Meeting Agenda
Wednesday, September 2, 2015 3:00 – 5:00 p.m. Virginia Dare Room, Alumni House

3:00 p.m.
Call to Order and Introductory Remarks, Anne Wallace, Chair of the Faculty Senate

3:10 p.m.
Approval of Minutes, Jim Carmichael, Secretary of the Faculty Senate: Minutes May 6, 2015, (Enc. A)

2014-2015 Committee Reports. Link to reports:
http://facsen.uncg.edu/Content/Forums/c.%2020142015%20Comm%20Reports%20.pdf

3:15 p.m.
Remarks, Franklin Gilliam, Jr., Chancellor-Elect

3:25 p.m.
Remarks, Dana Dunn, Acting Chancellor, Provost and Executive Vice Chancellor

3:45 p.m.
Committee Reports
   Stoel Burrowes, Election Committee Chair, Nominations for the Committee on Honorary Degrees
   Frank Donaldson, Undergraduate Committee Chair, Report

4:00 p.m.
Presentations
   Jim Thornton, Interim Vice Chancellor University Relations
   Dana Dunn, Kim Record, Ambrose Jones, NCAA Sanctions (Enc. B)
   Dana Dunn and Anne Wallace, Faculty Workload Guidelines (Enc. C)

4:50 p.m.
New Business/Old Business
   Anne Wallace, Faculty Senate Chair

Adjourn

UPCOMING EVENTS:
General Faculty Meeting & Convocation Wednesday, September 16, 2015 3:00 p.m. Alumni House, Virginia Dare Room

Refreshments are available at 2:30 p.m. for Senators to meet and greet faculty colleagues.
NOTE: We encourage Senators, non-voting faculty and visitors to speak upon being recognized by the Senate Chair.

Sign Language Services provided as needed and requested (please allow 72 hours) by:
Communications Services for the Deaf and Hard of Hearing.
Contact: 336-275-8878 for Faculty Senate Office, 336-334-3345/mlwolfe@uncg.edu
Minutes
Wednesday, May 6, 2015 3:00 – 5:30 p.m. Virginia Dare Room, Alumni House

Call to Order and Introductory Remarks
Spoma Jovanovic, Chair of the Faculty Senate

Acting Chancellor Dunn is nearby at the Board of Trustees meeting and will join us as soon as she can. Thank you for agreeing to meet a bit longer today to address the many items before us.

For education to thrive, to live up to its fullest potential, requires that we invest more in education. The same is true for the future of democracy and the public good toward which we all work. Some might ask, what does Faculty Senate have to do with the future of democracy and the public good but I know UNCG’s Senators are very aware of the connection. It should be obvious to others as well that faculty and higher education more broadly, have a deep responsibility to advance a society informed by reason and good will. And, it is by doing the very things that are in our charge that we accomplish an admittedly lofty, but nevertheless compelling ideal that provides real benefits to our students, communities, and global partners.

As we conclude what was admittedly a difficult year, I’d like to take a moment to reflect on what remains our vital charge of the Faculty Senate, a body designed to promote academic excellence, protect academic freedom, and insist upon shared governance….all in the service of advancing democracy and the public good. When we approve policies and regulations, we do so by discussing and deliberating the merits and drawbacks before voting for a way forward as we did with 14 resolutions this year. When we insist that our teaching and review of it promote high educational standards, as articulated in spirited debates in this room, we fulfill our obligation to prepare students for the complex world they enter as citizens. When we stand together to promote the welfare of all in the university community, as we were called upon to do this year in highly visible ways, that position demonstrates the power of collective action that underlies the very premise of democracy.

To do the work of governance on this campus and in our communities requires considerable effort. Here at UNCG, we have 25 Faculty Senate Committees who together offer important counsel to our administration that this year has prompted important conversations on the budget, our values, conflicts of interest, and free speech, among other topics. Our hard work and dedication to preparing generations of students to encounter large scale global problems, develop unforeseen opportunities in our communities and in commerce, and to live with uncertainty on a grand scale, is valuable work, yet there are those who question if what we do is enough. It is too easy to say, higher education as we know it must simply change, as if we stand apart somehow from the changing world in which we live. We are all evolving, and in fact, we the faculty have created sometimes, and responded to other times, the many changes that are part of our daily lives. From our university there are great innovations and new understandings that have emerged from the sciences, music, and humanities in basic, applied and community engaged scholarship. We are change makers, to be sure.

The Faculty Senate shares a responsibility with all faculty, staff, administration, our Board of Trustees, and our UNC system’ to communicate the important contributions of higher education for a democratic society. I am so proud to have been able, with you, to uphold the Faculty Senate’s role in doing that this year! I’d like to express special thanks to: Jim Carmichael, the Faculty Senate’s secretary for many years now. Jim is steadfast in preparing notes and materials for archiving that serve this body well. More than that, Jim’s love for education and passion for the faculty here at UNCG make him a local hero. His other role as president of the State chapter of AAUP demonstrates, tangibly, his enduring commitment to faculty. Patti Sink, our past Faculty Senate chair, remains a champion of UNCG. She knows the rules, procedures, and processes that make this body run its smoothest. Her knowledge provided valuable support to the Senate leadership team this year. Patti will be the Chair of the Faculty Government Committee next year, a wonderful post for which we should all be thankful she has accepted so that she can continue to contribute. Eileen Kohlenberg, our Parliamentarian, has a distinguished career here at UNCG that includes service as Faculty Senate Chair years back. I was grateful for her leadership then, and am especially appreciative that she agreed to serve his year to ensure we stayed true to the rules and spirit of Robert’s Rules of
Order. She did so with a kind of grace that defines her being. Anita Tesh you may recall was our initial Chair-elect this year, but due to a procedural mistake, stepped down from that office. While she served in that position, and even afterwards, Anita provided a view and grounding on policies and procedures that reached for the highest ethical interpretation. She has accepted a position at UNC Chapel Hill for next year— their gain, our loss to be sure. Anne Wallace was elected Chair-elect half-way through the academic year and immediately thrust into the Chancellor Search Process, which we know she managed ably, representing the faculty so well. I look forward to standing beside her next year as she continues to offer her remarkable insights, care, and goodness to represent and lead our faculty at UNCG. Finally, I want to say thank you to all of you who have shared information with your colleagues, considered important issues with thoughtfulness, and challenged one another to explain why one route forward is better than another. Those actions and the considerable time you have invested with Faculty Senate are truly impressive.

In closing, I’m grateful for the challenging and in-depth conversations that marked this year’s Faculty Senate— conversations in these meetings, by email, in scheduled forums, and in unscheduled moments. Thank you for making the investment in dialogue and deliberation necessary to foster trust and invite collaboration with our administration and communities. I said at the outset of this year, from this position at the podium that we have to be engaged, public intellectuals, willing to critique the antidemocratic forces at work, willing to imagine possibilities for a future that invest in the common good, and willing to equip ourselves and our students with the tools to participate in meaningful dialogue, with critical reason, to demonstrate the social responsibility necessary for engaging with the admittedly difficult issues of our time. I think we did that well and in ways that will enable us to welcome a new Chancellor, build deeper bonds with our Provost Dana Dunn, and forge productive, important relationships within our university and outside of it. Thank you!

Approval of Minutes

Jim Carmichael, Secretary of the Faculty Senate:
Presentation of plaque to Spoma Jovanovic, 2014-2015 Faculty Senate Chair.
April 1, 2015 minutes presented.
Carmichael called for motion to approve. So moved and seconded. Minutes approved.

Resolutions

Susan Shelmerdine, Academic Policies and Regulations Committee #FS05062015:01
To Approve the Academic Calendars for 2016-17 and 2017-18
Shelmerdine read the resolution and gave a brief explanation of various changes. Bell moved to accept. No second necessary. Passed unanimously.

Patti Sink, #FS 05062015:02
To Create and Include the Faculty Committee on Equity, Diversity, and Inclusion within the UNCG Faculty Senate Bylaws.
Sink called forward Rod Wyatt, Gerald Holmes, and Vidya Gargeya to present the resolution to make the Chancellor’s Ad Hoc Advisory Committee on Equity, Diversity and Inclusion a permanent Senate Committee.
Bruce Kirchoff, Chair of the Faculty Government Committee explained proposed changes in accordance with Constitution and By Laws.
Kohlenberg made a motion to accept the revisions.
Carmichael moved, Bell seconded. Approved unanimously.
Discussion ensued and a friendly amendment was proposed to change the term “Within” to “In”. Question called. Passed unanimously.

Committee Briefs

Carla LeFevre, Faculty Welfare Committee
For the past two years, our committee has been in discussion about methods for determining salary increases. These discussions will continue next year. For now, we have strongly recommended to the Provost that any merit increases should involve examination of all annual reviews dating back to the year of our last appreciable merit increase, and that additionally, salary compression should be addressed annually in a meaningful way. Also, we expressed our preference for the new three-tier evaluation system over potential systems involving a larger number of tiers.
Our primary efforts this year have been the restructuring of the current Policy for Faculty Extended Illness,
Disability, and Family Medical Leave. Research for this task included a thorough examination of the applicable policies for all of the universities in our state system. Additional resources included a collection of reports of the widely varying past experiences of faculty who have requested parental leave here.

Our first step was to re-format the current policy to include sections and bullet points for easier reading, and to separate into two different sections information regarding Extended Illness or Disability from that of Parental Leave.

Second, current wording leaves it up to the department head and/or dean to approve or not approve the requested leave; therefore, we propose the following change: For illness or disability, the new wording states: “the department head will recommend leave if the need for leave is readily evident or if it is supported by sufficient medical verification in the view of the department head.” New wording for parental leave with salary continuation states: “A faculty member who functions as a primary caregiver for a child will, upon request, be granted salary continuation.” I need to note that since the summary was sent to you, upon advice from the Provost, we have since removed the term “primary caregiver” to ensure an understanding that both mothers and fathers are eligible for the leave. One caveat, is that it would be a financial burden to the university and potentially a logistical challenge to a single department, to cover full leaves when both parents employed at UNCG. ECU has a system in place specifically for these situations, and that option is currently being investigated. Our current parental leave with pay is allowable for only sixty days. Currently, nine of our state universities allow up to a semester of paid parental leave. We believe our current allowance is not only insufficient, it also poses a potential issue for recruitment and retention of faculty. Therefore, we have recommended an increase in the allowable length of parental leave with pay to “up to a full semester (or 12 weeks over 2 consecutive semesters (exclusive of academic breaks).”

The next proposed change involves the tenure clock. Currently, those who are granted leaves for either extended illness or parental leave must negotiate extension of the tenure clock with the department head and dean. Our new policy proposes that: an automatic one-year extension of the tenure clock will be granted, and, post-tenure review will be delayed automatically by one year. The revisions you have also propose an opportunity for a faculty member to opt out of these extensions. However, in a recent meeting, the Provost made a very good case for removing this option, because of the potential for self-sabotage in a case where a faculty member inaccurately projects the full impact of the leave. The committee agreed with this because faculty do instead have the option of going up early for tenure, if, in consultation with the department head, it is determined that the leave has not negatively impacted his or her dossier. The final recommendation of the Committee may be difficult to implement; however the Committee believes it is vitally important. Under the current policy, it is the responsibility of the department to bear the financial burden for covering the teaching responsibilities of those granted a paid leave. This is highly problematic for a number of reasons.

Many small departments do not have the financial resources to cover these costs. As such, these costs can result in a faculty member’s colleagues being called upon to cover courses for that instructor, resulting in an overload for these colleagues, and causing much resentment toward a faculty member who is taking the leave. The new policy recommends that these costs be centralized at the University level. We suggest the following wording: The cost of substitute personnel is the responsibility of the Office of the Provost. In recommending approval of a leave to the Provost, the department head and dean will provide the following information: (1) a plan for covering the responsibilities of the faculty member for the duration of the leave and (2) the anticipated cost of substitute personnel. The Provost’s Office will provide no more than $3500 per 3-hour class for substitute personnel. In summation, I am very pleased to report that Provost Dana Dunn has concurred with nearly all of the proposed changes. This issue of centralization of the incurred costs for paid leaves has yet to be resolved, as it will be a few weeks before she can make a determine the availability of funds.

Discussion ensued. Small departments do not often have funds to hire adjuncts, resulting in overloading of colleagues and resentments. Moreover, one senator had to use her research leave since her child was born two weeks into the semester. Also, the question of coming up early for promotion and tenure was aired at length and clarification sought on the question of whether the burden of proof is harder if candidate chooses early review (in which case their case is reviewed by the University Promotion and Tenure Committee). The answer is, it is not supposed to be. Tenure is not about time, it is about quality.

Lynda Kellam, Faculty Scholarship

Kellam announced the results of the scholarship search: 29 applicants, of whom 20 were eligible. With $13,000 available, eight candidates received $1,000 each. They are Faris Almabasla. Angela Hairston, McKenna Karmanik, Savanah Lillen, Greydon Toone, Miranda Weavil, Ian McKenzie and Rocky Ankeiny (the last two are conditional).
Stoel Borrowes, Election Committee
A ballot for four vacancies on the university P&T Committee distributed and the proposed candidates were elected: George Dimock, Anthony Taylor, Beverly Faircloth and Paul Steimle.

Wayne Journell, Budget Committee
Journell encouraged senators to review the report at leisure, and he thanked members of the committee who had put in a great deal of effort, particularly Deb Bell, George Michel, and Kelly Burke. He also thanked Spoma Jovanovic and members of the administration who have worked patiently to make clear items in the budget members did not understand. Work will continue next fall.

John Lepri, Faculty Assembly
The report from Charlie Peruse indicates that state revenue is up, but faculty salaries are still a sticking point with the loss of talented people across the system in spite of a benefits increase. GECC is focused on critical thinking. The Faculty Assembly passed two resolutions, one pertaining to the closure of Centers, and the other seeking clarification in the Presidential Search Process. Spoma Jovanovic was elected to the Executive Committee of Faculty Assembly for 2015-2016, representing 4 delegate institutions. A question about why UNCG wasn’t among institutions listed in state bonds elicited a response from Provost Dunn who had entered the meeting. The administrative staff is working hard to make sure we are included in the Board of Governors budget even though the Governor left us out of his budget. Lepri reminded senators that students are still our most important advocates. Jovanovic pointed out that one of Lepri’s student’s parent had singled him, Rob Cannon, and his department out for praise in the academic success of their progeny in today’s edition of the News and Record.

Kenneth Klase, Graduate Studies Committee
Appointment to Graduate Faculty Policy
Language has been changed in policy to permit participation of adjuncts in some area, to distinguish between faculty who earned doctorate without a dissertation and those who did especially with regards to the nursing practitioners’ doctorate. Discussion concerned decline of full time tenured faculty, clarification of clinical faculty, and existing programs in which clinical faculty ply or have played a role (writing center, Doctorate of Music Arts). Some faculty members remain uneasy about “non-traditional” doctorate programs, although they have existed on the UNCG campus for at least 31 years.

Presentations
Bob Hansen, Curriculum Reform Task Force
The Task Forces has adopted a new form for the course approval process, they have initiated organizational and procedural changes, and taken a survey that will result in improved communications in the fall.

Murphy Chappell, Title IX Coordinator, Title IX Basics
Chappell gave a review of Title IX definitions and applications with regards to sexual assault, sexual harassment, and gender discrimination. She remarked that HR 2016, known as the Campus Sexual Violence Act, had passed last year, and encouraged faculty with concerns to contact the office. Kuperberg noted that as a Professor, she had been accused of harassment because students did not like what she said in her Sociology course on sex, and that instances like this were bound to have a chilling effect on academic freedom. Jovanovic noted that many federal laws had had such a chilling effect in recent years.

Lawrence Jenkins and Julia Jackson-Newsome, Conflict of Interests & External Activities for Pay
The year has been devoted to a review of policies and procedures. Two significant changes. Although popular wisdom notes a 20% limit on outside work for pay, that has never been written down in policy. So part time employees should report all work because the Task Force felt flexibility must be maintained and each case examined on its own merits. Also, the definition of university duties has been expanded. The Task Force will revise the reporting form to reflect these changes and simplify the process. Work continues on an electronic Conflict of Interests form that will include use of university resources
Remarks

Dana Dunn, Acting Chancellor

The Provost gave a brief update on the Building Bonds Issue that she and the administration are working to amend through the Board of Governors. She thanked the various committees for all their hard work this year, commented on the spectacular awards ceremonies she has attended, and hoped to see Senators at the Commencement ceremony.

New Business/Old Business

Anne Wallace, Faculty Senate Chair-Elect, Forecast for 2015-2016

When I saw that my task was to "forecast" next year's work, I couldn't resist the metaphor . . . I began to wonder what such a forecast might have sounded like for this past year, had it been possible to predict with any accuracy. I'm afraid it might have sounded like this: “colliding warm and cold fronts may be expected to produce high winds, large hail, extensive flooding, and scattered tornados. Earthquakes are possible: stay alert for tsunami warnings.”

It has been a very rough year. I do not mean to make light of the serious events and issues that have confronted us, and sometimes caused us to confront each other, as we have struggled to find a way forward. But, if I may stay with the meteorological metaphor a little longer, it does seem that the clouds are a little lighter, the rain abating, and that we may be beginning to enjoy what the British call "bright intervals."

These are visible in the accomplishments of Faculty Senate this year—the establishment of the Equity, Diversity, and Inclusion Committee and of an Ad Hoc Non-Tenure Track Faculty Committee, for instance—and in the reports coming from committees and offices across campus, including the UNCG Values Committee and Bryan Terry's enrollment management office. And I feel that the campus mood has shifted toward a more optimistic, hopeful mood: we recognize the beginning of a new chapter in our University's life, and the possibilities that this new chapter offers.

But there is a lot of work ahead of us. The arrival of our next Chancellor will be just the first stage in a period of perhaps unprecedented transition, marked by searches for 3 deans, a General Counsel, Assoc. VC's of PR and HR—I know I've left out other important changes (like the 5 or 6 department heads stepping out in the College alone), but you get the idea. (By fall 2016 the Chancellor will be, relatively speaking, an old hand, and Provost Dunn and Vice Chancellor Maimone will be the equivalent of 20-year veterans.) The delayed Strategic Planning effort will begin in earnest. Many important issues will compete for our attention, as today's agenda and those of previous meetings suggest.

I imagine it's usual, in this forecast, for me to identify particular initiatives or policy considerations that I would like us to undertake. But rather than listing issues and initiatives for future agendas, I'd like to take this opportunity to think with you about the larger contexts of our work. I have heard from faculty who were very troubled, indeed angered, by the conflicts, the confrontations, the strong protests, that emerged this past spring and this fall, in a variety of contexts, but most notably after the dismissal of 3 University Relations staffers. Some faculty experienced these protests as disruptions that damaged the work of the Senate. I have also heard from faculty who feel affirmed by the openness of critique and the supportive actions of the Senate, and relieved at the honest expression of differences during a time of crisis. From their viewpoint, these confrontations, although difficult, opened the way toward positive changes in the future. These differing reactions to the events and expressions of the past year may be heard across the University, as well as among faculty and Faculty Senators. So my thoughts follow these various reactions to our collective crisis, to raise these questions:

What roles will Faculty Senate play in the changes and, yes, the controversies that will inevitably unfold next year? How shall we carry out our responsibilities in university governance and the larger university community, in a time of extraordinary change and equally extraordinary promise?

I believe that our first priority, not only in Faculty Senate and among faculty, but across the University, must be building bridges across what have sometimes seemed, in this heavy weather we've experienced, unbridgeable gaps of understanding and feeling.

Here is a thing that I've observed twice now, at two universities, in the stress of two different extended crises. When times are good, when leadership seems stable and controversies are small or readily settled, when money is abundant and the university growing, everyone settles in, settles back. Understandably we all come to rely on the relative stability; things will work themselves out, we feel. We become complacent in good times, which seem to be "natural" and "usual." But the dark side of this comfortable security is that we allow the relationships and structures that might connect us to break down or wither away, because we don't need them. And then, when the bad times come and we find ourselves in conflict, we realize that we've lost touch with each other. Understanding across constituencies, which we assumed was just fine, has somehow waned—and now, in the heat of the crisis, we try to explain our views with little success, because it takes time to build and sustain these relationships.
When I say "we," you understand, I do not mean only faculty. That is, and I want to be very clear about this, I am not suggesting that faculty are somehow "to blame" for this condition, but rather that this complacency developed throughout the University. I think that the most difficult work accomplished by the Chancellor Search Committee was not vetting the dossiers or selecting three promising candidates to recommend. I think our toughest work was to hear each other, to understand our different positions and desires for UNCG, our different visions of the future. Naturally our constituencies—faculty, staff, students, and so forth—created some alliances, but the more important alliances, in the end, were the ones that allowed the exchange of priorities across those constituencies and the movement toward some common ground. This meeting of the minds was not easy and it was not certain, and—here's my main point—it cannot last, unless we undertake now to build the mechanisms of understanding into our future relationships.

How will we do that? I have some ideas, probably pretty obvious ones, so I'll need your help in thinking what to do. We already have excellent relations with Staff Senate, and I think we should enhance them. Faculty and Staff are the lifers, as it were, the long-term professionals whose work life (and much else) centers in the University. We live here, very often for decades, and the more closely faculty and staff can work together, the better for the University, I believe.

We need to build bridges with our Board of Trustees, to understand the responsibilities they carry as Board members as well as to let them get to know us, not only as participants in university governance but also as faculty in our everyday working lives. There could be structural ways to do this, including more regular participation and attendance by Faculty Senate officers and by Senators at Board meetings that would benefit us all. It would also be beneficial, I think, to engage in one-on-one "mutual mentoring" through which faculty members and Board members could get to know the shape of each other's lives. This could be carried forward as Board members step out and new members are appointed, so that it becomes an expected feature of our University's life.

Students, alums, community members—across all constituencies, I would like to see us build better structural bridges and informal traditions that could carry us into the future. And here inside Senate, too, I believe, we could work more closely and understand each other even more deeply than we have come to in this last hard year.

Conflict is never without consequences, but sometimes the only way forward lies through a time of harsh disagreements. I suppose I'm inclined to see things this way: I was born and grew up in Kansas, where the state motto is "Ad Astra per Aspera," "to the stars through difficulty." But what I do not believe in, is suppressing or ignoring history. The new chancellor will have a lot of listening and understanding to do, and I'll promote that as best I can, as I know you will. But it is also true that the next chancellor will be a person coming into a big new job, in a new place. I believe that each of the three candidates have excellent capabilities and intentions. All three are well aware of the recent portion, at least, of our difficulties, and the next chancellor will learn more—from various perspectives, to which it will be our job to contribute. At the same time, I want to give this person the breathing room that each of us would expect, if it were our big new job, to listen, to begin to understand, and to build relationships that will endure. I believe that we must begin openly—not fresh or from zero with respect to our own history, perhaps, but fresh in the sense that we refrain from reflexive suspicion of the new chancellor's motives. Where critiques must be offered, in these early months, I hope they can be offered honestly, directly, but without accusation.

The rebuilding of trust that we all seek depends, I believe, on this double task: the enactment of trust among us, all the way to the chancellor's chair; and a clear-eyed care for our University that finds expression in honest, open critique. As faculty, we always carry a special responsibility to question and push back if we believe that we are going down the wrong path: our long-term commitments to our institution, our expertise in many fields, and the special protections that many of us enjoy, make this our particular responsibility. If the time comes that vigorous protest must again be mounted, then that will again be our task. But in the next year or two, I hope we can frame our responsibilities in the first, great tasks of building trust, fostering collaboration, opening communications, throughout the University community. I am ready and eager to join you in these tasks as we open a new chapter in UNCG's history.

Adjudn
Move to adjourn by Karper, seconded by Bell.

Respectfully submitted,
Jim Carmichael, Faculty Senate Secretary
I. INTRODUCTION

The NCAA Division I Committee on Infractions is an independent administrative body of the NCAA comprised of individuals from the NCAA Division I membership and the public. The committee is charged with deciding infractions cases involving member institutions and their staffs.\(^1\) This case involved the University of North Carolina at Greensboro.\(^2\) The committee, through a six-member panel, considered this case through the cooperative summary disposition process in which all parties agreed to the primary facts and violations, as fully set forth in the summary disposition report (SDR). The panel then proposed further penalties to the institution and the institution agreed to the penalties; therefore, there is no opportunity to appeal.

The agreed-upon violations centered on the institution's improper certification of student-athletes' initial eligibility. Specifically, from the 2007-08 through 2012-13 academic years, the institution improperly certified the initial eligibility of 57 student-athletes in 13 sport programs. The institution permitted those student-athletes to practice, compete, receive athletically related aid and/or receive actual and necessary expenses associated with competition prior to the institution certifying their initial eligibility status. The parties agreed that the violation was Level II.

Additionally, the parties agreed that from the 2007-08 through 2010-11 academic years, the institution did not require the director of athletics or head coaches to review and sign squad lists and failed to keep squad lists on file. The parties disagreed over the violation level, but the panel ultimately determined the violation was Level II.

Finally, the parties agreed that the institution failed to monitor the initial eligibility certification process. The parties also agreed the institution failed to monitor and adhere to squad list requirements. The parties agreed that the violation was Level II.

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\(^1\) Infractions cases are decided by hearing panels comprised of NCAA Division I Committee on Infractions members. Decisions issued by hearing panels are made on behalf of the Committee on Infractions.

\(^2\) A member of the Southern Conference, the institution's total enrollment is approximately 18,600. The institution sponsors eight men's sports and nine women's sports. This is the institution's first infractions case.
The panel accepted the parties' SDR. The panel concluded that the parties' agreed-upon facts and violations constituted violations of NCAA bylaws. After considering the aggravating and mitigating factors, the panel classified this case as Level II-Standard. Applying the penalty guidelines set forth in the 2014-15 NCAA Division I Manual (Figure 19-1), the panel adopted and prescribed the following penalties: a two-year probationary period; a fine; the vacation of certain records; an outside compliance audit; and other administrative reporting requirements.

II. CASE HISTORY

On August 1, 2007, NCAA legislation changed to require all student-athletes thereafter to receive final certification of amateurism status. A few years later, in 2010, the institution's athletics leadership changed. As part of the new leadership's early initiatives, the institution requested an outside compliance audit. The audit flagged potential issues with the institution's eligibility certification and squad list processes. In late spring and early summer 2011, the institution reviewed the eligibility certification status for its student-athletes over the previous five years and discovered that a number of student-athletes had not received final amateurism certification.

In fall 2011, the institution self-reported potential violations to the NCAA enforcement staff. In November 2012, roughly one year later, the institution contacted the enforcement staff requesting the status of the self-report. The enforcement staff requested that the institution conduct further review. In October 2013, the institution self-reported that between the 2003-04 and 2011-12 academic years it did not completely certify 82 student-athletes' initial eligibility. In March 2014, the institution contacted the enforcement staff for a second time to determine the status of its self-reports.

In June 2014, the enforcement staff submitted a notice of inquiry (NOI) and through October 2014, conducted interviews with the institution. On January 8, 2015, the enforcement staff provided the institution with a draft notice of allegations (NOA). The following week, the institution accepted the proposed findings of fact and violations and agreed to utilize the summary disposition process. On April 21, 2015, the parties submitted the SDR to the NCAA Division I Committee on Infractions.

On May 15, 2015, a panel of the Division I Committee on Infractions reviewed the SDR via teleconference. The panel accepted the proposed SDR but determined that additional penalties – a two-year probationary period and administrative reporting requirements – were warranted. The panel proposed those penalties to the institution on May 20, 2015.

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3 The enforcement staff requested that the institution review student-athletes' initial eligibility between the 2007-08 and 2011-12 academic years. As a result of the additional review, the enforcement staff determined a total of 57 student-athletes had initial eligibility violations.
The panel also proposed that all the agreed-upon violations were Level II. The institution accepted the proposed penalties and the panel's determination of level on May 27, 2015.

III. PARTIES' AGREEMENTS

A. PARTIES' AGREED-UPON FACTUAL BASIS, VIOLATIONS OF NCAA LEGISLATION AND VIOLATION LEVELS

The parties jointly submitted a SDR that identifies an agreed-upon factual basis and violations of NCAA legislation. The SDR identifies:

1. [NCAA Division I Manual Constitution 3.2.4.3; and NCAA Division I Manual Bylaws 12.1.1.1.3, 12.1.1.1.3.1, 14.01.1, 14.3.1, 14.11.1 and 16.8.1.2 (2007-08 through 2012-13)].

From at least the 2007-08 through 2012-13 academic years, the institution improperly certified the initial eligibility status of 57 student-athletes in 13 sport programs. Specifically:

a. The institution permitted 50 student-athletes to practice, compete and/or receive actual and necessary travel expenses without meeting amateurism certification requirements. [NCAA Constitution 3.2.4.3 and NCAA Bylaws 12.1.1.1.3, 12.1.1.1.3.1 and 16.8.1.2 (2007-08 through 2012-13)]

(1) Six student-athletes were permitted to practice beyond the permissible 45-day period without meeting amateurism certification requirements. [NCAA Bylaws 12.1.1.1.3 and 12.1.1.1.3.1 (2007-08 through 2012-13)]

(2) Forty-four student-athletes were permitted to practice and compete without meeting amateurism certification requirements. [NCAA Bylaws 12.1.1.1.3, 12.1.1.1.3.1 and 16.8.1.2 (2007-08 through 2012-13)]

b. The institution permitted 28 student-athletes to practice, compete, receive athletically related aid and/or actual and necessary travel expenses without meeting initial eligibility requirements. [NCAA

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4 The parties agreed that the institution improperly certified a total of 57 student-athletes' initial eligibility. The institution permitted 21 of those student-athletes to practice, compete, receive athletically related aid and/or actual and necessary travel expenses without meeting amateurism (Violation No. 1-a) and initial eligibility requirements (Violation No. 1-b).
Constitution 3.2.4.3 and NCAA Bylaws 14.01.1, 14.3.1, 14.11.1 and 16.8.1.2 (2007-08 through 2012-13)]

(1) Three student-athletes were permitted to practice beyond the permissible period of time without meeting initial eligibility requirements. Two of the three student-athletes competed for subsequent academic years without initial eligibility certification and without the institution seeking reinstatement. [NCAA Bylaws 14.01.1, 14.3.1 and 14.11.1 (2007-08 through 2012-13)]

(2) Seven student-athletes were permitted to practice and receive athletically related aid without meeting initial eligibility requirements. Six of the seven student-athletes competed for subsequent academic years without or prior to initial eligibility certification and/or without the institution seeking reinstatement. [NCAA Bylaws 14.01.1, 14.3.1 and 14.11.1 (2007-08 through 2012-13)]

(3) Seven student-athletes were permitted to practice, compete and receive actual and necessary expenses to represent the institution without meeting initial eligibility requirements. Six of the seven student-athletes competed for subsequent academic years without or prior to initial eligibility certification and/or without the institution seeking reinstatement. [NCAA Bylaws 14.01.1, 14.3.1, 14.11.1 and 16.8.1.2 (2007-08 through 2012-13)]

(4) Eleven student-athletes were permitted to practice, compete, receive actual and necessary expenses to represent the institution and receive athletically related aid without meeting initial eligibility requirements. Seven of the 11 student-athletes competed for subsequent academic years without or prior to initial eligibility certification and/or without the institution seeking reinstatement. [NCAA Bylaws 14.01.1, 14.3.1, 14.11.1 and 16.8.1.2 (2007-08 through 2012-13)]
2. [NCAA Division I Manual Constitution 3.2.4.3; and NCAA Division I Manual Bylaws 15.5.10.1 and 30.13 (2007-08 Manual), 15.5.11.1 and 30.13 (2008-09 and 2009-10), and 15.5.11 and 15.5.11.2.1 (2010-11)]

From at least the 2007-08 through 2010-11 academic years, the institution failed in its obligation to properly certify eligibility of its student-athletes when the director of athletics and head coaches did not review or sign the squad list forms and did not keep the squad list forms on file.

3. [NCAA Constitution 2.8.1]

From at least the 2007-08 through 2012-13 academic years, the institution failed to consistently monitor the initial eligibility certification processes, which resulted in at least 57 ineligible student-athletes practicing, competing and/or receiving actual and necessary travel expenses prior to receiving final amateurism and/or academic certification from the NCAA Eligibility Center, as detailed in Violation No. 1. Additionally, it is agreed that from at least the 2007-08 through the 2010-11 academic years, the institution failed in its obligation to properly certify its student-athletes when it did not review or complete the squad list forms as detailed in Violation No. 2.

B. PARTIES' AGREED-UPON AGGRAVATING AND MITIGATING FACTORS

Pursuant to NCAA Bylaw 19.6.2-(g), the parties agreed to the following aggravating and mitigating factors:

1. Agreed-upon aggravating and mitigating factors. [NCAA Bylaws 19.9.3 and 19.9.4]

   a. Aggravating factors.

      None.

   b. Mitigating factors.

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5 Pursuant to NCAA Bylaw 19.6.4.3, the panel corrected the NCAA bylaws cited in the submitted April 21, 2015, SDR for Violation No. 2. Specifically, the SDR cited NCAA Bylaw 15.5.12.1 for the 2007-08 through 2009-10 academic years. The panel believed this was a typographical error because during the 2007-08 through 2009-10 academic years, NCAA Bylaw 15.5.12.1 either did not exist (2007-08 Division I Manual) or was associated with Waivers for Extraordinary Personnel Loss (2008-09 and 2009-10 Division I Manual). The panel has corrected the header to include NCAA Bylaw 15.5.10.1 Eligibility Requirement for the 2007-08 academic year and 15.5.11.1 Eligibility Requirement for 2008-09 through 2009-10 academic years.
(1) Prompt acknowledgment of the violation, acceptance of responsibility and imposition of meaningful corrective measures and/or penalties. [NCAA Bylaw 19.9.4-(b)]

(2) Affirmative steps to expedite final resolution of the matter. [NCAA Bylaw 19.9.4-(c)]

The enforcement staff presented, but the institution did not agree, that NCAA Bylaw 19.9.3-(g) (Multiple Level II violations) should apply to this case. The panel determined that NCAA Bylaw 19.9.3-(g) is an aggravating factor for this case because this case involved three Level II violations.

The institution proposed, but the enforcement staff did not agree, that NCAA Bylaw 19.9.4-(f) (exemplary cooperation) should apply to this case. The panel determined that the institution met its obligation under the bylaws, but its cooperation did not rise to exemplary.

IV. REVIEW OF CASE

The submitted SDR fully details the parties' positions in the infractions case and included the agreed-upon primary facts, violations and mitigating factors.6 After reviewing the parties' agreements, proposals and respective positions, the panel accepted the parties' SDR and concluded that the facts constituted three Level II violations. Level II violations can include systematic violations that do not amount to a lack of institutional control or collective Level III violations. Specifically, the institution agreed that it committed Level II violations when it (1) failed to certify 57 student-athletes' initial eligibility status, (2) failed to adhere to squad list requirements and (3) failed to monitor its initial eligibility certification process.

First, the institution agreed that when, over the course of six academic years, it permitted 57 student-athletes to practice, compete and/or receive actual and necessary travel expenses without properly certifying the student-athletes' amateurism and initial eligibility statuses, it violated the NCAA Constitution and NCAA Bylaws 12, 14 and 16. Certifying initial eligibility is a basic requirement within the NCAA Division I Manual. NCAA Constitution 3.2.4.3 sets the principal core requirement that all member institutions are responsible for certifying student-athletes' eligibility under all NCAA bylaws before student-athletes are permitted to represent the institution in competition. Generally, NCAA Bylaw 12.1 requires student-athletes to receive final amateurism certification before practicing or competing for an institution.7 Similarly, NCAA Bylaw

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6 The parties did not agree on any aggravating factors and originally disagreed on the level for Violation No. 2 (Squad Lists).

7 NCAA Bylaw 12.1.1.1.3.1 provides a temporary certification for student-athletes who have not received final amateurism certification. Those student-athletes are permitted to practice, but not compete, for up to 45 days. Thereafter, student-athletes are not permitted to practice or compete until receiving final amateurism certification.
14 sets student-athlete eligibility requirements. Specifically, NCAA Bylaws 14.01.1 and 14.3.1 require institutions to certify student-athletes' eligibility prior to receiving financial aid, practicing or competing. At the time of the violations, NCAA Bylaw 14.11.1 obligated institutions to withhold ineligible student-athletes from competition. Finally, at the time of the violations, NCAA Bylaw 16.8.1.2 permitted institutions to provide actual and necessary travel expenses to eligible student-athletes who represented the institution in competition.

The institution acknowledged that the majority of the failures occurred because student-athletes failed to: (1) register with the Eligibility Center; (2) complete the required amateurism certification questionnaire; (3) request certification for a specific sport in which the student-athlete participated; (4) submit transcripts or test scores to the Eligibility Center; and/or (5) request final amateurism certification. Regardless of whether the student-athletes failed to comply with certain amateurism requirements, it was the institution's responsibility to certify all student-athletes' amateurism and initial eligibility statuses. When the institution failed to certify the amateurism and initial eligibility of 57 student-athletes, it failed to fulfill a core NCAA requirement and violated NCAA Constitution 3.2.4.3. Similarly, when the institution permitted student-athletes to practice, compete, receive athletically related aid and/or actual and necessary travel expenses it violated NCAA Bylaws 12.1.1.1.3, 12.1.1.1.3.1, 14.01.1, 14.3.1, 14.11.1 and 16.8.1.2. The institution committed a Level II violation.

Additionally, the institution agreed that from the 2007-08 through 2010-11 academic years, it did not require the director of athletics or head coaches to review or sign squad list forms and failed to keep the forms on file. During the time of the violations, NCAA Bylaws 15.5.10.1 and 30.13 (and later 15.5.11.1 and 15.5.11.2.1) detailed the requirements and procedures for squad list forms. The bylaws required institutions to complete squad list forms. Additionally, the director of athletics and head coaches were required to certify student-athletes' eligibility by reviewing and signing squad list forms. The bylaws also required institutions to maintain squad list forms for review. For four years, the institution did not require the director of athletics or head coaches to review and sign squad lists. Likewise, the institution did not maintain certified squad lists. When the institution failed to require the director of athletics and its head coaches to review and certify the eligibility of student-athletes on squad list forms, it violated NCAA Constitution 3.2.4.3. Similarly, because the institution did not adhere to the specific squad list requirements and processes the institution violated NCAA Bylaws 15.5.10.1, 15.5.11.1, 30.13 and 15.5.11.2.1. In the submitted SDR, the parties disagreed over

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8 The obligation to withhold ineligible student-athletes from competition moved from NCAA Bylaw 14.11.1 to NCAA Bylaw 12.11.1 in the 2014-15 Division I Manual.

9 Subsequent to the violations in this case, NCAA Bylaw 16.8.2.1 was removed from the 2013-14 Division I Manual. Actual and necessary expenses provided to eligible student-athletes for practice and competition is now regulated by NCAA Bylaw 16.8.1.

10 In the 2010-11 Division I Manual, the procedures previously addressed in NCAA Bylaw 30.13 moved to NCAA Bylaw 15.5.11.2.1. The SDR also noted that the bylaws went through nonsubstantive revisions that have no impact on this case or the institution's responsibility under the bylaws.
whether the squad list violation was a Level II or Level IV violation. Because the violation was systemic, occurred over four academic years and, to some extent, may have permitted the initial eligibility failures to go undetected, the panel determined that the institution committed a Level II violation.

Finally, the institution agreed that from the 2007-08 through 2012-13 academic years, it failed to monitor its initial eligibility process. This failure resulted in 57 student-athletes practicing, competing, receiving athletics aid and/or receiving actual and necessary travel expenses when the institution had not certified their initial eligibility. Generally, NCAA Constitution 2.8.1 requires institutions to monitor their athletics programs and assure compliance. Here, the institution did not monitor the initial eligibility certification process and did not consistently follow its initial eligibility processes and procedures. As a result, the institution improperly certified the initial eligibility status for 57 student-athletes. When the institution failed to follow its initial eligibility processes and procedures and failed to monitor its initial eligibility certification, it violated NCAA Constitution 2.8.1. The institution committed a Level II violation.

During its review, the panel considered whether the foundational nature of the violations and the length of time the institution permitted them to occur supported a lack of institutional control violation. Ultimately, the panel concluded it did not, under the specific circumstances of this case. The panel cautions institutions to ensure that basic core requirements, like student-athletes' initial eligibility, are met as they are paramount for intercollegiate competition.

V. PENALTIES

For the reasons set forth in Sections III and IV of this decision, the panel accepted the parties' agreed-upon factual basis and violations and concluded that this case involved Level II violations of NCAA legislation. Because the violations in this case occurred before the effective date of the current penalty structure, the panel reviewed whether the new penalty guidelines were more lenient and concluded that they were in this case. When reviewing a case under the new penalty guidelines, the panel assesses aggravating and mitigating factors by weight as well as number. After determining the appropriate aggravating and mitigating factors, the panel classified this case as Level II – Standard. When conducting its penalty analysis, the panel reviewed former NCAA Bylaw 19.5.2 and past cases as guidance. Under former NCAA Bylaw 19, the panel considered prescribing a $500 fine per contest in which ineligible student-athletes participated, which would have made penalties more stringent. Therefore, the panel prescribed penalties under current NCAA Bylaw 19 and the penalty guidelines (Figure 19-1).

The institution agreed to the facts and violations, as well as the panel's proposed penalties, reporting requirements and the panel's final level determination; therefore, there is no opportunity to appeal.
All penalties prescribed in this case are independent and supplemental to any action that has been or may be taken by the Committee on Academics through its assessment of postseason ineligibility, historical penalties or other penalties. The institution's corrective actions are contained in the Appendix. After considering all information relevant to the case, the panel prescribed the following:

**Core Penalties for Level II-Standard Violations (NCAA Bylaw 19.9.5)**

1. Probation: Two years of probation from June 25, 2015, through June 24, 2017.\(^{11}\)

2. Financial Penalty: The institution shall pay a $5,000 fine. (Institution imposed).

**Additional Penalties for Level II-Standard Violations (NCAA Bylaw 19.9.7)**

3. Pursuant to former NCAA Bylaws 19.5.2-(h) and 31.2.2.3, the institution will vacate the individual and team records from events in which the 57 ineligible student-athletes participated after the institution improperly certified their initial eligibility status from the 2007-08 through 2012-13 academic years. This order of vacation includes all regular season competition, conference tournaments and NCAA postseason competition. (Institution imposed). The individual records of the 57 ineligible student-athletes will also be vacated. However, the individual finishes and any awards for all eligible student-athletes will be retained. Further, the institution's records regarding its athletics program, as well as records of all head coaches, will reflect the vacated records and will be recorded in all publications in which such records are reported, including, but not limited to, institutional media guides, recruiting material, electronic and digital media plus institutional, conference and NCAA archives. Any institution that may subsequently hire an affected head coach shall similarly reflect the vacated wins in their career records documented in media guides and other publications cited above. Head coaches with vacated wins on their records may not count the vacated wins toward specific honors or victory "milestones" such as 100\(^{th}\), 200\(^{th}\) or 500\(^{th}\) career victories. Any public reference to the vacated contests shall be removed from athletics department stationary, banners displayed in public areas and any other forum in which they may appear. Any trophies awarded by the NCAA in these sports shall be returned to the Association.

Finally, to ensure that all institutional and student-athlete vacations, statistics and records are accurately reflected in official NCAA publications and archives, the sports information director (or other designee as assigned by the director of athletics) must contact the NCAA Media Coordination and Statistics office and appropriate conference officials to identify the specific student-athletes and

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\(^{11}\) The institution proposed a one-year probationary period. Institutions may propose probationary periods, but the authority to prescribe NCAA probation rests solely with the committee. Periods of probation always commence with the release of the infractions decision.
contests impacted by the penalties. In addition, the institution must provide the NCAA Media Coordination and Statistics office with a written report, detailing those discussions. This document will be maintained in the permanent files of the NCAA Media Coordination and Statistics office. This written report must be delivered to the office no later than 45 days following the release of this decision. The sports information director (or designee) must also inform the Office of the Committees on Infractions of this submission to the NCAA Media Coordination and Statistics office.

4. Within the next six months, the institution's athletics department shall undergo a comprehensive compliance review by an outside agency with athletics compliance expertise. (Institution imposed). The results of this compliance review shall be included in the institution's first annual compliance report, and any recommendations made as a result of this compliance review shall be implemented as soon as possible, but not later than the time of the institution's second annual compliance report.

5. During this period of probation, the institution shall:

a. Continue to develop and implement a comprehensive educational program on NCAA legislation to instruct coaches, the faculty athletics representative, all athletics department personnel and all institution staff members with responsibility for the certification of student-athletes' eligibility for admission, financial aid, practice or competition;

b. Submit a preliminary report to the Office of the Committees on Infractions by August 15, 2015, setting forth a schedule for establishing this compliance and educational program;

c. File with the Office of the Committees on Infractions annual compliance reports indicating the progress made with this program by May 1 of each year during the probationary period. Particular emphasis should be placed on the certification of initial eligibility for student-athletes. The reports must also include documentation of the institution's compliance with the penalties adopted and prescribed by the committee;

d. Inform prospective student-athletes in the involved sport programs that the institution is on probation for two years and detail the violations committed. If a prospective student-athlete takes an official paid visit, the information regarding violations, penalties and terms of probation must be provided in advance of the visit. Otherwise, the information must be provided before a prospective student-athlete signs a National Letter of Intent; and
e. Publicize specific and understandable information concerning the nature of the infractions by providing, at a minimum, a statement to include the types of violations and the affected sport programs and a direct, conspicuous link to the public infractions decision located on the athletic department's main webpage. The information shall also be included in institutional media guides and in an alumni publication. The institution's statement must: (1) clearly describe the infractions; (2) include the length of the probationary period associated with the major infractions case; and (3) give members of the general public a clear indication of what happened in the major infractions case to allow the public (particularly prospective student-athletes and their families) to make informed, knowledgeable decisions. A statement that refers only to the probationary period with nothing more is not sufficient. The institution may meet its responsibility in a variety of ways.

6. At the conclusion of the probationary period, the institution's president shall provide a letter to the committee affirming that the institution's current athletics policies and practices conform to all requirements of NCAA regulations.

The committee advises the institution that it should take every precaution to ensure that the terms of the penalties are observed. The committee will monitor the penalties during their effective periods. Any action by the institution contrary to the terms of any of the penalties or any additional violations shall be considered grounds for extending the institution's probationary period, prescribing more severe penalties or may result in additional allegations and violations.

NCAA COMMITTEE ON INFRACTIONS PANEL

Carol Cartwright  
Jack Ford  
Thomas Hill  
Jim O'Fallon  
Larry Parkinson  
Greg Sankey, Chief Hearing Officer
APPENDIX

CORRECTIVE ACTIONS AS IDENTIFIED IN THE INSTITUTION'S APRIL 21, 2015, SUMMARY DISPOSITION REPORT

1. The department of athletics implemented policies wherein all initial eligibility certification decisions are made by the certifying officer (housed in the Office of the Registrar) after consultation and review by the associate director of athletics for compliance/senior woman administrator, and the associate director of athletics for academics and student-athlete development.

2. The department of athletics implemented policies wherein all NCAA squad lists are reviewed by the associate director of athletics for compliance/senior woman administrator, the associate director of athletics for academics and student-athlete development, the head coach, and the certifying officer before the documents are presented to the athletics director (or designee) for final approval and signature.

3. The revised policies specific to the violations discovered in this matter have been incorporated into all rules education sessions with relevant department of athletics staff.

4. The institution will issue a written reprimand to the former athletics compliance administrator and a written admonishment to her former supervisor for their involvement in the violations found in this matter.
FOR IMMEDIATE RELEASE
Thursday, June 25, 2015

MEDIA CONTACT
Emily James
Associate Director of Public
and Media Relations
317/917-6117

UNC Greensboro improperly certified student-athletes

INDIANAPOLIS – The University of North Carolina at Greensboro failed to monitor its initial eligibility certification process and squad list requirements, according to a decision issued by a Division I Committee on Infractions panel. From 2007-08 through 2012-13, the university improperly certified the initial eligibility of 57 student-athletes in 13 sports. Additionally, from 2007-08 through 2010-11, the university did not require the athletics director or head coaches to review and sign squad lists and did not keep lists on file.

Penalties include two years of probation, a $5,000 fine and a vacation of wins in which ineligible student-athletes competed.

This case was resolved through the summary disposition process, a cooperative effort where the involved parties collectively submit the case to the Committee on Infractions in written form. The NCAA enforcement staff and university must agree to the facts of the case in order for this process to be utilized instead of having a formal hearing.

The university acknowledged the majority of the certification errors occurred because student-athletes did not register with the NCAA Eligibility Center; complete a required certification questionnaire; request certification in the student-athlete’s sport; submit transcripts or test scores to the Eligibility Center; and/or request final certification. In its decision, the panel noted that while the
student-athletes didn’t complete certain requirements, it is the university’s responsibility to certify amateurism and initial eligibility standards.

The university failed to monitor its athletics programs when it did not consistently follow initial eligibility procedures and assure compliance with NCAA rules, resulting in allowing 57 student-athletes to compete while ineligible. The university also failed to monitor its squad lists when it did not require the athletics director or head coaches to certify student-athletes’ eligibility by signing squad lists.

Penalties and corrective measures include:

- Public reprimand and censure.
- Two years of probation from June 25, 2015 through 24, 2017.
- A vacation of all wins in which ineligible student-athletes competed during 2007-08 through 2012-13. The public report contains further details on the vacation (self-imposed by the university).
- A $5,000 fine (self-imposed by the university).
- A comprehensive compliance review by an outside agency with athletics compliance expertise (self-imposed by the university).

Members of the Committee on Infractions are drawn from NCAA membership and members of the public. The members of the panel who reviewed this case are Carol Cartwright, president emeritus at Kent State University; Jack Ford, legal analyst for CBS News; Thomas Hill, senior vice president for student affairs at Iowa State University; Jim O’Fallon, law professor and faculty athletics representative at the University of Oregon; Larry Parkinson, director of investigations for the Federal Energy Regulatory Commission; and Greg Sankey, chief hearing officer and commissioner of the Southeastern Conference.
FACULTY WORKLOAD GUIDELINES
THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO

(Approved by the Chancellor, April 3, 2002)
(Amended August 25, 2014; Approved by the Chancellor, August 26, 2014)

Purpose

UNC Policy 400.3.1.1 [G], Guidelines on Teaching and Tenure in the University of North Carolina, states: "each institution should view teaching as a core requirement. The board states in its long-range plan that teaching or instruction is the primary responsibility of each of the UNC institutions. Thus while neither teaching nor service nor research is the sole measure of a faculty member’s competence and contribution at any UNC institution, teaching should be the first consideration at all of the UNC institutions." The University of North Carolina at Greensboro (UNCG) strives for excellence in the fulfillment of its broad instructional, research, and service mission. This longstanding commitment is evident in academic programming choices, research agendas, outreach efforts, resource allocation decisions, and official statements of institutional priorities. UNCG’s Promotion, Tenure, Academic Freedom, and Due Process Regulations acknowledge and value the diversity of faculty roles and responsibilities within the University and enforce a responsiveness to the variety of these contributions in the evaluation of faculty for promotions and/or tenure. The Regulations endorse diversity in evaluation models by which faculty members are assessed, rather than compelling a diverse faculty to conform to a single performance model.

As a public institution, UNCG is also held accountable by the Legislature, Board of Governors, and President for a variety of outcomes, including those related to faculty instructional productivity. UNC Policy 400.3.4, Monitoring Faculty Teaching Workloads, requires all UNC institutions to develop and implement policies and procedures to monitor faculty teaching loads and to approve significant variations from expected minimums. Policies must include the criteria and approval process for reductions in instructional load attendant to increased administrative responsibilities, externally-funded research, including course buy-outs, and additional institutional and departmental service obligations.

UNC Policy 400.3.4 also requires that annual faculty performance evaluation policies be implemented at UNCG and that they evaluate and reward all aspects of faculty workload, separately and in combination, consistent with the instructional mission. UNCG’s Annual and Post-Tenure Review Policy for Faculty outlines a review process for annual evaluation of faculty performance intended to promote faculty vitality and to reward faculty by recognizing,

1 In the case of non-departmentalized academic units, the word “division” may be substituted for the word “department” throughout this document. In addition, for non-departmentalized units, the dean assumes the role of the department head. Finally, the term “department head” is used generically to identify the administrative supervisor of an academic department or division, and is therefore synonymous with “department chair.”
encouraging, and rewarding faculty performance by means of merit pay increases, when funds are available for this purpose.

Faculty workloads must therefore be developed with a balance in mind, allowing for a high degree of research/creative expression, service, community engagement, and directed professional activity, while also insuring that instructional needs are met. The Faculty Workload Guidelines have consequently been established to help the University meet these internal goals and external expectations.

Scope

Deans, department heads/chairs, and faculty members shall employ the Faculty Workload Guidelines when faculty assignments are discussed and developed. The Guidelines should be referenced when department heads/chairs meet annually with faculty members to complete the Faculty Workload Assignment Form and participate in their annual review. Both documents reflect serious concern for both equity and accountability. It may also be helpful to refer to both of these documents at the end of the academic year when completing either the generic or unit-specific UNCG Annual Review Report Form.

Definitions

Faculty Workload: The entirety of a faculty member’s duties for the relevant period.

Teaching Load: The portion of the faculty workload spent on direct instruction and instructional activities.

Guidelines

Determining the workload for a specific faculty member requires consideration of a complex variety of variables related to the department’s goals and expectations for instruction, research/creative expression, service, community engagement, and directed professional activity. In most cases, counting semester hours alone fails to reflect the totality of a faculty member’s effort, and is therefore insufficient for the purposes of developing or comparing workload assignments. Within and across departments, schools, and the College, individual workload assignments must allow for both flexibility and maintenance of UNCG’s commitment to instructional productivity and academic excellence. The resulting assignments, however, must convey recognition of the Faculty Workload Guidelines stated for UNCG and adherence to the faculty workload expectations of the UNC Board of Governors and UNC Office of the President.

Reflecting the fact that the University is funded on the basis of the number of student credit hours generated annually, the UNC Board of Governors has stated its general expectations regarding faculty workload practices at the campus level. For example, the Board defines its annual standard teaching load expectation (number of 3-credit hour courses), by institutional Carnegie classification, as follows:
• 4 courses at Research I Universities;
• 5 courses at Doctoral I Universities;
• 6 courses at Masters I Universities;
• 8 courses at Baccalaureate and Liberal Arts I & II Universities.

It is understood, however, that teaching workloads within a university will differ by department and are dependent upon the level of degree offered.

**Workload Assignments**

Department heads/chairs make assignments and adjustments to assignments, based upon:

a. An overall expectation of the department’s instructional productivity, negotiated annually with the dean;

b. Consideration of the guidelines for individual teaching assignments; and,

c. Consideration of the differential weightings of teaching, research, graduate supervision, and service activities assigned to and/or being assumed by a faculty member in a given year.

In departments that do not offer the doctoral degree, 18 semester hours for each tenured/tenure-track faculty member are generally assigned to teaching.

In departments that offer the doctoral degree, 15 semester hours are generally assigned to teaching and 3 hours to dissertation supervision. (These assignments are based upon the expectation of 24 semester hours, or their equivalent, per academic year, 6 hours of which are assigned to research/creative activity, for all tenured/tenure-track faculty.)

The standard teaching load for full-time lecturers is 24 semester hours per year (12 hours per semester). This teaching load may vary in certain cases.

Standard teaching loads for Academic Professional track faculty will vary and are determined by the unit or department, depending on their specific position descriptions.

Faculty members will receive their assigned annual workload in writing, using the *Faculty Workload Assignment Form* (which may be modified to meet department- or unit-specific needs).

A record of a faculty member's assigned workload is to be included as part of the documentation for annual reviews, as well as for reappointment, promotion, tenure, and post-tenure reviews.

**Modifications to and Approval of Workload Assignments**

Modifications to a faculty member’s assigned hours for teaching may be made on the basis of considerations listed in the item above (“Workload Assignments”), and also in consideration of alternative assignments beyond those routinely expected of all faculty members in the
department. Alternative assignments may include academic administration, unique service commitments, or other special assignments. Such assignments will be reviewed and agreed to by the department head and dean.

Service on Department, College/School and University-wide/Faculty Senate Committees is not an alternative assignment but is expected as part of the normal responsibilities of a faculty member.

Hours assigned for teaching may increase or decrease in consideration of the type of courses taught and/or number of student credit hours generated.

Adjustments to a workload assignment may be necessary depending on course enrollments and/or program needs.

**Monitoring and Reporting of Faculty Workload**

The UNC Office of the President requires that each UNC institution participate in the University of Delaware’s National Study of Instructional Costs and Productivity. These data are used to compare departmental productivity among institutions within a national peer group. The Board of Governors and President expect that, in comparisons of like departments at peer institutions, UNC campuses will demonstrate acceptable levels of productivity relative to ratios for student credit-hour generation and teaching costs per faculty member. UNCG reports its study data to UNC General Administration on an annual basis and regularly evaluates its trends in instructional productivity to assure that it is able to demonstrate these acceptable levels. Please refer to UNC 400.3.4[R] *Regulations Related to Monitoring Faculty Teaching Workloads* for more information.

**Evaluation and Reward of Teaching**

UNCG’s *Annual and Post-Tenure Review Policy for Faculty* provides guidance on the purpose and process of annual evaluation of faculty performance intended to promote faculty vitality. Annual reviews apply to all faculty members, whether tenured, tenure-track, non-tenure-track, paid or unpaid (including lecturers, clinical faculty, academic professional faculty, or other “special faculty members,” as outlined in *Section 610 of The Code of the UNC Policy Manual*).

The purposes of Annual and Post-Tenure reviews, as outlined in [UNC 400.3.3](#) and [400.3.3.1(G)](#) are to:

- Sustain and facilitate excellence among tenured faculty by recognizing, encouraging, and rewarding faculty performance;
- Foster faculty development by evaluating all aspects of professional performance, by acknowledging progress in specific areas, and by identifying specific activities that can be undertaken if improvement is needed.

The evaluation and reward of teaching take place in the context of an overall evaluation of a faculty member’s entire professional performance.
Periodic Review of Policy

Changes to these Faculty Workload Guidelines will be submitted to the Faculty Senate for comment before being approved by the Chancellor and submitted to General Administration for approval by the President.

Related Policies and Regulations

UNCG Promotion, Tenure, Academic Freedom and Due Process Regulations

UNCG Annual and Post—Tenure Review Policy for Faculty
http://provost.uncg.edu/documents/personnel/posttenurereview.pdf

UNC Policy 400.3.3 – Performance Review of Tenured Faculty
http://www.northcarolina.edu/policy/index.php?tag=400.3.3

UNC Policy 400.3.3.1[G] – Guidelines on Performance Review of Tenured Faculty
http://www.northcarolina.edu/policy/index.php?tag=400.3.3.1%5BG%5D

UNC Policy 400.3.4 – Monitoring Faculty Teaching Workloads
http://www.northcarolina.edu/policy/index.php?tag=400.3.4

UNCG Faculty Workload Policies Page
http://provost.uncg.edu/publications/personnel/workloads.asp

Policy Administrator

Office of the Provost