The Faculty Senate meeting was called to order by Chair Koch at 3:15 pm in the William Strickland Conference Room in I.G. Greer on Monday, March 17, 2014. Senators Daigle, Debelius, Flanders, Frye, Geary, Hester, Howard, Murrell, Ortiz, Puckett and Stallworth were not in attendance. Kelly McCallister was present in place of Senator Rice.

I. Announcements

A. Chair Koch welcomed Senators and asked visitors to introduce themselves. Visitors were Dr. Bobby Sharp (IRAP), Dr. Mary Reichel (Academic Affairs), James Webb (ITS-OIS), and Anna Oakes (Watauga Democrat).

II. Minutes

A. Chair Koch asked for a motion to approve the February 10, 2014 Faculty Senate minutes. Mark Strazicich suggested that Chair Koch’s absence at the meeting should be noted in the minutes. The minutes were approved as amended. Motion passed. (Vote #1).

III. Visitors’ Reports

A. James Webb, Chief Information Security Officer at ASU, presented an overview of what is being done at the University to address the many security issues that face us. With large-scale security breaches across the nation, there is a shift in perception involving institutions of higher learning, which are now becoming targets. Given the values of open environment of communication, collaboration and sharing, the university is very different from the corporate world. His office is charged with creating a comprehensive information security program. The components of this program are: 1) Governance – creating a comprehensive governing strategy, including the creation of an advisory committee with broad representation from across the campus, 2) Policy structure – looking at the overall security policy and more formally identifying the risks as a university; 3) Tools, services and engagement within the campus community.

We need to be able to test ourselves to find problem areas before the “bad guys” do. There were questions about how secure the software is that is used on campus. Apparently some vendor agreements are well done while others are not. This is another issue that will need to be addressed. ITS has its own data center. Banner Data is all kept locally, but some data is out-sourced. Google apps, Drop Box and iCloud were mentioned as places frequented by faculty, staff and students. The university data that is often sought out by hackers is personal information and our
research.

IV. Provost’s Report

A. Board of Trustees will be having their meeting next Thursday and Friday. There will be an information presentation to the Board regarding out-of-state students. Due to the manner in which North Carolina schools are funding, recruiting out-of-state students can be risky business, since State appropriations are withdrawn for each of these students and those appropriations may be lost if out-of-state student numbers fall.

Tenure and promotion decisions will go to the Board, first to the Academic Affairs Committee, and then to the full Board. This is a consent agenda, where individual cases will not be reviewed.

The Strategic Plan will also be presented to the Board and will be implemented July 1, 2014. Because there was very little response to the dissemination across campus of the metrics of the Plan, the UPPC will look at it (on Thursday, March 20, 2014) and a draft will be sent out across campus before it is presented to the Board.

V. Chair’s Report

A. Chair Koch reported that the Chancellor elect will be named on Wednesday in Chapel Hill and will then travel to Boone for a dinner Wednesday evening. There will be a reception on Thursday, March 20 from 10:00 a.m. until noon in the Central Dining Hall. There are seats available for faculty on the bus from Boone to Chapel Hill on Wednesday to attend the announcement. The new Chancellor will assume office on July 1, 2014.

The February meeting of the Faculty Assembly was cancelled due to weather.

The Mission Statement, as proposed by ASU, was not accepted.

Regarding student appropriations (Appendix B), Appalachian and Wilmington are at the bottom in funding. Provost Gonzalez stated that there is now some discussion among the Board of Governors that this issue needs to be reviewed.

The budget letter from Art Pope (Appendix A) does not state that there will not be raises for faculty, but if faculty salaries are supposedly a top priority for the General Administration, why are they not mentioned in the budget? Chair Koch has submitted this question to Katherine Rigsby, the Faculty Assembly Chair, but has had no
response. There will be a Faculty Assembly meeting in two weeks, so perhaps we may get a response to that question. On a positive note, the letter indicates that President Ross has had some success, which is fairly significant, in positively influencing the Board of Governors in regards to the needs of the UNC system.

VI. **Committee Reports** (Committee Chair’s name is in bold print)

A. **Academic Policies** (Campbell, Crepeau, Nash, Reed, Stanovsky)

   No report.

B. **Agenda Committee** (Koch, Aycock, Gates, Martin, Provost Gonzalez)

   No report.

C. **Budget Committee** (Geary, Hageman, McGrady, Murrell, Rice, Stallworth, Strazicich, Helms)

   Senator Strazicich reported on the meeting with Greg Lovins (Appendix D) regarding the current budget at ASU, including plans for new building projects and renovations of existing structures, though the State has offered little funding for such projects. Funds are available for renovations at Anne Belk Hall. Senator Campbell clarified that these renovations are limited to the third floor, while renovations which were begun earlier and interrupted due to budget shortfalls will not be completed. There is still no money available for those upgrades. Sound proofing, which is badly needed, will be accomplished.

D. **Campus Planning Committee** (Crawford, Daigle, Everhart, Fenwick, Frye, Stokes)

   No report.

E. **Committee on Committees** (Gates, Hester, Morehouse, Oliver, Puckett, Villanova)

   Vice Chair Gates indicated that the election process is behind schedule and that this is the most pressing issue. For those Senators who are stepping down, it was suggested that they talk with their colleagues about serving in their stead on the Senate. Vice Chair Gates will work on the remaining committees and councils. There was a question about what openings are available and Vice Chair Gates said that those openings are being worked on and will be posted in the next week. Vice Chair Gates reported from the Work Load Task Force that a draft for the
policy of monitoring faculty work load has been prepared. It incorporates six sections: instructional expectations, teaching workload, college-level faculty workload criteria, faculty workload guidelines, assignment of individual faculty workload, annual review of faculty and reporting on faculty workload. This policy is one part of a larger project which also includes Banner and digital measures. Dr. Reichel reported that a revised draft would be available on Friday, March 21, 2014. The Task Force will meet again on March 25 to review the revised draft.

F. Faculty Handbook Committee (Koch, Aycock, Gates, Vannoy, Provost Gonzalez)

Faculty Handbook changes regarding early promotion. Chair Koch stated that, though he was not in attendance for the previous discussion of early promotion and tenure, he understood that the divisions on this issue in the Senate were much like those in the Council of Chairs. The divisions seemed to be centered around the de-coupling of promotion and tenure and whether or not there should be early promotion and early tenure – either or both. Based on those discussions, the Committee met again and amended the document. This change does not allow for early tenure, but it does allow for promotion one year early, if someone has met and surpassed the departmental specifications for early promotion. The intent of this document is that this is largely a departmental decision – departments should make that determination. As has been stated earlier, a change is wording is needed, since there have been problems in the past with regard to the ambiguity of the language. This current language proposal is a compromise between those who want opportunities for early promotion and tenure and those who don’t. Dean Calamai’s argument is that deans and departments would like to be able to offer good faculty some incentive to stay and be recognized. Early promotion does allow a bump up in salary, which provides that incentive. Since ASU is not as competitive as some other institutions, it is important for departments to be able to keep good faculty and to attract applicants.

The floor was opened for discussion and there were extensive remarks on all sides. Several comments were made against de-coupling, including the opinion of the Council of Chairs. The issue related to increased work load and faculty potentially having to revisit the same issue in another year. Dr. Carey elaborated upon the subtle difference between promotion and tenure: early promotion was designed to focus on what a faculty member has done to a certain point in time, while the tenure decision is supposed to take into account future contributions and potential. The idea of “up and out” (if denied for early tenure/promotion, a faculty member would not be able to come up again at the regular time) resurfaced. Chair Koch stated that the idea of de-coupling was discussed extensively in the committee, and that the concern is that because the tenure decision is such a final decision, that if someone was not allowed to come back a year later to pursue tenure, it could be catastrophic for a career. He further stated that the alternative to
the current language being proposed is probably no early promotion or tenure at all, which is the reason for this compromise.

In order to be considered for early promotion, a candidate would be expected to have exhibited exceptional performance. Each department would determine what “exceptional” is in its department.

Senator Nash made a motion to change the language in the proposed changes to the *Faculty Handbook* Section 3.8.7.2, part “a” (Appendix C) to read “is exceptional performance” instead of “are exceptional circumstances”. Senator McGrady seconded the motion. **Motion FS 14-15/03-01 passed to amend the language in proposed Section 3.8.7.2 (a) of the Faculty Handbook. (Vote #2)**

Senator Villanova raised a question about 3.8.7.2 (a) and who determines what “appropriate experience” is – is it the PTC Committee, the Administration? Dr. Carey stated that typically there is consultation to decide if there something compelling (depending upon the particular department) to be considered in relation to tenure. The Dean or Provost can take on a role of “vetting” a candidate and then make recommendations. The Promotion and Tenure Committee would make a decision considering various factors and recommendations. There was some concern expressed about maintaining confidentiality when a broader group is involved. Senator Campbell stated that there seemed to be consensus that the Senate would like to pursue the idea of allowing the Promotion Tenure Committee to have some authority in determining the consideration of a candidate’s years of experience. After some discussion, Senator Campbell made a motion to refer that language for 3.8.5.6.2 to the Faculty Handbook Committee such that the PTC’s role is clarified is assessing an incoming Assistant Professor’s years of experience. **Motion FS 14-15/03-02 passed to refer Section 3.8.6.2 of the Faculty Handbook to the Faculty Handbook Committee for review. (Vote #3)**

Senator Reed made a motion to change the wording in the proposed changes to Section 3.8.5.5 of the *Faculty Handbook* from “promotion” to “promotion and tenure”, thereby recoupling promotion and tenure. (A faculty member would be able to apply again the following year, if necessary.) Senator McGrady seconded the motion. **Motion FS 14-15/03-03 passed to change the wording of the proposed language changes in Section 3.8.5.5 of the Faculty Handbook to read “promotion and tenure”, instead of “promotion”. (Vote #4)**

Senator McGrady proposed to amend Motion FS 14-15/03-03 such that if a request by a faculty member for early promotion and tenure failed, he/she would not be allowed to request promotion and tenure the following year. Senator Strazicich seconded the motion. **Motion FS 14-15/03-04 failed to amend Motion FS 14-15/03-03 such that a faculty member requesting early promotion and**
tenure would not be allowed to request promotion and tenure again the following year if the original request failed. (Vote #5)

Senator Campbell clarified the results of the voting on the previous motions: request for early promotion is re-coupled with tenure and, if this request fails, the faculty member would be allowed to apply again for promotion and tenure the following year.

Senator Zrull made a motion that the proposed changes to Sections 3.7 – 3.8.7.3 of the Faculty Handbook be tabled and sent back to the Faculty Handbook Committee until the next meeting to give Senators time to confer with their colleagues in their departments. Motion FS 14-15/03-05 passed to refer the proposed changes to Sections 3.7 – 3.8.7.3 of the Faculty Handbook back to the Faculty Handbook Committee until the April 14, 2014 meeting. (Vote #6)

G. Faculty Welfare and Morale Committee. (Alexander-Eitzman, Erickson, Howard, Toub, Stoddard, Reck.)

Senator Stoddard reported that the committee has been working on the instrument for evaluating the Chancellor and the Provost and Vice Chancellor, as well as the Deans of the Colleges of Arts and Sciences and Fine and Applied Arts. The draft instrument has now been passed to Chair Koch and the Executive Committee. Chair Koch stated that the Faculty Handbook stipulates that the evaluation of Chancellor and the Provost and Vice Chancellor is done every three years. There is no stipulation regarding department chairs in the Faculty Handbook, but these evaluations have been done historically at the rate of two per year. The Chancellor has always supported these latter evaluations. Senator Stoddard reported that the results will then be tabulated and there will be reading committees established to interpret the results of the survey. There is a different reading committee for each evaluation. Chair Koch thanked the committee for its hard work.

H. Welfare of Students Committee. (Gosky, Lane, Ortiz, Peterson-Sparks, Smith, Zrull)

No report.

VI. Unfinished Business

None.
VII.  New Business

None.

VIII.  Adjournment

Senator Frank Aycock moved and Senator Stoddard seconded to adjourn the meeting.  
Motion to adjourn passed.  (Vote #7).  Meeting adjourned at 4:50 pm.

Faculty Senate Voting and Attendance Record for February 10, 2014
Y for Yes; N for No; A for Abstain

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<td>Motion FS 14-15/03-03 passed to change the wording of the proposed language changes in Section 3.8.5.5 of the Faculty Handbook to read “promotion and tenure”, instead of “promotion”.</td>
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<td>Motion FS 14-15/03-05 passed to refer the proposed changes to Sections 3.7 – 3.8.7.3 of the Faculty Handbook back to the Faculty Handbook Committee until the April 14, 2014 meeting.</td>
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MEMORANDUM

TO: Peter Hans, Chairman of the Board of Governors of the University of North Carolina
    Members of the Board of Governors of the University of North Carolina

cc: Tom Ross, President of the University of North Carolina
    The Honorable Pat McCrory, Governor of North Carolina
    The Honorable Phil Berger, President Pro Tem of the North Carolina Senate
    The Honorable Tom Tillis, Speaker of the North Carolina House
    Co-Chairs of the North Carolina Senate and House Appropriations Committee

FROM: Art Pope, State Budget Director


Dear Ladies and Gentlemen:

I am in receipt of the “2014-15 Budget Priorities of the University of North Carolina,” as set forth in the Committee on Budget and Finance report, dated February 20, 2014, and approved as amended by the full Board of Governors (BOG) on February 21, 2014 (the “UNC FY 2014-15 Budget”). The Board of Governors has requested a total UNC FY 2014-15 Budget of $2,842,163,048, which is $288,466,366, (or 11.3%) more than the enacted General Fund budget for FY 2013-14, and $340,512,472, (or 13.6%), more than the enacted budget for FY 2014-15. (See Table below for details.) Furthermore, while the Board of Governors requested “UNC be included equally in any compensation increase for teachers and state employees,” the above increase in the BOG UNC FY 2014-15 Budget does not include any funding for pay increases for UNC employees and faculty.

Governor McCrory strongly supports the University of North Carolina. Higher education, and our public universities in particular, are crucial to providing the people of North Carolina an opportunity to succeed in life, and for the overall long term growth and prosperity of the state. However, the spiraling cost of higher education, the increased costs to student and their parents, including growing personal debt, as well as the increasing demands on the state budget, cannot continue indefinitely. The University of North Carolina has a responsibility to its students and to the state to operate and improve the university in the most cost effective and affordable manner as practicable.

Respectfully, it simply is not realistic for the Board of Governors to request an 11.3% increase from the General Fund, $288 million more for next year’s FY 2014-15 budget, over this year’s current budget. While the economy is improving, it is highly unlikely the state’s total General Fund revenue or overall
availability will increase 11% or more next year. Total General Fund availability is budgeted to increase only 2.3% in FY 2014-15, and the state has not had an 11% revenue increase in the last 20 years, even with a variety of enacted tax increases. In addition, university enrollment is down from what has already been budgeted and inflation projections for FY 2014-15 remain modest (in the 1.5% to 2.0% range). Furthermore, the limited increase in revenue and availability must first be applied to mandatory obligations, such as the growth in Medicaid, and overall priorities, including a pay increase for teachers and state employees. To fund a $288 million, 11% increase for UNC, would require the Governor and General Assembly to make major reductions in other state agencies and programs, such as our courts, the “K-12” public schools, and health care.

It is for this reason that the Office of State Budget and Management sent out its budget instruction letter dated December 12, 2013 directing all state agencies, including the University of North Carolina, to submit for consideration a budget reduction and expansion request that “must equate to a net savings of a minimum of two percent (2%) of the agency’s FY 2014-15 BD 307 certified appropriation. The general fund appropriation expansion requests shall not exceed two percent (2%) of your agency’s FY 2014-15 BD 307 certified appropriation.” The University of North Carolina did submit by a letter dated February 10, 2014 outlining a reduction of $49 million to be implemented through “management flexibility.” However, this potential reduction is far exceeded by the UNC Board of Governors’ requested expansion budget increase of $288 million for FY 2014-15, and this reduction option apparently was not presented to the Board of Governors for consideration.

When discussing this matter with President Ross, he stated that the University had a statutory duty to present its “needs” to the Governor and General Assembly. Respectfully, N.C. Gen. Stat. §116C-11(9)a requires the Board of Governors to submit a “budget,” not “needs.”

In addition N.C. Gen. Stat. §116C-11(9)a (i) expressly requires the Board of Governors to submit a budget, including funds for EPA salary increases, and N.C. Gen. Stat. §143C-3-3(b) & (e) requires the University of North Carolina to submit a detailed description of current deficiencies, proposed corrections and estimate of project costs for repairs and renovations. Yet the Board of Governors only submitted a one line lump sum request for an allocation of $163 million for repairs and renovations. Pursuant to N.C. Gen. Stat. §143C-3-3, and consistent with N.C. Gen. Stat. §116C-11(9), I hereby request the Board of Governors to provide a prioritized list for repairs and renovations with the required information for each project, with an estimated fund availability for the UNC System of $30 million, $40 million, and a maximum $60 million.

Respectfully, I request that the Board of Governors reconsider its General Fund budget request and resubmit a more realistic proposal. It would also be most helpful when considering a realistic General Fund budget request for FY 2014-15, that the General Fund request be put in context of the overall University of North Carolina budget, including its annual institutional trust fund receipts of approximately $4.99 billion.

As one particular example, the UNC System collected $228 million in overhead receipts in FY 2011-12, and had a cash balance of $268.7 million at the June 30, 2012 fiscal year-end. How much of the overhead receipts are being used for the repairs and renovations for the facilities used to generate the overhead
receipts, as opposed to requesting $163 million in General Fund appropriations for repairs and renovations? More importantly, what were the overhead receipts for FY 2012-13 and the cash balance as of June 30, 2013, and how much of those funds can be utilized for current repair and renovation, rather than being used for new construction or operating funds for new programs and projects? For example, I have just been informed that UNC-CH is allocating $30 million for repair and renovation projects. Respectfully, this is the type of information and decision making the Governor and General Assembly must consider when preparing and enacting a budget for all state agencies and programs that serve the public.

Thank you in advance for providing the requested information and considering a revision of the “2014-15 Budget Priorities of the University of North Carolina” submitted February 21, 2014. The Office of State Budget and Management looks forward to working with the Board of Governors and the University of North Carolina, consistent with our respective statutory duties and authority, to prepare and enact a state budget that meets the constitutional requirement for a balanced budget, improves education opportunities provided by the University of North Carolina, and serves all the people of North Carolina.

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<th>UNC System Budget, excludes 16015 Aid to Private Colleges</th>
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<td>GF Operating</td>
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Prepared by OSBM
Source: Session Law 2013-360 as amended by Session Law 2013-363
Appendix B:

### Appropriations per Student (FTE), FY 2006-07 to FY 2013-14

#### All Student FTE

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1 Includes high school students.

2 UNCG's FY 2013-14 appropriation includes $3.7 million in nonrecurring funding for building reserves. Without these funds, the FY 2013-14 budgeted funding per FTE would be $24,499 for all students and $45,941 per FTE for resident students.

3 Data not available until FY 2007-08.

Sources: June 30 DD 701 Reports for FY 2006-07 to FY 2013-14, Year-to-Date Actual; November 30 DD 701 Report for FY 2013-14, Year-to-Date Authorized. Fall Enrollment Reports for FTE and high school head count. Excludes funding for UNCG-RA, student aid, NCSU Agricultural Research and Extension, and UNC Hospitals.

Prepared by UNCG Administration Finance Division

February 19, 2014
Appendix C:

3.7 Academic Tenure

Academic tenure refers to the conditions and guarantees that apply to a faculty member’s employment. More specifically, it refers to the protection of a faculty member against discharge from employment except for reasons of (i) incompetence, (ii) neglect of duty, or (iii) misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty, as specified in Code Section 603 and in accordance with the procedures provided in section 4.10, or against termination of employment except as provided for in section 4.9. (The overall policy for academic tenure in the UNC system is found in the UNC Code 602.)

3.7.1 The purposes intended to be served by providing the protection of academic tenure to faculty members are to secure their academic freedom and to help the institution attract and retain faculty members of high quality. While academic tenure may be withheld on any grounds other than those specifically stated to be impermissible in section 3.7.6, its conferral requires the assessment that the candidate has met the criteria for the rank of associate professor as specified in 3.8.6.2. Promotion or appointment to the rank of professor confers permanent tenure (3.8.6.6 and 3.8.7.3) and requires the assessment that the candidate has met the criteria for the rank of professor (3.8.7.2).

3.7.2 The Faculty Handbook criteria for the conferral of tenure shall be the basis for each academic department’s criteria for conferral of tenure, and both Faculty Handbook and departmental criteria shall be considered in all tenure decisions. Departmental criteria may be more rigorous than Faculty Handbook criteria. (3.7.3 addresses the required length of service for tenure.)

The conferral of tenure requires:

(a) an assessment of the faculty member’s demonstrated professional competence;
(b) potential for future contributions;
(c) commitment to effective teaching, research, and public service; and
(d) the needs and resources of the institution.

3.7.3 An Assistant Professor must be considered for tenure during his or her sixth year if he or she has not been granted tenure earlier (3.8.5.6.2.) Under no circumstances should the length of the probationary period exceed seven years of full-time service except when the probationary period has been extended according the provisions of 3.8.5.4.2.2, 3.8.5.4.2.3, and/or 6.2. Associate Professors, not appointed with tenure, shall be reviewed for tenure no later than the fourth year of appointment (3.8.6.3) except when the probationary period has been extended according the provisions of 3.8.5.4.2.2, 3.8.5.4.2.3, and/or 6.2.

3.7.4 If a faculty member begins employment between January 1 and May 15, the partial academic or calendar year shall not count as part of the probationary period.

3.7.5 A decision not to grant tenure may not be based upon (1) the faculty member’s exercise of rights guaranteed by either the First Amendment to the United States Constitution or Article I of the North Carolina Constitution, (2) unlawful discrimination based upon the faculty member’s race, color, national origin, religion, creed, sex, gender identity and expression, political affiliation, age, disability, veteran status, or sexual orientation; or (3) personal malice. For purposes of this section, the term “personal malice” means dislike, animosity, ill will, or hatred
based on personal characteristics, traits or circumstances of an individual that are not relevant to valid University decision making. See UNC Policy 101.3.1 II.B. for details. (4.6.1)

3.7.6 Academic tenure, as herein described, pertains exclusively to the employment of faculty members by appointment to specified faculty ranks. Appalachian State University requires the doctorate or other appropriate earned terminal degree for consideration of the conferral of permanent tenure on any faculty member, unless there are exceptional circumstances.

3.8 Tenure-Eligible Academic Ranks

3.8.1 The University shall require the doctorate or other appropriate earned terminal degree for all full-time faculty appointments above the rank of instructor, unless there are exceptional circumstances. Appointments may be for fixed terms of employment, automatically terminable when they expire (“fixed-term appointment”); or they may be for probationary terms (“probationary-term appointment”); or they may be continuous (“appointment with permanent tenure”) until retirement, death, resignation, or dismissal pursuant to The Code of The University of North Carolina.

3.8.2 No reviewing person or committee substitutes its judgment for the judgment of the departmental chair, a search committee, and/or the departmental personnel committee or the departmental promotion and tenure committee on matters relating to the professional qualifications of the individual involved [i.e., the individual’s ability to fulfill adequately the professional requirements of the position. However, in accordance with The Code of The University of North Carolina, section 602(4), those charged with making decisions on initial appointment, reappointment, promotion and permanent tenure shall examine and evaluate “demonstrated professional competence” i.e., the faculty member’s actual performance, the faculty member’s potential for future contribution, and institutional needs and resources.

3.8.3 The faculty ranks to which appointments may be made, the minimal criteria that a candidate must meet in order to be eligible for consideration for the various ranks, and the incidents of academic tenure applicable to each rank are set forth in sections 3.8.4 through 3.8.7. The Faculty Handbook criteria for ranks shall be the basis for each academic department’s criteria, and both Faculty Handbook and departmental criteria shall be considered in all appointment, reappointment, promotion, and tenure decisions. Departmental criteria may be more rigorous than Faculty Handbook criteria.

3.8.4 Instructor

3.8.4.1 See The University of North Carolina Policy Manual, section 400.3.1.1 concerning required discussions relating to the primacy of teaching.

3.8.4.2 Minimal criteria for consideration of appointment to the rank of instructor are:
(a) a master’s degree from an accredited institution in an appropriate field or special competencies in lieu of the master’s degree; and
(b) evidence of potential in teaching; and
(c) evidence of potential in at least one of the following:
   (i) research or other germane creative activity; or
   (ii) professional service to the University and/or to the public.

3.8.4.3 The rank of instructor is appropriate for one who is appointed to the faculty but lacks, when appointed, one or more qualifications expected by the department or college/school for appointment to professorial rank. When all of those qualifications are met, the instructor may be promoted to assistant professor, offered a terminal appointment of one academic year, or be offered a special faculty appointment (see section 3.13).

3.8.4.4 An initial appointment to the rank of instructor is for a probationary term of one academic year. The instructor may be reappointed successively for six terms of one academic year, a total of seven such terms. At least ninety (90) calendar days before the first term of appointment ends, the instructor shall receive written notice
whether, when the current term expires, the instructor will be reappointed at rank for another term, promoted to the rank of assistant professor, appointed to a special faculty appointment as provided in section 3.13, or not be reappointed. An instructor appointed to a second one-year term shall receive a similar notice not less than 180 calendar days before that term ends. During the last 180 calendar days of the second consecutive year of employment, the institution may notify the instructor that employment will be terminated at the end of the third year of employment. Before the end of the third consecutive term, an instructor who has not been notified that employment will be ended in that year as provided in the preceding sentence shall receive a written notice whether, when the current term expires, the instructor will be reappointed at rank, promoted to the rank of assistant professor for a four-year term, appointed to a special faculty appointment as provided in section 3.13, of at least a one-year duration, or offered a terminal appointment of one academic year at the end of the current term. Decisions shall be made with respect to these same options before the end of the fourth, fifth, and sixth consecutive term. No reappointment to the rank of instructor may be made after seven consecutive years of employment at that rank. (But see section 3.13, “Special Faculty Appointments.”) The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment of one academic year at the same rank. The decisions herein required shall be made as provided in section 4.4.

3.8.5 Assistant Professor

3.8.5.1 See The University of North Carolina Policy Manual, section 400.3.1.1, concerning required discussions relating to the primacy of teaching.

3.8.5.2 Minimal criteria for consideration of appointment/promotion to the rank of assistant professor are:

(a) the appropriate earned terminal degree from an accredited institution, unless there are exceptional circumstances;
(b) demonstrated ability in teaching;
(c) evidence of ability for research or other germane creative activity;
(d) willingness to participate in institutional affairs and professional service to the University and/or to the public.

3.8.5.3 An initial appointment to the rank of assistant professor is normally for a probationary term of four academic years. Before the end of the third year of the four-year probationary term, the assistant professor shall receive written notice whether, when the current term expires, she or he will be reappointed at that rank for a second probationary term of three years or not be reappointed.

3.8.5.4 Before the end of the second year of the three-year term as assistant professor, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.5 An Assistant Professor may request review for promotion to Associate Professor one year earlier than the mandatory year (see 3.8.5.6). In order to be successfully promoted earlier than the mandatory year, the Assistant Professor shall demonstrate a record that surpasses departmental criteria, as well as Faculty Handbook criteria (3.8.3). If the Assistant Professor is granted promotion to Associate Professor, the action shall become effective at the beginning of the next fiscal year. If the Assistant Professor is denied early promotion, he/she will automatically be reviewed for promotion to Associate Professor during the mandatory review for tenure in the following year. No one will be granted tenure without promotion to Associate Professor.

3.8.5.6 An Assistant Professor must be considered for tenure during his or her sixth year if he or she has not been granted tenure earlier. Under no circumstances should the length of the probationary period exceed seven years of full-time service except when the probationary period has been extended according the provisions of 3.8.5.4.2.2, 3.8.5.4.2.3, and/or 6.2.

3.8.5.6.1 If a faculty member begins employment between January 1 and May 15, the partial academic or calendar year shall not count as part of the probationary period.

3.8.5.6.2 Credit toward tenure and promotion for service elsewhere. The department chair and an assistant professor candidate must negotiate any credit for service elsewhere to be granted toward tenure and promotion at the time of
the offer. The assistant professor candidate may submit to her or his departmental chair a written request (with appropriate supporting documentation) that up to, but no more than, three years served elsewhere in a tenured or tenurable position (or in an equivalent position) may be counted toward tenure and promotion at Appalachian State University. Following review of materials, the chair will make a recommendation to the dean, and the dean will make a recommendation to the provost and executive vice chancellor. The final decision, which shall rest with the provost and executive vice chancellor, shall be made on the basis of the verified documentation provided and shall be irrevocable. Any service credited toward tenure and promotion must be specified in the letter of offer at the time of hire and included in the provisions of the initial contract.  

**Motion FS 13-14/12-02 approved as amended.**

3.8.5.6.3 If one year of service elsewhere is counted, the initial contract will be for a probationary term of three years. Before the end of the second year of the first three-year term, the assistant professor shall receive written notice whether, when the current term expires, she or he will be reappointed at the same rank for a second probationary term of three years or not be reappointed. Before the end of the second year of the second three-year term as assistant professor, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.6.4 If two years of service elsewhere are counted, the initial contract will be for a probationary term of three years. Before the end of the second year of the three-year term, the assistant professor shall receive written notice whether, when the current term expires, she or he will be reappointed at the same rank for a second probationary term of two years or not be reappointed. Before the end of the first year of the two-year term as assistant professor, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.6.5 If three years of service elsewhere are counted, the initial contract will be for a probationary term of four years. Before the end of the third year of the four-year term, the assistant professor shall receive written notice whether she or he will be reappointed with permanent tenure at the same or higher rank or not be reappointed.

3.8.5.6.5.1 Temporary suspension of probationary period with respect to permanent tenure

3.8.5.6.5.2 The probationary service with respect to permanent tenure of an assistant professor who has been granted a leave or course-load reduction under the terms of section 6.2.1.1 (g) shall be calculated in accordance with the provisions of that section. The calculation of probationary service in such circumstances shall be automatic, and no request for such calculation need be made by the faculty member.

3.8.5.6.5.3 A faculty member may submit to her or his departmental chair a written request for a determination that extraordinary circumstances warrant not counting a specific academic year as part of the faculty member’s probationary period with respect to permanent tenure. Any such request should be submitted as soon as practicable, but in no event later than ninety (90) calendar days following the close of the academic year in which the circumstances occurred. The departmental chair shall submit the request to the departmental promotion and tenure committee for review and recommendation; and, upon receipt of the departmental promotion and tenure committee’s recommendation, the departmental chair shall forward that recommendation along with the departmental chair’s recommendation to the dean. The dean shall in turn forward her or his recommendation to the provost and executive vice chancellor, who shall make a determination whether extraordinary circumstances warrant not counting the specified academic year as part of the faculty member’s probationary period with respect to permanent tenure.

3.8.5.6.5.4 The total time not counted toward a faculty member’s probationary period with respect to permanent tenure, both under section 3.8.5.4.2.2 above and section 6.2 may not exceed two academic years.

3.8.5.7 The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment for one academic year at the same rank. The decisions herein required shall be made as provided in section 4.4.

3.8.6 Associate Professor

3.8.6.1 See The University of North Carolina Policy Manual, section 400.3.1.1, concerning required discussions relating to the primacy of teaching.
3.8.6.2 Minimal criteria for consideration of appointment/promotion to the rank of associate professor are:
(a) the appropriate earned terminal degree from an accredited institution and at least five (5) completed years of appropriate experience, unless there are exceptional circumstances;
(b) recognized skill in teaching;
(c) recognized accomplishment in research or other germane creative activity;
(d) recognized accomplishment in professional service to the University and/or to the public; and
(e) demonstrated willingness to participate in institutional affairs.

3.8.6.3 An initial appointment to the rank of associate professor may be made with tenure or for a probationary term of up to five academic years. The length of this initial appointment takes into account credit toward tenure and promotion for service elsewhere. If the associate professor is not appointed with tenure, the department chair and the associate professor candidate must negotiate any credit for service elsewhere to be granted toward tenure at the time of the offer. The associate professor candidate may submit to her or his departmental chair a written request (with appropriate supporting documentation) that up to, but no more than, five years served elsewhere in a tenured or tenurable position (or in an equivalent position) may be counted toward tenure at Appalachian State University. Following review of materials, the chair will make a recommendation to the dean, and the dean will make a recommendation to the provost and executive vice chancellor. The final decision, which shall rest with the provost and executive vice chancellor, shall be made on the basis of the verified documentation provided and shall be irrevocable. Any service credited toward tenure must be specified in the letter of offer at the time of hire and included in the provisions of the initial contract. Motion FS 13-14/12-03 passed (Vote #5) Motion FS 13-14/12-03 as approved.

3.8.6.4 Associate Professors, not appointed with tenure, shall be reviewed for tenure no later than the fourth year of appointment. (3.8.6.3) except when the probationary period has been extended according the provisions of 3.8.5.4.2.2, 3.8.5.4.2.3, and/or 6.2.

3.8.6.5 Before the end of the probationary term, the associate professor shall receive written notice whether she or he will be recommended for permanent tenure at the same or higher rank when the current term expires or not be reappointed, consistent with the schedule of “Notice of Reappointment or Non-reappointment” specified in section 604A (1) of The Code of The University of North Carolina:
(a) During the first year of service at the institution, the faculty member shall be given not less than ninety (90) calendar days’ notice before the employment contract expires;
(b) During the second year of continuous service at the institution, the faculty member shall be given not less than 180 calendar days’ notice before the employment contract expires; and
(c) After two or more years of continuous service at the institution, the faculty member shall be given not less than twelve (12) months’ notice before the employment contract expires.

3.8.6.5.1 Temporary suspension of probationary period with respect to permanent tenure

3.8.6.5.1.1 The probationary service with respect to permanent tenure of an associate professor who has been granted a leave or course-load reduction under the terms of section 6.2.1.1 (g) shall be calculated in accordance with the provisions of that section. The calculation of probationary service in such circumstances shall be automatic, and no request for such calculation need be made by the faculty member.

3.8.6.5.1.2 A faculty member may submit to her or his departmental chair a written request for a determination that extraordinary circumstances warrant not counting a specific academic year as part of the faculty member’s probationary period with respect to permanent tenure. Any such request should be submitted as soon as practicable, but in no event later than ninety (90) calendar days following the close of the academic year in which the circumstances occurred. The departmental chair shall submit the request to the departmental promotion and tenure committee for review and recommendation; and, upon receipt of the departmental promotion and tenure committee’s recommendation, the departmental chair shall forward that recommendation along with the departmental chair’s recommendation to the dean. The dean shall in turn forward her or his recommendation to the provost and executive vice chancellor, who shall make a determination whether extraordinary circumstances warrant not counting the specified academic year as part of the faculty member’s probationary period with respect to permanent tenure.
3.8.6.5.1.3 The total time not counted toward a faculty member’s probationary period with respect to permanent tenure, both under section 3.8.6.4.1.2 above and section 6.2 may not exceed two academic years.

3.8.6.6 The failure to give the required notice of a decision not to reappoint at any point herein required has the same effect as a decision at that time to offer a terminal appointment for one academic year at the same rank. The decisions herein required shall be made as provided in section 4.4.

3.8.6.7 A promotion at any time from the rank of associate professor to the rank of professor confers permanent tenure from the effective date of the promotion. Since this promotion confers permanent tenure, it must be approved by the chancellor and the Board of Trustees.

3.8.7 Professor

3.8.7.1 See The University of North Carolina Policy Manual, section 400.3.1.1, concerning required discussions relating to the primacy of teaching.

3.8.7.2 Minimal criteria for consideration of appointment/promotion to the rank of professor are:

(a) the appropriate earned terminal degree from an accredited institution, and at least ten (10) completed years of appropriate experience unless there are exceptional circumstances;
(b) recognized skill in teaching;
(c) evidence of at least one of the following:
   (i) outstanding accomplishment in research or other germane creative activity with ongoing, recognized accomplishment in professional service to the University and/or public; or
   (ii) outstanding accomplishment in professional service to the University and/or to the public with ongoing, recognized accomplishment in research or other germane creative activity; and
(d) demonstrated ability and participation in institutional affairs.

3.8.7.3 An initial appointment to the rank of professor shall be made with permanent tenure.
Appendix D

Subject: Budget Committee Meeting with Greg Lovins, Vice Chancellor for Business Affairs
Date of Meeting: February 17, 2014
Present: John Geary, Steve Hageman, Michael Helms, Elizabeth McGrady, Scott Rice, Lynn Stallworth, Mark Strazicich (Chair)
Absent: Zack Murrell
The meeting began at 3:35 pm.
Greg Lovins provided a background of his position and summarized many current and future plans for capital projects on campus. While there are a number of plans for new building projects and renovations of existing structures on campus, in recent years the state government has provided little funding for such projects because of budget shortfalls. An exception is that funds are available to renovate Anne Belk Hall with completion expected in the spring of 2015. Funding is still being sought for a new Health Sciences Building. There is on-going talk in the state legislature of possible faculty salary increases this year, but no decision has been made.
State tax revenue has been increasing due to an improving economy, while recent severe winter weather is expected to deplete some of these funds. The university has suggested that property on East Howard Street could be acquired to construct one or more large size classrooms, but there are no set plans at this time. In the near term, the university would like to renovate the recently acquired Church building near King Street for new classrooms. Greg Lovins noted that IG Greer and Sanford Hall need improvement and remain near the top of the list in priority as new capital funds become available. There is a current surplus of student housing in Boone due to recent private construction. The university is projecting a small enrollment growth over the next few years.
The meeting adjourned at 4:30 pm.
Respectfully yours,
Mark Strazicich
Chair, Budget Committee, Faculty Senate
March 4, 2014