

**MINUTES OF THE MEETING OF
THE UNIVERSITY OF NORTH CAROLINA AT PEMBROKE
BOARD OF TRUSTEES
Friday, April 20, 2012 at 8:30 AM**

Mr. Mike Severy, Director of Student Involvement and Leadership, led the Trustees in a pre-meeting session concerning Learning Communities for UNC Pembroke. Dr. Ken Kitts, Provost and Vice Chancellor for Academic Affairs, also led a discussion on the Pembroke Undergraduate Research and Creativity (PURC) Symposium.

The meeting of The University of North Carolina at Pembroke Board of Trustees was held in the Chancellor's Dining Room of the James B. Chavis University Center. Chairman Robin Cummings called the meeting to order at 9:45 AM.

PLEDGE OF ALLEGIANCE

The group joined together in the Pledge of Allegiance.

ROLL CALL

Roll was called, and the following Trustees were present:

Kellie Hunt Blue
Robert E. Caton
Robin G. Cummings
Gary Locklear
Donna Lowry (entered 9:52 AM)
Brian McCormick
Dwight Pearson
Raymond Pennington
Lorna Ricotta
Newy Scruggs
Paul Willoughby
Caroline Williamson

Also attending were: Chancellor Kyle R. Carter; Provost and Vice Chancellor Ken Kitts, Academic Affairs; Director Dan Kenney, Athletics; Vice Chancellor Neil Hawk, Business Affairs; Vice Chancellor Jackie Clark, Enrollment Management; Vice Chancellor Diane Jones, Student Affairs; Associate Vice Chancellor Robert Orr, Division of Information Technology; Vice Chancellor Wendy Lowery, Advancement; Joshua D. Malcolm, General Counsel and Assistant Secretary to the Board of Trustees; Special Assistant to the Chancellor Greg Carter, Chancellor's Office; and Recording Secretary to the Board of Trustees Janet Taylor, Chancellor's Office.

INTRODUCTION OF GUESTS INCLUDING MEMBERS OF THE PRESS

Chairman Cummings and Chancellor Carter welcomed Dr. Wiley Barrett as a provisionally approved Trustee member, appointed by the Board of Governors. He will serve as a replacement for former Trustee Thomas Nance, whose unfulfilled term expires June 30, 2013.

Chairman Cummings welcomed Public Communications Specialist Mr. Scott Bigelow, University Communications and Marketing.

ETHICS STATEMENT

Chairman Cummings reminded the Trustees of their duty under the State Government Ethics Act to avoid conflicts of interest and/or the appearance of a conflict of interest. Trustees were asked to refer to the printed statement. No member made known any conflicts of interest.

ADDITIONS/DELETIONS TO THE AGENDA

None

APPROVAL OF MINUTES

Minutes were presented for the following meetings:

- Board of Trustees' Meeting Minutes, February 17, 2012

**ACTION
2012-09**

Upon motion made by Gary Locklear, seconded by Bob Caton, and unanimously carried, the Board of Trustees approved the February 17, 2012 Meeting Minutes.

- Special Called Meeting Minutes, Executive Committee, February 24, 2012 (Only Trustees of the Executive Committee)

**ACTION
2012-10**

Upon motion made by Lorna Ricotta, seconded by Raymond Pennington, and unanimously carried, the Board of Trustees approved the February 24, 2012 Meeting Minutes.

CHANCELLOR'S REPORT

Chancellor Carter encouraged Trustees to review the list of events and activities and to participate when possible. He stated how proud he was of our students. March 14th kicked off the 125th celebration, which will run for 14 months.

Along with the kick-off was the announcement of the Southeastern American Indian Studies (SEAIS) program. SEAIS will consolidate UNC Pembroke's Department of American Indian Studies. The consolidated program will continue administratively in the College of Arts and Sciences. Ultimately, Chancellor Carter said the Southeast American Indian Studies program would become a stand-alone school.

Chancellor Carter announced Kevin Gover, Director of the Smithsonian's National Museum of the American Indian, as commencement speaker for the undergraduate ceremonies. He is a member of the Pawnee Tribe of Oklahoma. Chancellor Carter said he wanted a commencement speaker who would be worthy of the moment and who would highlight our history. Also during commencement, we will celebrate our 125th anniversary with all the graduates wearing a special pendant zipper pull on the graduation gown.

Chancellor Carter informed the Trustees that we are extremely close to the completion of the Health Sciences Building. He indicated there would not be a formal ribbon-cutting ceremony until the fall; however, the nursing department could start moving in as early as late May. With the moving of the nursing and social work departments, there is now space to move more student services together. Chancellor Carter explained that the D.F. Lowry building will become a student services area that will include advising, tutoring, and supplemental instruction.

Chancellor Carter stated the new legislative session will begin in approximately two weeks. He encouraged Trustees to speak with legislators concerning issues of interest. One major concern is state employees have not had a pay increase during the past four years and likely will not receive one this year. Chancellor Carter stated it is tough on all, but especially difficult for individuals just starting a career and those at the end of their career. One proposal before the legislature is to remove the prohibition of using state funds for pay increases and allow universities to give non-SPA employees pay increases if they can find the funds.

Chancellor Carter indicated that he would like the Board of Trustees to consider looking at Senate Bill 575, which would allow the Board of Governors to create a unified personnel system to include both EPA and SPA employees. Chancellor Carter stated this would allow for better flexibility in how to compensate and reward employees and create a better work environment.

Chancellor Carter reminded the Board of Trustees that we are making good progress towards filling all vacant dean positions and that several other searches are underway.

Chancellor Carter mentioned that he and Provost Kitts recently went to ECU to meet with Chancellor Steve Ballard and Provost Marilyn Shear, concerning the renewal of our partnership and collaborative programs, which was developed and later signed in May 2010. They also discussed construction management as well as a doctoral program in nursing. Chancellor Carter stated that he is excited about this partnership.

Chancellor Carter stated that he would like to recognize three individuals who are attending their last BOT meeting in their current position: Dr. Diane Jones, Mr. Neil Hawk, and Ms. Jackie Clark. Chancellor Carter stated that he would ask that the Board of Trustees thank those

individuals for all of their hard work and dedication. Together they have over 80 years of experience.

Chairman Cummings thanked Chancellor Carter for his report and opened the floor for discussion.

Chancellor Carter stated that the legislature has frozen the use of state funds for raises for any state employee. Trustee Ricotta stated it was her understanding that community college employees have received raises. Chancellor Carter explained that the university has two sources of funding—state appropriations and tuition—as opposed to the community colleges, which have three sources of funding—state appropriations, tuition, and local funding. Chancellor Carter stated that, at the request of President Tom Ross and General Administration, the Board is asked to support legislation that would allow universities to manage their own budgets.

Trustee Pearson asked if a senior faculty member retires and a less-experienced faculty member is hired, would the difference in salaries go toward pay increases for other senior faculty members. Chancellor Carter stated that the excess funds would go into a pool that could be used to provide pay increases for all faculty members who qualify, not just senior-level faculty members.

Chancellor Carter stated that we have employees who know the only way they will receive pay raises is to go elsewhere. He added that the longer this prohibition is in place, the harder it will be to retain and secure faculty members at fair market value.

Trustee Locklear asked if Chairman Cummings would produce a letter to send to our local delegation and party leadership to reinforce the importance of necessary pay increases within higher education. Chairman Cummings also stated there had been a conference call between most board chairs to discuss pending legislation before NC General Assembly as it relates to the UNC system as a whole. Chairman Cummings asked that a letter be drafted for his signature.

Trustee Pearson stated that Chancellor Carter had an article published in the *Fayetteville Observer* that addressed the issue of pay raises and how it relates to the entire UNC System. He asked if there had been any response to the article. Chancellor Carter stated he had several employees express their appreciation for the article.

COMMITTEE REPORTS

Audit and Ethics Committee

Trustee Donna Lowry, Chair, Audit and Ethics Committee, stated the committee discussed Budget and Allocation for the university as well as the Internal Auditor search process. Trustee Lowry stated that this is a very strenuous job and that previously Mr. Larry Jacobs handled all internal audit responsibilities. She went on to say that Chancellor Carter stated he is looking to hire a Director of Internal Audit as well as another person to assist the director once the director is in place.

Trustee Lowry stated we had one complaint that was unsubstantiated and another that is being looked into.

Educational Planning and Personnel Committee

Trustee Dwight Pearson, Chair, Educational Planning and Personnel Committee, stated that the committee heard reports from Academic Affairs, Enrollment Management, and Faculty Senate. He stated that Provost Kitts presented on the Southeastern American Indian Studies program with the hope of it someday becoming a school. Also, the Committee received an update on the SACS sanction. Provost Kitts stated that the sanction is in the process of being lifted.

UNC Pembroke signed an articulation agreement in April with Fayetteville Technical Community College (FTCC) allowing active duty soldiers the chance to complete a two-year degree through FTCC and complete a four-year degree at UNC Pembroke. Chancellor Carter applauded the Provost for his hard work on the articulation agreement because there were several institutions up for receiving the agreement. Provost Kitts stated that several years ago FTCC had 24 active-duty soldiers enrolled; today they have approximately 2,400. Chancellor Carter commended the Provost, Deans, and department heads for their work on this project.

Trustee Pearson discussed the Memorandum of Understanding (MOU) that was signed several years ago with East Carolina University. As Chancellor Carter had previously stated, this agreement was still in effect.

Trustee Pearson reported Enrollment Management is preparing for the upcoming fall semester. He stated that Vice Chancellor Clark reported that two students from UNC Pembroke, Matthew Goodwin and Candace Locklear, will be attending medical school at ECU and one other student another school as part of the Early Assurance Program. This is an increase from last year, when only one student was selected.

Trustee Pearson reported that Faculty Senate Chair, Susan Cannata, discussed issues raised by the faculty. Trustee Pearson stated that the faculty developed a list of ways faculty could be compensated without actual monetary raises.

Trustee Pearson stated the committee reviewed the list of 158 graduate and 526 undergraduate students for degrees.

ACTION 2012-11

Upon motion made by Dwight Pearson, seconded by Donna Lowry, and unanimously carried, the Board of Trustees approved awarding degrees to the candidates as consistent with the recommendation of Provost Kitts and the General Faculty and further authorize the administration to proceed with necessary actions to confer degrees (graduate and undergraduate) at the spring commencement on May 4th and 5th, 2012.

Finance and Administration Committee

Trustee Kelly Blue, Chair, Finance and Administration Committee, stated the Investment Consultants from Morgan Stanley gave a presentation on their investments and philosophy on the Foundation and Endowments funds. Trustee Blue stated that everyone seemed pleased with Morgan Stanley and that Morgan Stanley seemed sensitive to the institution and our needs.

Also, Trustee Blue reported that Denise Carroll, director of Business Services, gave a great demonstration of Brave Cart including the history, implementation, status, and benefits of use.

Trustee Blue stated Marvin Miller, director of Financial Planning and Budgeting, gave a budget report to recap the close of fiscal year 2012 and the look ahead to FY13. Mr. Miller stated during FY12, UNC Pembroke had a budget reduction of \$9.3 million; however, with prudent financial planning UNC Pembroke could establish reserves if additional reductions or holdbacks occurred during the fiscal year. Trustee Blue reported that it appears no additional reduction in budgets will occur during this fiscal year.

Also, Trustee Blue stated Mr. Miller felt confident, based upon his conversation with personnel at the Office of State Budget, that institutions will be allowed to carry forward 2.5% of the appropriated budget, plus any unearned revenue. He went on to state that discussions are still ongoing concerning how repair and renovation funds will be calculated in the carry-forward funds.

Trustee Blue noted the committee discussed some items affecting higher education budgeting for FY13. The items include current planned flex reduction of \$10 million in the university system budget; budget cuts of \$333 million to K-12 education, including the loss of EducJobs funding; Medicaid funding shortfall of \$145 million; disaster-relief funding cuts of \$28 to 40 million; and \$2.8 billion owed to the federal government for unemployment claims. However, on a more positive note state tax collections are up \$145 million.

Trustee Blue stated Debbie Burgess, Director of Human Resources, provided an overview of Senate Bill 575 Higher Education Efficiency and Flexibility. Ms. Burgess shared that Senate Bill 575 would affect approximately 450 SPA employees who have had no pay increase in the last four years along with a 5.3 % increase in health insurance. Trustee Blue shared a quote from UNC System President Tom Ross, which appeared in the *Raleigh News and Observer*. President Ross said, "We're not interested in taking away the rights of our SPA employees. Unfortunately some outside groups have attempted to create that fear. What we want to do is create flexibility to do more for our employees."

Trustee Blue stated Joshua Malcolm, General Counsel, gave an update on negotiations for a possible financial settlement with the U.S. Department of Education based on SACS findings regarding disbursement of federal financial aid during 2009-2010 and 2010-2011. Also, Trustee Blue stated Neil Hawk, Vice Chancellor for Business Affairs, provided an update on the progress of the university's leasing the Courtyard Apartments complex from the UNCP Foundation, Inc. and the university housing department's assuming management of the property. The proposal will go before the Council of State May 2, 2012.

Also, Trustee Blue shared that the university closed on the Mary Lowry property, adding 6.5 acres to further the Master Plan.

Public Affairs and Advancement Committee

Trustee Lorna Ricotta, Chair, Public Affairs and Advancement Committee, gave updates on open positions within the university. The Assistant Vice Chancellor for Advancement and Director of Marketing positions has been re-posted and everyone feels confident a successful candidate would be appointed. The Advancement Division welcomes Ms. Dena Bolles as Executive Assistant to Vice Chancellor Lowery. Ms. Bolles previously worked in the Chancellor's Office.

Trustee Ricotta reported the 125th Heritage T-shirts are going over well. These are available in the UNC Pembroke Bookstore or online. The *Robesonian* will be publishing a monthly special section over the next 12 months to highlight the 125th anniversary. Also, there will be an alumni event within the School of Education celebrating the rich history of that school. There were some community concerns about the importance of honoring the founders through future celebrations. The Office of Advancement will address these concerns.

The Office of Alumni Relations will change its outreach from a regional approach to focus more on professional groups such as education, medical, etc. This is a new way to engage our alumni and to ensure a greater representation of UNC Pembroke.

Trustee Ricotta announced an anonymous gift in the amount of \$100,000 to the Helen Scheirbeck Scholarship Fund. The person making this gift was not an Alumnus, but was a friend.

Taylor Track is in dire need of replacement, and the Advancement Office is working on fundraising for this project. The office is also soliciting gifts for the 1887 Arrowhead Scholarship Fund; letters have been mailed. Fundraising efforts still continue for an endowed chair in American Indian Studies.

Trustee Ricotta stated the button for the online donations to the Advancement website is active. The university is close to raising \$1.5 M this year compared to \$1.6 M at this same time last year.

Also, Trustee Ricotta announced Friday, August 10 as the Support Our Students Beach Party (SOS); save-the-date cards are going out. She also reported the Athletic Car Cash Bash raised \$35,000 for scholarships.

Student Life and Athletics Committee

Trustee Paul Willoughby, Chair, Student Life and Athletics Committee, gave updates on the revised UNC Pembroke Sexual Assault Policy and UNC Pembroke Drug and Alcohol Policy.

Subsequent to a motion made by Trustee Willoughby and seconded by Trustee Pennington to accept the UNC Pembroke Sexual Assault Policy and the UNC Pembroke Drug and Alcohol

Policy, Trustee McCormick expressed concerns along with Trustee Locklear as to the penalties stated within the revised Drug and Alcohol Policy.

Therefore, Chairman Cummings referred the UNC Pembroke Sexual Assault Policy and the UNC Pembroke Drug and Alcohol Policy back to the Student Life and Athletics Committee to address the concerns discussed during the conversation. Also, Chairman Cummings gave the committee the authority to act on behalf of the full Board on these policies.

Trustee Lowry asked if the campus was seeing an increase in sexual assaults as the result of alcohol violations. Vice Chancellor Jones stated we are seeing an increase in marijuana and alcohol violations. Campus police have increased their presence; therefore, they are not sure if there is a greater use or just more citations.

Trustee Willoughby stated that Cora Bullard, Director of Student Health Services, gave a presentation and notified the committee that there will be an increase in Student Health Insurance and that it will occur within all UNC schools.

Trustee Willoughby stated that Dan Kenney recognized UNC Pembroke student, Mike Williams, as the 2012 NCAA Wrestling Champion in the 165-pound class and the first ever NCAA wrestling champion for UNC Pembroke. Also, recognized was the wrestling team coach, Othello (O.T.) Johnson, for the 10th place finish of the UNC Pembroke wrestling team in the NCAA tournament.

Trustee Willoughby announced that UNC Pembroke currently ranks first in the Peach Belt Conference Commissioner Cup standings.

Trustee Willoughby stated that Michael Blackburn, UNC Pembroke Head Athletic Trainer, reviewed the UNC Pembroke Concussion Management Protocol, which defines the evaluation process after a student-athlete sustains a concussion or MTBI (Mild Traumatic Brain Injury). Also, Mr. Blackburn explained that all incoming freshmen and transfer students are tested for sickle cell anemia.

DIVISIONAL REPORTS

Chairman Cummings asked if there were any questions/comments concerning divisional reports; he encouraged Trustees to read the divisional reports. He stated there was additional information that might not be covered in oral committee reports.

Chairman Robin Cummings asked the Board to move into closed session.

Upon motion made by Donna Lowry, seconded by Caroline Williamson, and carried unanimously, the Board of Trustees approved the motion to go into closed session to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public

officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee, and to discuss personnel information related to the disclosure of an award which is confidential pursuant to the laws of this State under the N.C. General Statute Section 143-318.11(a)(2) and (6).

CLOSED SESSION

(Minutes of the Closed Session are stated in a separate document.)



Upon motion made by Raymond Pennington, seconded by Donna Lowry, and carried unanimously, the closed session portion of the meeting was adjourned for the purpose of returning to open session.

Chairman Cummings announced there was no action taken during closed session.

ACTION

2012-12

Upon motion made by Gary Locklear, seconded by Caroline Williamson, and unanimously carried, the Board of Trustees approved the granting of promotion and/or tenure to faculty members considered as recommended by Chancellor Carter and Provost Kitts.

ACTION

2012-13

Upon motion made by Dwight Pearson, seconded by Brian McCormick, and opposed by Newy Scruggs, the Board of Trustees approved the tenure of Mark Milewicz.

OLD BUSINESS

None

NEW BUSINESS

Mr. Joshua Malcolm, General Counsel, stated in accordance with UNC Policy 200.4, each constituent institution is required to conduct a self-assessment every four years. The Chancellor and the Board Chair are required to submit a summary report to the President and the Board of Governors at the conclusion of the assessment. Mr. Malcolm stated this year UNC Pembroke is required to conduct this assessment. He stated that he sent out an inquiry for Association of Governing Boards (AGB) to conduct our assessment. In the next few weeks, you will receive an email that will include the survey. Once the survey is completed, an AGB representative will

review contents of the survey and will prepare a presentation according to the survey. The results will be discussed during a one-day workshop on June 7.

ANNOUNCEMENTS

Chairman Cummings reviewed the announcements as printed. He encouraged Trustees to sign up for as many events as possible.

- a. 2012 School of Graduate Studies Spring Commencement – **Friday, May 4, 2012, 7:00 PM**. Trustees are asked to arrive at **Room 1167** in the **Jones Health & PE Center** to don their regalia, by 6:00 PM. Reserved parking is in Lot #15, behind **Jones Health & PE Center**. The keynote speaker will be Dr. Joseph P. Lakatos, Associate Professor, Accounting and Information Technology and recipient of the 2011 Board of Governors Award for Excellence in Teaching.

- b. 2012 Undergraduate Spring Commencement – **Saturday, May 5, 2012, 9:00 AM**. Trustees are asked to arrive at **Chancellor’s Dining Room** in the **James B. Chavis University Center** to don their regalia by 8:00 AM. Reserved parking is in Lot #20, behind Lumbee Hall. The keynote speaker will be Kevin Gover (Pawnee and Comanche), Director of the Smithsonian Institution’s National Museum of the American Indian (NMAI).

- c. The Board of Trustees all-day retreat is scheduled for **Thursday, June 7, 2012**.

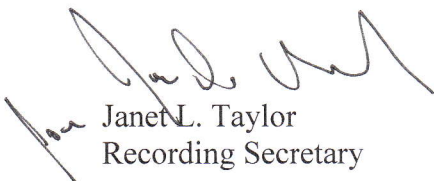
ADJOURNMENT

There being no further business to come before the Board, upon a motion made by Chairman Cummings, seconded by Donna Lowry, and unanimously carried, the meeting adjourned at 11:50 AM. Chairman Cumming thanked the Board for their participation.

Respectfully submitted,



Joshua D. Malcolm
Assistant Secretary



Janet L. Taylor
Recording Secretary

Attachments:

- 1. Audit and Ethics Committee
- 2. Educational Planning and Personnel Committee

3. Finance and Administration Committee
4. Public Affairs and Advancement Committee
5. Student Life and Athletics Committee
6. Promotion and Tenure Recommendations 2011-2012
7. Agenda, Regular Board Meeting, April 21, 2012
8. Minutes, Board of Trustees' Meeting Minutes, February 17, 2012
9. Minutes, Special Called Executive Committee Meeting, February 24, 2012
10. Chancellor's Report
11. Divisional Reports
12. Memo concerning mascot

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