 12, 1996, were approved as distributed.

REPORT OF COMMITTEE ON BUDGET AND FINANCE

In the absence of Mr. Rauch, Mr. Bibbs, vice chair of the Committee on Budget and Finance, presented the committee's report.

Sale of Revenue Bonds - UNC Hospitals at Chapel Hill

Mr. Bibbs presented a request from the Board of Directors of UNC Hospitals at Chapel Hill for the sale of \$133,870,000 in revenue bonds to provide for the acquisition, construction and equipping of the North Carolina Children's Hospital, the North Carolina Women's Hospital, and Support Services. The project, approved in phases by the 1993, 1994, and 1995 General Assemblies, is designed to consolidate pediatric in-patient programs, pediatric out-patient clinics and treatment areas and pediatric operating rooms, together with postpartum obstetric service, gynecology in-patient units and out-patient clinics and radiology support and anatomic pathology laboratory services.

On behalf of the committee, Mr. Bibbs moved approval of the bond sale as requested by the Board of Directors of UNC Hospitals at Chapel Hill and further moved approval of a resolution entitled:

RESOLUTION AUTHORIZING THE ISSUANCE, SALE AND DELIVERY BY THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA OF NOT TO EXCEED \$133,870,000 AGGREGATE PRINCIPAL AMOUNT OF UNIVERSITY OF NORTH CAROLINA HOSPITALS AT CHAPEL HILL REVENUE BONDS, SERIES 1996; APPROVING INTEREST RATE SWAP OR SIMILAR TRANSACTIONS IN CONNECTION THEREWITH; AND APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS IN CONNECTION THEREWITH. (Appendix A)

Mr. Phillips seconded the motion and it carried.

Authorization of Capital Improvements Projects

Mr. Bibbs then presented and moved approval of six requests for authorization of new capital improvements projects and recommended approval of the proposed methods of financing.

- North Carolina State University - Install lights - Upper Miller Field, at a cost of \$172,700, to be financed from available balances in the Physical Education Trust Fund.
- North Carolina State University - Construct Park and Ride Parking Lot on corner of Varsity Drive and Marcom Street, at a cost of \$879,900, to be financed from available balances from transportation receipts.
- The University of North Carolina at Chapel Hill - Relocation of Playing Fields on the Mason Farm Tract to replace the current fields adjacent to the Finley Golf Course, at a cost of \$510,900, to be financed from a combination of balances available in the Finley Golf Course Reserve and other Athletic Department Funds.
- The University of North Carolina at Chapel Hill - Construction of Electrical Distribution System Expansion (south of Manning Drive and west of Craige Parking Deck), at a cost of \$2,878,000, to be financed from available balances in Trust Funds.
- The University of North Carolina at Charlotte - Exterior Renovations - Hunt and Martin Villages (replace deteriorated wood siding with new vinyl siding in two student housing complexes), at a cost of \$242,600, to be financed from available balances in Housing Reserves.
- Western Carolina University - Repair Student Parking Lot adjacent to the Jordan-Phillips Fieldhouse, at a cost of \$142,400, to be financed from available fund balances in the Public Safety Trust Fund.

Mrs. Perry seconded the motion and it carried.

REPORT OF COMMITTEE ON EDUCATIONAL PLANNING, POLICIES, AND PROGRAMS

Mrs. Newbold, chair of the Committee on Educational Planning, Policies, and Programs, presented the committee's report.

Request to Change Name of College of Education and Psychology - Western Carolina University

Mrs. Newbold presented and moved approval of a request from Western Carolina University to change the name of its College of Education and Psychology to the College of Education and Allied Professions. Mr. Coward and Dr. Hyde seconded the motion and it carried.

Request for Authorization to Establish a New Center for Universal Design - North Carolina State University

Mrs. Newbold presented and moved approval of a request from North Carolina State University to establish a new Center for Universal Design, a new public service unit, to be funded by a five-year grant of \$515,087 per year from the United States Department of Education, along with other public and private sources. Mr. Jordan seconded the motion and it carried.

Request for Authorization to Establish a Gene Therapy Center - The University of North Carolina at Chapel Hill

Mrs. Newbold presented and moved approval of a request from the University of North Carolina at Chapel Hill to establish a new research unit, a Gene Therapy Center. The new unit, to be funded through a combination of funding sources, will research therapies for cystic fibrosis, hemophilia, cancer, AIDS, arthritis, and treatment of bone marrow stem cells.

Mr. Reaves seconded the motion and it carried.

Request for Authorization to Establish a New Ph.D. Degree Program in Communication Sciences and Disorders - East Carolina University

Mrs. Newbold presented and moved approval of a request from East Carolina University to establish a new Ph.D. degree program in Communication Sciences and Disorders. Mrs. Newbold also moved that the allocation from new program reserves of one-time funds of \$100,000 in 1995-96 for special equipment, and \$198,000 continuing funds in 1996-97 to support the program, be approved. Vice Chairman Thomas seconded the motion and it carried.

Request for Authorization to Establish a New Baccalaureate Physician Assistant Program - East Carolina University

Mrs. Newbold presented and moved approval of a request from East Carolina University to establish a new five-year baccalaureate physician assistant program, and moved further that \$350,000, including \$200,000 in non-recurring funds, be allocated from new program reserves to support the program. Dr. Morgan seconded the motion and it carried.

Request for Authorization to Establish an Ed.D. Degree Program in Educational Leadership - The University of North Carolina at Charlotte

Mrs. Newbold presented and moved approval of a request from the University of North Carolina at Charlotte to establish a new Ed.D. degree program in Educational Leadership. Mr. Kinsey seconded the motion and it carried.

Plan to Transfer Credit for Students Transferring from Community Colleges

Mrs. Newbold reminded the members that House Bill 739 of the 1995 Session of the General Assembly instructed the Board of Governors and the State Board of Community Colleges to develop a plan for the transfer of credits between the Community College System and the University. Efforts to implement the mandate are underway and the two boards must submit a report on the transfer plan to the Joint Legislative Education Oversight Committee prior to March 1, 1996, to be adopted in the 1996 Session of the General Assembly.

Mrs. Newbold said the principal features of the proposed plan and a general timetable for its implementation were discussed by the Planning Committee and a committee of the Community College System Board in January, at the committee's meeting on the preceding day, and would be considered by the Community College System Board during the next week. On behalf of the committee, Mrs. Newbold moved approval of the proposed plan to further simplify and facilitate the transfer of credit for students transferring from the Community College System.

Mr. Peterson seconded the motion and it carried. (For the proposed plan, see Appendix B.)

Statement Concerning the Development of an Education Continuum in North Carolina

Mrs. Newbold moved that the rules be suspended in order to consider a draft proposal regarding an education continuum adopted by The North Carolina Education Cabinet in November 1995. Mrs. O'Kelley seconded the motion, and following a vote by show of hands, the motion carried by the necessary two-thirds vote.

In response to a discussion draft adopted in November by The North Carolina Education Cabinet, entitled "Making the North Carolina Education Continuum Work for Children, Families, and Workers," Mrs. Newbold said:

...In our judgment, the strategic directions and specific tactics outlined in the proposal overlook or underestimate the potential impact of numerous measures enacted by the General Assembly in 1995 to insure inter-sector and inter-institutional articulation and collaboration. It also overlooks the potential impact of a wide range of activities already underway with respect to student records and articulation, for example, standardized transcripts for the public schools, our feedback report to high schools, development of a common admission form to UNC institutions, and the new efforts now underway to develop a general education transfer core which will greatly facilitate transfer from community colleges to the University, and with respect to assessment and accountability, in-service training and support for public school personnel, funding and finance, and enrollment planning....Our board has adopted this as one our major strategic directions in our long-range plan, and a wide-range of efforts are underway to accomplish this. A meaningful "continuum" can be achieved, however, without the kind of consolidation proposed in the discussion draft which has been circulated.

Mrs. Newbold then presented the following statement concerning the "continuum" and moved its adoption:

The Board of Governors of the University of North Carolina appreciates the opportunity to comment upon and to react to, the draft document entitled Making the North Carolina Education Continuum Work for Children, Families, and Workers, which was adopted by the North Carolina Education Cabinet in November 1995 and circulated as a discussion draft for comment.

The Board of Governors agrees with the overall intent to make education more responsive, effective, and efficient, and recognizes the imperative for greater collaboration between educational sectors. In its long-range plan the board has committed the University to improving access to educational opportunity, to facilitating a smoother transition for students from one level to the next, and to forging strong linkages with the other educational sectors in the state. A wide range of specific strategies and initiatives have been adopted and are being pursued to achieve these goals.

The creation of the Education Cabinet, the meetings of the three state boards as an Education Commission, and numerous measures enacted by the 1995 Session of the General Assembly have brought an unprecedented degree of inter-sector communication and collaboration, and this progress must be continued.

The Board of Governors is concerned, however, about those sweeping and potentially disruptive features of the draft proposal which would substitute consolidation for collaboration. The comprehensive changes now being implemented by the three educational sectors will address effectively the points raised in the document without such consolidation and without the creation of the new entities envisioned by the plan.

Thus, while seeking and supporting greater collaboration between the sectors, the Board of Governors views the degree of consolidation proposed in the discussion draft as neither wise, nor desirable, nor necessary.

Mr. Peterson seconded the motion, and following a vote by a show of hands, the motion carried. (For the discussion draft report adopted by the North Carolina Education Cabinet, see Appendix C.)

REPORT OF COMMITTEE ON PERSONNEL AND TENURE

Amendment to Tenure Regulations - East Carolina University and The University of North Carolina at Greensboro

Mrs. Britt, chair of the Committee on Personnel and Tenure, presented and moved approval of requests to amend the tenure regulations at East Carolina University and at the University of North Carolina at Greensboro. Mrs. Marvin seconded the motion and it carried.

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As a matter of information, Mrs. Britt reported that a subcommittee of the Committee on Personnel and Tenure was considering a report on improper relationships and would present the report to the board at the next meeting.

REPORT OF COMMITTEE ON UNIVERSITY GOVERNANCE

Mrs. O'Kelley, chair of the Committee on University Governance, presented the committee's report.

Request to Initiate Litigation - Appalachian State University

Mrs. O'Kelley presented and moved approval of a resolution authorizing Appalachian State University to initiate litigation against The Dalton Group, Inc. Mr. Bibbs and Mr. Garwood seconded the motion and it carried. (Appendix D)

Appointment of Subcommittee To Consider Name Change at Pembroke State University

Mrs. O'Kelley reported that Mrs. Marvin, Mr. Poole and Mr. Reaves had been appointed to a subcommittee to consider a request by Pembroke State University to change its name to The University of North Carolina at Pembroke. The subcommittee is expected to present its report at the April meeting.

Election to Board of Trustees - Pembroke State University

Mrs. O'Kelley moved that James H. Dial of Pembroke be elected to the Board of Trustees of Pembroke State University for a partial term ending June 30, 1997. Dr. Brown seconded the motion and it carried.

Election to Board of Trustees - Fayetteville State University

On behalf of the committee, Mrs. O'Kelley moved that Dr. Ronald Tucker of Fayetteville be elected to the Board of Trustees of Fayetteville State University for a partial term ending June 30, 1999. Dr. Brown, Mr. Reaves, and Mr. Collins seconded the motion and it carried.

Election to Board of Trustees - Winston-Salem State University

Mrs. O'Kelley moved that Mrs. Margaret "Tog" Newman of Winston-Salem be elected to the Board of Trustees of Winston-Salem State University for a partial term ending June 30, 1999. Mr. Ruffin and Mr. Garwood seconded the motion and it carried.

Election to Board of Trustees - North Carolina School of Science and Mathematics

Mrs. O'Kelley further moved that William McEwen of Concord be elected to the Board of Trustees of the North Carolina School of Science and Mathematics, (Congressional District 8), for a term ending June 30, 1999. Mrs. Perry seconded the motion and it carried.

Recommendations for Appointment - Pitt County Memorial Hospital Board of Trustees

On behalf of the committee, Mrs. O'Kelley presented and moved approval of the committee's recommended nominees to the Pitt County Board of Commissioners for appointment to the Pitt County Memorial Hospital Board of Trustees, each for a term ending March 31, 1999:

Henry "Buster" Humphrey - Washington, NC
 Clarence Skinner - Manteo
 Cassius Williams - New Bern

Mr. Aldridge and Vice Chairman Thomas seconded the motion and it carried

**ANNUAL REPORT OF COUNCIL OF UNC ALUMNI ASSOCIATION
 PRESIDENTS**

Mr. Quether Wilkins, chair of the Council of UNC Alumni Association Presidents and representing some 650,000 University alumni, presented the council's annual report. On behalf of the Council, Mr. Wilkins thanked the board for allowing him to share his remarks and said, "Our only agenda is to serve the University--and to do so without being meddlesome or self-serving....We have worked with you in the Legislature three times on financial matters; we supported the University's bond referendum statewide; we have honored our University leaders with tokens of our alumni solidarity; and we have honored uniquely those who have provided exceptional service to the University....We particularly encourage your efforts in areas such as:

- Improving faculty and staff salaries;
- Technology initiatives for student and faculty use;
- Improving and modernizing our library systems;
- University assistance to our public schools;
- Equitable balance and increases in capital funds for facilities and land acquisitions;
- Control of tuition and fee increases; and
- Maintenance of board and trustee governance without political overlay."

Mr. Wilkins then called on Council Executive Director Bob Kennel to come forward for a special presentation of basketballs to Board Chairman D. Samuel Neill and Dr. Donna Benson, former interim chancellor at Fayetteville State University. Mr. Kennel said that in keeping with its custom, the Council was pleased to honor the leadership roles of all new chairs of the Board of Governors and each chancellor who hosts the Association's meeting on their campus.

PRESIDENT'S REPORT

President Spangler introduced the chancellors and other guests at the meeting. He also introduced the student government presidents from the constituent institutions and said they would meet with him as a group later in the day. The president noted with sadness the recent death of Howard Barnhill of Charlotte, an original member of the Board of Governors in 1972 and a former legislator. He also reported that Dr. Meada Gibbs of Greensboro, dean of the Graduate School at North Carolina A & T State University, died recently from complications suffered in an automobile accident. On behalf of the board, President Spangler acknowledged

the contributions of Mr. Barnhill and Dr. Gibbs to the University and extended sympathy to their families.

In other information involving the University family, President Spangler reported that Board Member Dr. W. Kenneth Morgan, Sr. received the Distinguished Alumnus Award from the University of North Carolina at Chapel Hill School of Dentistry for his service to the school and the profession.

President Spangler also shared news of several scholarship programs, including the award of 14 Fulbright Fellowships to four faculty members at North Carolina State University, three at the University of North Carolina at Chapel Hill, three at Appalachian State University, two at the University of North Carolina at Charlotte, one at North Carolina Central University, and one at Western Carolina University. Western Carolina University recently announced the establishment of a "New Century Scholars" scholarship program to assist 55 high school students. In addition, the Independent Insurance Agents of North Carolina recently pledged \$750,000 to endow scholarships at 15 of the University's constituent institutions with undergraduate degree programs in business. Mr. Roy Park, a graduate of North Carolina State University, established a merit scholarship program at that institution through the Roy Park Foundation.

Annual Intercollegiate Athletics Report

President Spangler called attention to the Tenth Annual Intercollegiate Athletics Report. The president highlighted the tables in the report and described the report as a good one, noting that it provides data on five-year graduation rates for student athletes, freshman athletes admitted as "exceptions," and SAT scores of freshmen recruited to play men's basketball and football. (For the report, see Appendix E.)

Retirement of Wyndham Robertson - Vice President for Communications

President Spangler reported that Wyndham Robertson, vice president for communications since 1986, recently indicated her intention to give up her vice presidency at the University and would be leaving at the end of the month. The president said she would be

missed and expressed gratitude to Vice President Robertson for her professional leadership and strong advocacy for The University of North Carolina and the University of North Carolina Center for Public Television.

At the president's request, Vice President Robertson addressed the board and expressed her appreciation for the opportunity to serve the University during the past 10 years. (For Vice President Robertson's remarks, see Appendix F.)

OTHER BUSINESS

On behalf of the Board of Governors, Chairman Neill thanked Vice President Robertson for her many contributions to the University and the State of North Carolina. Chairman Neill expressed appreciation to the Committee on Budget and Finance, Vice President McCoy and the Finance Division for their efforts and expertise in planning and conducting the Budget Workshop held the preceding day. He particularly thanked the members of the board for their attendance and support of this effort.

Announcements

As part of the board assessment process, Chairman Neill said he had asked the Committee on the University's Assessment Process to plan a mini-retreat on Thursday, March 14, to inform the members about the committee's work and to administer a self-study questionnaire.

Mrs. Marvin and Mr. Cecil, co-chairs of the committee, reviewed the work of the committee and highlighted the activities planned for the mini-retreat on March 14 and the Board-Mentor Workshop scheduled for April 10-11.

The chair reminded the members of the following upcoming events:

- Joint Meeting of Educational Governing Boards - Wednesday, March 13, 1996
- Board of Governors Meeting, Chapel Hill - Friday, March 15, 1996
- March - Six Regional Legislative Workshops. The designated co-chairs, selected sites, and dates are as follows:

--March 18	UNC Asheville	10-12 noon
	--Mr. Coward	

--Mrs. Owen

UNC Charlotte

--Mrs. Marvin

--Mr. Close

2-4 p.m.

--March 19	UNC Wilmington	10-12 noon
	--Dr. Morgan --Mrs. Newbold	
	East Carolina University	2-4 p.m.
	--Mr. Aldridge --Mrs. Perry	
--March 22	North Carolina State University	10-12 noon
	--Mr. Webb --Mr. Jordan	
	Winston-Salem State University	2-4 p.m.
	--Mr. Phillips --Mr. Brown	

- Reception for Members of the General Assembly, Raleigh - May 14, 1996 (Dr. Morgan, chair, Mr. Thomas, Mrs. Perry, Mr. Rauch and Mr. Bibbs)
- March 30 - April 2, 1996 - AGB National Conference on Trusteeship, Chicago, Illinois
- Nominations for Award for Excellence in Teaching due February 15, 1996
- Dinner for Members of the Board of Governors, hosted by North Carolina Citizens for Business and Industry, Chapel Hill - April 11, 1996

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REVITALIZING THE ACADEMY - THE ENHANCEMENT OF THE MOTHER LODGE- NORTH CAROLINA A & T STATE UNIVERSITY

As part of the campus presentation program, Chairman Neill introduced Chancellor Edward Fort of North Carolina A & T State University. Chancellor Fort introduced the members of his staff and other associates who were instrumental in preparing the presentation.

The presentation centered on North Carolina A & T State University's School of Agriculture - Revitalizing the Academy. Chancellor Fort said the university began with the School of Agriculture and that to enhance the school's mission in this area, it has not been necessary to reinvent the wheel. He said:

We have rearranged our thinking as to our own high tech mission, and as the premier historically-black university in this nation, we have not only launched this State's first doctoral degrees in engineering sciences as provided by a minority institution within these borders, but we have accelerated our efforts to ensure that the students whom we teach represent some of the world's best. We are capitalizing on our proven track record

by using the latest in communications technology like broad band network for video and data transmission. We are now perfectly positioned to communicate at the speed of light using fiber-optic technology and satellite uplink.

Dr. Dan Godfrey, dean of the School of Agriculture presented a video program entitled "The Faces of the Future." The video highlighted the many programs and initiatives being carried out by the North Carolina A & T State University School of Agriculture.

In his conclusion, Chancellor Fort said, "...mission definition is critical. The academy's quest for institutional renewal must be wrapped up in a mutual understanding of any institution's mission....We must insist upon the necessity for insuring that all of us are on the same wavelength as associated with the care and nurturing of a campus geared to take care of the need of students....Ours is the quest for continuing excellence."

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Under the terms of the Open Meetings Law, Chairman Neill said he would entertain a motion to convene in closed session: (1) to establish and instruct the staff and agents concerning the negotiations of price and terms of a contract concerning the acquisition of real property; (2) to establish and instruct the staff and agents concerning the negotiations of the amount of compensation or other terms of an employment contract; (3) to consider the qualifications, competence, performance, and condition of appointment of a public officer or employee or prospective public officer or employee; and (4) to hear or investigate a complaint or grievance by or against a public employee.

On motion of Mr. Coward, seconded by Mr. Reaves, the board voted to convene in closed session.

CLOSED SESSION

APPROVAL OF MINUTES OF CLOSED SESSION

In accordance with procedures established to comply with the Open Meetings Law, the closed session minutes for January 12, 1996, were distributed for review and approval. Mr. Broadwell moved, seconded by Mr. Close, that the closed session minutes be approved. The motion carried.

REPORT OF COMMITTEE ON BUDGET AND FINANCE**Acquisition of Property - East Carolina University**

Mr. Bibbs, vice chair of the Committee on Budget and Finance, presented for discussion a request from East Carolina University concerning two acquisitions of property located in Greenville, and a request that the chancellor, through the president, be authorized to proceed with the proposed acquisitions. On behalf of the committee, Mr. Bibbs moved that the request of East Carolina University be approved and transmitted to the Council of State for final action. Governor Holshouser seconded the motion and it carried.

Acquisition of Property - Pembroke State University

On behalf of the committee, Mr. Bibbs presented a request from Pembroke State University concerning the acquisition of 18 acres of property for future campus development and moved that the request be approved and transmitted to the Council of State for final action. Mr. Collins seconded the motion and it carried.

REPORT OF COMMITTEE ON PERSONNEL AND TENURE**Summary Personnel Report**

Mrs. Britt, chair of the Committee on Personnel and Tenure, presented the committee's summary personnel report for discussion, subject to final action in open session.

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In response to an inquiry regarding his future plans, President Spangler said he wished to discuss the matter with the Board in August, six months from now. He will be 64 years old by that time and will be prepared to address the matter.

REPORT OF COMMITTEE ON UNIVERSITY GOVERNANCE**Appeal of Faculty Member - East Carolina University**

On behalf of the committee, Mr. Poole presented and moved approval of a report concerning the grievance appeal of a faculty member at East Carolina University. Mrs. Owen seconded the motion and it carried.

Appeal of Faculty Member - East Carolina University

Mr. Thomas presented and moved approval of the committee's report in the grievance appeal of a second faculty member at East Carolina University. Mr. Garwood seconded the motion and it carried.

Requests for Authorization to Campaign for Public Office

Mr. Poole presented the committee's recommendations concerning four exceptions to the Board's policy regarding political activities of employees.

(1) Mr. Paul Jones of North Carolina Central University filed an untimely petition as a candidate for District Court Judge with respect to the May 7 primary election and requested permission to maintain full-time university employment as a non-faculty employee during the current semester while campaigning for election. The committee recommended that Mr. Jones' violation of the board's policy be excused since the office he was seeking did not exist before the deadline date. On behalf of the committee, Mr. Poole recommended that Mr. Jones' request be approved, subject to compliance with his commitment to campaign only on his personal time and his submission of weekly reports to the chancellor documenting all time expended on campaign activity. Mr. Collins seconded the motion and it carried.

(2) Mr. David Baumer of North Carolina State University filed an untimely petition as an unopposed candidate for District Court Judge with respect to the May 7 primary election and requested permission to maintain full-time university employment during the current semester while being a non-campaigning candidate for election. Since Mr. Baumer provided no satisfactory explanation for his failure to timely file his petition, the committee did not accept or review his proffered explanation of why he should be permitted to continue full-time university employment during the 1996 spring semester while a candidate for election to a full-time office, and the committee recommended that the chancellor's disposition of the case stand. The chancellor had addressed the presumption, consistent with board policies, by determining that Mr. Baumer could remain employed during the 1996 spring semester only if he was unopposed during the primary and, therefore, would not engage in any campaign activity during the primary

election; otherwise, the chancellor ruled that he must choose between candidacy and university employment. Mr. Poole moved that the committee's recommendation be approved. Mrs. Marvin seconded the motion, and following discussion concerning the board's policy, it carried. Mr. Coward voted no.

(3) Mr. Thomas Bacote of Fayetteville State University filed an untimely petition as a candidate for State Senate with respect to the May primary election and requested permission to maintain full-time university employment during the current semester while campaigning for election. Mr. Bacote offered no explanation for the late petition. In the absence of a reason for the late filing, Mr. Poole moved, on behalf of the committee, that the board not accept or review Mr. Bacote's request. Mr. Collins seconded the motion. The board discussed the matter and then voted, by a show of hands, to deny review of the petition.

(4) Mr. Alex Warner filed a two-part petition as a candidate for election to the North Carolina House of Representatives in the November 5, 1996, general election.

- Mr. Warner's timely request to maintain full-time university employment during the fall 1996 semester, by carefully scheduling and limiting campaign activities to nights and weekends, was recommended for approval by the committee, with the requirement that he provide the chancellor with a weekly report documenting all time expended on campaign activities during the preceding week.
- Additionally, Mr. Warner's request to maintain full-time employment for the spring 1997 semester and during the 1997 regular session of the General Assembly, was inconsistent with board policy and the committee recommended that it not be granted. However, Mr. Warner's alternative request that he be granted a full leave of absence, without pay, for the 1997 spring semester, was recommended for approval by the committee.

On behalf of the committee, Mr. Poole moved that the committee's recommendations concerning Mr. Warner be approved. Mr. Collins seconded the motion. The board discussed the matter and then voted to approve the committee's recommendation.

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Mr. Poole said the Committee on University Governance was deeply concerned about the number of cases in which employees have failed to observe the board's deadlines for submission of petitions. After considerable discussion, the committee has decided it will not entertain late petitions forwarded by the chancellor unless the chancellor and the affected petitioner appear before the committee to explain and justify the late filing.

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On motion of Mr. Cecil, seconded by Mrs. Owen, the board voted to reconvene in open session.

RESUMPTION OF OPEN SESSION

APPROVAL OF MATTERS CONSIDERED IN CLOSED SESSION

Mrs. Britt moved approval of the report of the Committee on Personnel and Tenure that was presented and discussed in closed session. Mr. Reaves seconded the motion and it carried. (Appendix G)

Mr. Bibbs moved approval of the report of the Committee on Budget and Finance that was presented and discussed in closed session. Mr. Webb seconded the motion and it carried.

Mr. Poole moved approval of the report of the Committee on University Governance that was presented and discussed in closed session. Mr. Collins seconded the motion and it carried.

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There being no other business, the meeting was adjourned at 1:30 p.m.

Assistant Secretary

