



**The University of North Carolina at Charlotte
Board of Trustees**

Audit, Compliance, and Enterprise Risk Management Committee Meeting
Tuesday, December 8, 2020, 8:00–9:30 a.m.
Via Zoom Video Conference

Open Meeting Minutes

Present:

Theresa Drew, Chair
Susan DeVore, Vice Chair
Dennis Bunker III
Christine Katziff
David Mildenberg
Michael Wilson, *ex officio*

Staff/Guests in Attendance:

Sharon Gaber, Chancellor
Kim Bradley, Chief of Staff and Assistant Secretary to the Board of Trustees
John Bogdan, Associate Vice Chancellor for Safety and Security
Susan Burgess, Chief Compliance Officer
Tina Dadio, University Public Records Officer/Paralegal
Betty Doster, Special Assistant to the Chancellor for Constituent Relations
Steven Dunham, Chief Risk Officer
Beth Hardin, Vice Chancellor for Business Affairs
Jesh Humphrey, Vice Chancellor for Institutional Integrity and General Counsel
Melva Jenkins, Administrative Liaison for University Governance
Joan Lorden, Provost and Vice Chancellor for Academic Affairs
Michelle Reinken, Director of Title IX Compliance/Title IX Coordinator
Sam Sears, Associate Vice Chancellor and Deputy General Counsel
Amanda Simpson, Paralegal
Natasha Stracener, Video Technology Communications/Classroom Support
Jennifer Walker, Chief Audit Officer

Call to Order. Ms. Drew called the meeting to order and reminded Committee members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act in accordance with Chapter 138A of the North Carolina General Statutes, and advised the Committee members to notify her immediately if anyone should become aware of a conflict of interest or the appearance of a conflict of interest during the meeting. No conflicts were reported.

Approval of Minutes. Ms. Drew requested action on the September 22, 2020, Audit, Compliance, and Enterprise Risk Management Committee meeting minutes.

Action. On a motion by Mr. Mildenberg, seconded by Ms. DeVore, the Committee approved the December 8, 2020, Audit, Compliance, and Enterprise Risk Management Committee minutes.

Division of Institutional Integrity Update. Mr. Humphrey provided an overview of the Division of Institutional Integrity Organizational Chart. Mr. Humphrey reported no significant change, except for one Title IX investigator vacancy in the Title IX office, which is not expected to be filled until the University has a clearer picture of how the new presidential administration will interpret and enforce Title IX.

Internal Audit Update. Ms. Walker provided the Internal Audit update for the FY21 audit plan and a summary of internal audit reports issued this period, with no major findings reported. Ms. Walker reviewed the Internal Audit Findings Exception Report and reported that the implementation of fire safety and building evacuation training for all employees is complete and will be removed from her report. Mr. Bogdan reported that the rollout of the training is doing very well and they are expected to reach their training goal by this January. Ms. Walker also reported that the Building Access Policy was just approved on November 9, 2020, and that access reviews have begun and are expected to be completed by year-end. The Committee is happy to report that this item will also be removed from the findings report. Ms. Walker also provided an Internal Audit Departmental budget update.

Ethics and Compliance Update. Ms. Burgess provided an update on her work plan projects as well as other compliance activities. Ms. Burgess' work plan includes an inventory of all university policies; a review of university positions with occupational licensure requirements; and a review of consumer disclosures required by the U.S. Department of Education. Ms. Burgess also provided an overview of her non-work plan, which includes projects related to the Grants and Contracts compliance programs, and her work as Chair of the Campus Accessibility and Advisory Committee (CAAC), including revising disability policies and developing guidance on acquisition of accessibility technology software.

Enterprise Risk Management (ERM) Update. Mr. Dunham provided the Committee with an update on the University's Enterprise Risk Management program. Mr. Dunham's presentation generated significant discussion, and the committee requested that Mr. Dunham consider including Board members in future strategic risk assessment surveys. The Committee also requested an ERM update at each meeting instead of biannually.

Motion to Convene in Closed Session. Ms. Drew called for a motion to convene in closed session.

Action. On a motion by Mr. Wilson, seconded by Ms. DeVore, the Board convened in closed session pursuant to the following General Statutes of the State of North Carolina:

- a. *N.C.G.S. §143-318.11(a)(1), to prevent the disclosure of information that is privileged or confidential pursuant to the laws of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, such privilege or confidential arising under the Family Educational Rights and Privacy Act (20 U.S.C. §1232g) or N.C.G.S. Ch. 126, Art. 7; and*
- b. *N.C.G.S. §143-318.11(a)(3), to consult with and receive advice from counsel; and*

- c. *N.C.G.S. §143-318.11(a)(6), to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual, public officer or employee, prospective public officer or employee.*

Ms. Drew excused all attendees except the Committee members, Chancellor Gaber, Ms. Bradley, Ms. Burgess, Ms. Dadio, Mr. Dunham, Ms. Hardin, Mr. Humphrey, Ms. Jenkins, Dr. Lorden, Dr. Reinken, Ms. Simpson, Ms. Stracener, and Ms. Walker.

Closed Session

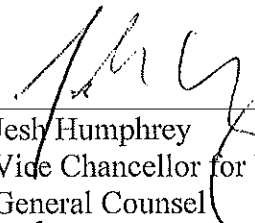
*Closed session minutes are filed in the office of the
Assistant Secretary to the Board of Trustees.*

Open Session

Motion to Adjourn. Ms. Drew requested a motion to adjourn.

Action. On a motion by Ms. DeVore, seconded by Mr. Mildenberg, the meeting was adjourned.

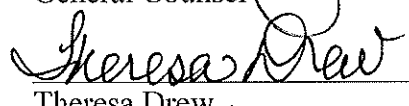
Submitted:


Jesh Humphrey
Vice Chancellor for Institutional Integrity and
General Counsel

Date

2/9/2021

Approved:


Theresa Drew
Chair
Audit, Compliance, and Enterprise Risk
Management Committee

Date

2/11/2021



**The University of North Carolina at Charlotte
Board of Trustees**

Executive Committee Meeting
Tuesday, December 8, 2020, 9:30–10:30 a.m.
via Zoom Video Conference

Open Session Minutes

Present

Michael L. Wilson, Chair
Dennis N. Bunker III
Susan D. DeVore
Theresa J. Drew
Fred W. Klein Jr.
Tahlieah K. Sampson
Teross W. Young Jr.

Staff/Guests in Attendance

Sharon L. Gaber, Chancellor
Kim S. Bradley, Chief of Staff and Assistant Secretary to the Board
Betty Doster, Special Assistant to the Chancellor for Constituent Relations
Beth Hardin, Vice Chancellor for Business Affairs
Jesh Humphrey, Vice Chancellor for Institutional Integrity and General Counsel
Melva Jenkins, Administrative Liaison for University Governance
Madelayne Meza Leon, Video Conferencing Assistant
Joan Lorden, Provost and Vice Chancellor for Academic Affairs
Leslie Zenk, Assistant Provost

Call to Order. Mr. Wilson called the meeting to order and reminded Committee members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act, in accordance with Chapter 138A of the North Carolina General Statutes, and advised the Committee members to notify him immediately if anyone should become aware of a conflict of interest or the appearance of a conflict of interest during the meeting. No conflicts of interest were reported.

Approval of Minutes. Mr. Wilson requested action on the September 22, 2020, Executive Committee meeting minutes as distributed.

Action. On a motion by Mr. Bunker, seconded by Ms. DeVore, the Committee unanimously approved the September 22, 2020, meeting minutes.

Motion to Convene in Closed Session. Mr. Wilson requested a motion to convene in closed session.

Action. On a motion by Mr. Bunker, seconded by Ms. Drew, the Committee convened in closed session pursuant to the following General Statutes of the State of North Carolina:

- a. Pursuant to N.C.G.S. §143-318.11(a)(6), 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; and
- b. prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes pursuant to N.C.G.S. §143-318.11 (a)(1);
- c. establish, or to instruct the public body's staff concerning the amount of compensation and other material terms of an employment contract or proposed employment contract pursuant to N.C.G.S. §143-318.11 (a)(5);
- d. to prevent the premature disclosure of an award pursuant to N.C.G.S. §143.318.11(a)(2).

Closed Session

Closed session minutes are filed in the office of the assistance secretary to the Board of Trustees.

Open Session

Adjourn. There being no other business, Mr. Wilson adjourned the meeting at 10:08 a.m.

Submitted:

 2/9/2021
Date

Kim S. Bradley
Assistant Secretary to the Board
UNC Charlotte Board of Trustees

Approved:

 02.09.21
Date

Michael L. Wilson
Chair
UNC Charlotte Board of Trustees



UNC CHARLOTTE

The University of North Carolina at Charlotte
Board of Trustees

Academic and Student Affairs Committee Meeting
Tuesday, December 8, 2020, 10:30-11:30 a.m.
via Zoom Video Conference

Minutes

Present

Dennis N. Bunker III, Chair
Theresa Drew
Christine Katziff
David Mildenberg

Staff in Attendance

Kevin Bailey, Vice Chancellor for Student Affairs
Erin Banks, Assistant Dean for Undergraduate Research
Blaine Brownell, Director, School of Architecture
Abby Coffey, Graduate Student, Public Health
Shari Dunn, Senior Executive Assistant to the Chancellor
Melva Jenkins, Administrative Liaison for University Governance
Katie Kavanagh, Graduate Student, Organizational Science
Ming-Chun Lee, Associate Professor, School of Architecture
Joan F. Lorden, Provost and Vice Chancellor for Academic Affairs
Melina Richardson, Undergraduate Student, Biological Sciences
Rick Tankersley, Vice Chancellor for Research and Economic Development
Obianuju Udemadu, Undergraduate Student, Psychological Science
Leslie Zenk, Assistant Provost

Call to Order. Mr. Bunker called the meeting to order and reminded members of the Committee of their duty to avoid conflicts of interest and appearances of conflicts under the State Government Ethics Act in accordance with Chapter 138A of the North Carolina General Statutes and advised the Trustees to make him aware of any conflict of interest or any appearance of a conflict of interest with respect to any matters coming before the Committee at any time during the meeting. No conflicts of interest were reported.

Approval of Minutes. Mr. Bunker requested action on the minutes of the September 22, 2020, Academic and Student Affairs Committee meeting.

Action. On a motion by Ms. Katziff, seconded by Ms. Drew, the Committee approved the September 22, 2020, meeting minutes.

Research Spotlight: Discover Charlotte Neighborhoods through Augmented Reality. Dr. Tankersley and Provost Lorden introduced the new Director of the School of Architecture, Mr. Brownell, who introduced Dr. Lee, Associate Professor of Architecture. Dr. Lee described a set of projects conducted by a partnership among four organizations in Charlotte to develop a number of experimental Augmented Reality (AR) apps. Dr. Lee explained that digital visualization technologies are powerful tools to facilitate public participation in community planning and increase public engagement by providing comprehensible information to citizens and assisting them to express their preferences in an intuitive way.

Dr. Lee further explained that these collaborative projects demonstrate a new way to combine data visualizations, AR, and storytelling to engage community members in an effort to revisit the history of their neighborhoods and in turn to re-create a common ground for mutual understanding and consensus-building necessary for meaningful civic engagement and community development. Dr. Lee concluded by stating that the underlying principle behind these AR projects is the belief that innovative digital tools for information-sharing and broad-based public participation can help build inclusive, healthy, and livable communities.

Education: Office of Undergraduate Research. Provost Lorden introduced Dr. Banks, Assistant Dean for Undergraduate Research. Dr. Banks provided an overview of the Office of Undergraduate Research (OUR) at UNC Charlotte and shared her vision of the OUR and discussed current initiatives and programs including the new Undergraduate Research Journal. She also introduced current students who have been actively engaged in research and who have participated in many of the programs offered by the OUR to share their experiences.

Dr. Banks reported that the Office of Undergraduate Research supports undergraduate students through: 1) research grants, 2) opportunities to communicate their research to others through multiple research symposiums, 3) funding to national conferences to present their research, and 4) research exploration events. Prominent OUR programs include the Undergraduate Research Conference and the OUR Summer Research Program.

Other Business. Mr. Bunker continued to encourage committee members to contact Provost Lorden with suggested or desired topics for the Academic and Student Affairs Committee.

Adjourn. There being no further business before the Committee, Mr. Bunker adjourned the meeting.

Submitted: Joan F. Lorden 2/11/2021
Joan F. Lorden Date
Provost and Vice Chancellor for Academic Affairs

Approved: Dennis N. Bunker III 2/11/21
Dennis N. Bunker III Date
Chair
Academic and Student Affairs Committee



**The University of North Carolina at Charlotte
Board of Trustees**

**Facilities and Physical Properties Committee Meeting
Tuesday, December 8, 2020
Zoom Video Conference Meeting**

Open Session Minutes

Present

Fred W. Klein
Mary Ann Rouse
Susan DeVore
Carlos Sanchez
Michael Wilson (ex-officio)

Staff/Guests in Attendance

Chancellor Sharon L. Gaber
Kim Bradley, Chief of Staff
Beth Hardin, Vice Chancellor for Business Affairs
Jesh Humphrey, Vice Chancellor for Institutional Integrity and General Counsel
Jeff Jensen, Senior Associate General Counsel
Brandon Deleeuw, Director of OneIT
Betty Doster, Special Assistant to the Chancellor for Constituent Relations
Jon Varnell, Associate Vice Chancellor for Facilities Management
Kathryn Horne, Director of Facilities Planning
Anne Brown, Associate Vice Chancellor for Finance
Anna Clark, Executive Assistant to the Chief of Staff, Chancellor's Office
Greg Verret, Director of Treasury Services
Christopher Bates, Assistant Vice Chancellor for Administration
Nelda Tatum, Board and Committee Specialist

Call to Order. Mr. Klein called the meeting to order and reminded committee members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act, in accordance with Chapter 138A of the North Carolina General Statutes, and advised the committee members to notify him immediately if anyone should become aware of a conflict of interest or the appearance of a conflict of interest during the meeting. No conflicts of interests were reported.

Approval of the Minutes. Mr. Klein requested approval of the September 22, 2020, minutes of the Facilities and Physical Properties Committee (FPPC).

Action: On a motion by Ms. Rouse, seconded by Mr. Sanchez, the Committee unanimously approved the minutes for the September 22, 2020, FPPC meeting.

Resolution Regarding Delay or Termination of Capital Projects. Ms. Hardin indicated that this resolution creates a clear process for communicating with the committee on formal projects that may be delayed or canceled. She indicated that the committee agenda included projects related to the articles referenced in the policy. A consultation with the chancellor, board chair, and committee is required under this resolution.

Action: On a motion by Mr. Wilson, seconded by Ms. DeVore, the Committee recommended Board approval of the resolution to formalize communication protocols regarding delay or termination of capital projects.

Potential Delay of Project - East Village Infrastructure. Ms. Hardin and Mr. Varnell reviewed the East Village Infrastructure project designed to address vehicular congestion on the east side of campus and on campus, city, and state roads. The East Village Infrastructure project includes the realignment of John Kirk Drive and Cameron Boulevard, the installation of traffic signals, and the widening of Martin Village Road. This project started in 2013 in response to the East Village Master Plan study. In 2016, Chancellor Dubois sponsored the Congestion Task Force which recommended this project move forward. The East Village Master Plan projected this sector to become more congested than it is today.

The realignment of John Kirk Road will eliminate parking lot 6A. A separate project to expand Lot 5A to add parking spaces is planned.

Project funding is as follows:

UNC Charlotte	\$5.5 million
Charlotte Department of Transportation	\$1.8 million
NC Department of Transportation	\$ 500,000

Bids for the project were received on Nov. 4, 2020. The base bid plus the Martin Village Connector alternate exceeds the project budget by approximately \$1 million.

The University has discussed this project delay with UNC Charlotte Parking and Transportation Services, the City of Charlotte, and the North Carolina Department of Transportation.

Committee discussion ensued about the funding for the project. Ms. Hardin stated that UNC Charlotte Capital Infrastructure Development (CID) funds were being used. These funds are controlled by the University and can be used for other infrastructure projects on campus. Delaying the project may result in the loss of funding from Charlotte Department of Transportation and NC Department of Transportation.

Ms. Hardin indicated that there are other more pressing campus needs for these funds because of campus pandemic costs. Ms. Hardin also noted that the traffic volume in this area must be reevaluated post pandemic.

Bond Refunding. Ms. Hardin discussed a proposed bond refinancing transaction for the University, stating that current market conditions present an opportunity to refinance existing indebtedness to achieve debt service savings, noting further that an advance refunding of the Series 2013B bonds, the Series 2014 bonds, and the Limited Obligation Series 2015 bonds could produce net present value savings of approximately \$5.5 million over the life of the bonds. She stated that the refinancing transaction will replace the existing debt for the Greek Village housing facility within the University's affiliated entity, the Facilities Development Corporation (FDC), and will eliminate a rate covenant on the existing debt. She also noted that as part of this refinancing transaction, the University will use the refunding bond proceeds to exercise its option for acquiring the Greek Village housing facilities from the FDC.

Ms. Hardin noted that committee member Ms. Rouse has a long membership history with the FDC as one of its original board members and was a participant in the decision process for the Greek Village project. Mr. Verret added that the new debt would not be subject to a rate covenant and that the transaction is expected to have no impact to the University's credit rating. Ms. Hardin noted that the FDC board previously met to discuss the proposed transaction and approved the bond refunding and transfer of the Greek Village facilities to the University, and that the transaction would also require approval from the UNC System Board of Governors.

Action: On a motion by Ms. Rouse, seconded by Mr. Sanchez, the Committee recommended that the Board authorize the sale and issuance of the revenue bonds and the acquisition refinancing of the Greek Village housing facilities.

Request for Authorization of Capital Project - McColl Richardson Football Field Turf Replacement. Ms. Hardin stated that the surface of the McColl Richardson football field will be replaced with new synthetic turf. Ms. Hardin reported that the project will include re-grading the stone drainage material, and a shock pad will be installed below the turf. Ms. Hardin added that the new 49er logo will be included in the design of the surface.

Action: On a motion by Ms. DeVore, seconded by Ms. Rouse, the Committee recommended that the Board authorize the University to undertake a capital improvement project - McColl Richardson Football Field Turf Replacement with a budget of \$500,000.

Request for Authorization of Capital Project - Kennedy Second Floor Renovation. Ms. Hardin stated that Kennedy Second Floor will be renovated to provide space for Distance Education and the Audiovisual Integration and Support for Learning Environments (AISLE) group. Ms. Hardin added that these units complement the services provided by the Center for Teaching and Learning, also located on the second floor of Kennedy. Ms. Harding further reported that a plaque to honor the victims of the April 30, 2019, shooting will also be included. She concluded by stating that this project will be funded with institutional trust funds.

Action: On a motion by Ms. DeVore, seconded by Ms. Rouse, the Committee recommended that the Board authorize the University to undertake a capital improvement project - Kennedy Second Floor Renovation with a budget of \$500,000.

Request to Dispose of Real Estate by Easement - Duke Energy Easement for Cellular Antenna.

Ms. Hardin stated that this 144-square-foot easement to Duke Energy is to allow access to a pole-mounted transformer located at the intersection of W.T. Harris and Alumni Way at the edge of campus. Ms. Hardin reported that the existing power pole is not located within the existing utility right-of-way, and the transformer is needed to provide power to a new Verizon small-cell antenna which will improve connectivity and reliability for cellular service on campus. Ms. Hardin stated that there will be no cost to the university for this project.

Discussion ensued regarding possible revenue coming from the antenna and any potential future need to have the pole relocated. Mr. Varnell stated that the antenna to the pole does not warrant financial consideration and that the corner location (Johnson Alumni Way and E. W.T. Harris Blvd.) would be impossible to develop. There is little potential impact on development.

Committee member Mr. Sanchez recused himself from voting on this project for possible conflicts of interest.

Action: On a motion by Ms. DeVore, seconded by Ms. Rouse, the Committee recommends the Board authorize the University to Dispose of Real Estate by Easement at “no cost” to Duke Energy to access a pole-mounted electrical transformer.

UNC Charlotte Six-Year Capital Plan Update. Ms. Hardin and Mr. Varnell provided a detailed update of the six-year capital plan for the university using the materials provided in the board book. Ms. Hardin stated the plan is a legislative requirement for all universities in the system. Projects included are repair and renovation (R&R) focused.

The repair and renovation requests will focus on projects that extend the useful life and utilization of core-mission academic buildings and essential infrastructure.

A *Facilities Condition Assessment Program* (FCAP) was also shared with the committee. The University chose a firm outside the system to do this assessment. This report utilized assessment teams of architectural, mechanical and electrical engineering professionals to assess UNC Charlotte’s physical plant conditions. Repairs and renewals were identified for each asset.

Ms. DeVore asked how the university was ranked compared to other UNC campuses. Ms. Hardin stated that it is difficult to compare UNC Charlotte to others in the system because the University consistently reinvests in the campus. The University has less academic space than most campuses in the system.

Capital Improvement Projects Update. Mr. Varnell provided a summary of the campus facility condition assessment program which uses an outsourced vendor for support. He indicated that the campus includes both “old” and “new” assets, though commonly perceived as “new,” with an aggregate facility condition index of just over 20%. Ms. Hardin and Mr. Varnell gave an update on specific projects.

Remembrance Memorial

Ms. Hardin stated that the University expects some delay in this project relative to the original time frame. A request for qualifications has been issued. An artist/design team will be asked to create an interactive space that will be a signature, permanent feature of Belk Plaza. This commemorative space will integrate artwork and landscape design. Three to four artist/designer teams will be chosen to provide conceptual proposals. The jury will review and select an artist/design team to prepare a design. The chosen team will be announced on April 30, 2021. The university will proceed with the typical design and completion process.

Mr. Sanchez noted that the original deadline to receive qualifications was March 2020. The schedule has been adjusted and the finalist artist/design team will be announced in April. Kim Bradley stated that the commission has already issued and released a request for qualifications. It did not yield a positive response. The new timeline takes into account these delays.

Bioinformatics

This project is going out for bid. This is the largest project outside of the Science Building.

Lot 5A Expansion

This project is directly related to the East Village Infrastructure project. This project has not been bid but is waiting for the East Village project. This project has a design but not a bid.

JW Clay Modifications

Project temporarily delayed.

Fretwell Cafe Renovation

This project is continuing.

Popp Martin Student Dining Renovations

This project is continuing and more information about its progress will be forthcoming.

At the completion of the capital projects update, Mr. Klein inquired about the Phase XVI project. Mr. Varnell said there was no additional information to present today. Ms. Hardin stated that the University is working with a housing consultant to evaluate a series of options going forward. The pandemic has a significant impact on the University's financial priorities and this will impact our alternatives. The University's financial advisor and the UNC system office have been and will continue to be consulted as options are solidified.

Ms. Hardin continued that we will have a presentation on this project at the April 2021 Board meeting. Ms. Hardin mentioned having a possible interim update by the February meeting.

Adjourn

With no further business the meeting was adjourned at 11:32 am.

Submitted:



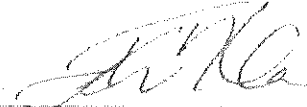
2/10/21

Elizabeth A. Hardin

Date

Vice Chancellor for Business Affairs

Approved:



2/10/21

Fred W. Klein

Date

Chair, Facilities and Physical Properties Committee



**The University of North Carolina at Charlotte
Board of Trustees**

Athletics Committee Meeting
Tuesday, December 8, 2020
Via Zoom Video Conference

Open Session Minutes

Present

Teross Young Jr., Chair
Sharon Decker
J. Brett Keeter
Tahlieah Sampson

Staff in Attendance

Anna Clark, Executive Assistant to the Chief of Staff
John Cullen, Head Women's Soccer Coach
Mike Hill, Director of Athletics
Ragean Hill, Executive Associate Athletic Director
Kevin Langan, Head Men's Soccer Coach
Sam Perelman, Assistant to the Executive Staff, Athletics
Allison Roach, Athletic Executive Assistant

Call to Order. Mr. Young called the meeting to order and reminded members of the Committee of their duty to avoid conflicts of interest and appearances of conflicts under the State Government Ethics Act in accordance with Chapter 138A of the North Carolina General Statutes and advised the Trustees to make him aware of any conflict of interest or any appearance of a conflict of interest with respect to any matters coming before the Committee at any time during the meeting. No conflicts of interest were reported.

Approval of Minutes. Mr. Young requested action on the September 22, 2020 Athletics Committee meeting minutes.

Action. On a motion by Mr. Keeter, seconded by Ms. Decker, the Committee unanimously approved the September 22, 2020, Athletics Committee meeting minutes.

Looking Ahead to Spring Soccer Season. Mr. Cullen conveyed how impressed he had been with this team adapting to change in the spring semester. He reported that the women finished with a 3.68 GPA for the spring. Mr. Cullen added that he and the staff had conducted weekly video meetings with the players to motivate them and keep lines of communication open. Mr Cullen

concluded by stating that women's soccer added thirteen new players.

Mr. Langan explained how the spring season would look for men's soccer, indicating that Conference USA voted not to accommodate a conference championship and the regular season champion will receive the automatic bid to the NCAA tournament. Mr. Langan reported that men's soccer lost two graduating players.

Mr. Hill praised Messers. Cullen and Langan for their leadership through these uncharted waters. 2024 NCAA Men's Basketball 1st and 2nd Rounds. Ms. Hill reported that UNC Charlotte will be co-hosting the 1st and 2nd rounds of the 2024 NCAA Men's Basketball tournament with the CRVA, Spectrum, and Charlotte Sports Foundation. She stated that the expectation is that COVID-19 will be gone by the 2024 tournament resulting in no interruptions. Ms. Hill reported that hosting the tournament provides a huge economic impact for the city of Charlotte along with being a great recruiting tool for Charlotte Athletics. She further reported that the maximum honorarium due to Charlotte Athletics is capped at \$200k, which has been awarded fully in years past. Ms. Hill reported that UNC Charlotte had considered bidding on the Women's Final Four, however, it was not economically feasible.

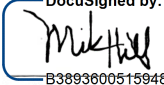
Shifting NCAA Landscape. Mr. Byrd explained the changes to legislation within the NCAA reporting that some rules have changed due to COVID-19, while others are in the making. Mr. Byrd reported that the dead period is the most substantial change which mandates no off campus recruiting and recruits cannot come to campus, meaning all recruiting must take place virtually. Mr. Byrd added that all players have been given an additional year of eligibility. He concluded by reporting that Fall 2020 NCAA championships will be moved to 2021 and brackets will be filled at 75% of normal capacity.

Name, Image and Likeness. Mr. Perelman presented the overview of the concepts behind the new Name, Image and Likeness (NIL) laws up for vote which will mandate that all athletes will be required to disclose if they use their NIL to promote camps, clinics, private lessons, or other commercial products or services, for which they receive payment. Mr. Perelman indicated that the new NIL laws will result in changes in the work process of the compliance department.

Athletic Department Update. Mr. Hill explained the dynamics behind shutting down football for two weeks due to the pandemic. He reported that Men's Cross County was crowned Conference USA Champions, and the women's team received second place. Mr. Hill then reported that two family members per player will be allowed to attend basketball games, though that is subject to change according to state and local guidelines. Mr. Hill also reported that the NCAA granting an additional year of eligibility for all student athletes will require \$600k.

Ms. Decker and Mr. Teross thanked Mr. Hill and staff for their leadership and efforts during these times.

Adjournment. There being no further business, Mr. Teross adjourned the meeting.

Submitted:  02/24/2021 | 1:04 PM EST
B3893800515948C...
Mike Hill Date
Director of Athletics

Approved:  2/11/2021
Teross W. Young Jr. Date
Chair



UNC CHARLOTTE

The University of North Carolina at Charlotte Board of Trustees

Tuesday, December 8, 2020
via Zoom Video Conference

Open Session Minutes

Present

Michael L. Wilson, Chair
Dennis N. Bunker III
Sharon Allred Decker
Susan D. DeVore
Theresa J. Drew
Christine P. Katziff
J. Brett Keeter
Fred W. Klein Jr.
David W. Mildenberg
Mary Ann Rouse
Tahlieah K. Sampson
Carlos E. Sanchez
Teross W. Young Jr.

Staff/Guests in Attendance

Sharon L. Gaber, Chancellor
Joel Avrin, Faculty Council President
Kevin Bailey, Vice Chancellor for Student Affairs
Jeff Baker, Chief of Police
Jesse Beaman, Assistant Vice Chancellor for Enterprise Infrastructure
John Bogdan, Associate Vice Chancellor of Safety and Security
Kim Bradley, Chief of Staff and Assistant Secretary to the Board
Mike Carlin, Vice Chancellor for Information Technology
Anna Clark, Executive Assistant to the Chief of Staff
Celeste Corpening, Staff Council Chair
Betty Doster, Special Assistant to the Chancellor for Constituent Relations
Shari Dunn, Senior Executive Assistant to the Chancellor
Sarah Edwards, Associate General Counsel
Beth Hardin, Vice Chancellor for Business Affairs
Mike Hill, Director of Athletics
Jesh Humphrey, Vice Chancellor for Institutional Integrity and General Counsel
Melva Jenkins, Administrative Liaison for University Governance
Joan Lorden, Vice Chancellor for Academic Affairs
Ken Smith, University Budget Director
Niles Sorensen, Vice Chancellor for University Advancement
Cheryl Waites Spellman, Interim Special Assistant to the Chancellor for Diversity and Inclusion
Rick Tankersley, Vice Chancellor for Research and Economic Development

Call to Order. Mr. Wilson called the meeting to order and reminded members of their duty to avoid conflicts of interest and appearances of conflicts of interest under the State Government Ethics Act, in accordance with Chapter 138A of the North Carolina General Statutes, and advised the Committee members to notify him immediately if anyone should become aware of a conflict of interest or the appearance of a conflict of interest during the meeting. No conflicts of interest were reported.

Introductions and Announcements. Mr. Wilson thanked everyone for joining the meeting before sharing the following announcements:

- All 2020 graduates (May, August, and December) will be honored with a virtual celebration on Friday, January 8, 2021. The ceremony pre-show will begin at 5:49 pm with the ceremony starting at 6:00 pm
- UNC Charlotte's Doctorate in Business Administration was recognized as #1 on Great Business Schools' rankings of Most Affordable DBA programs
- "From Ideas to Answers" is Chancellor Gaber's LinkedIn series that features UNC Charlotte's robust research enterprise. This month's column highlights research from the Belk College of Business's Childress Klein Center for Real Estate (CKCREE), specifically, CKCREE's recent report, "The 2020 State of Housing in Charlotte"
- Dr. Gaber will be the keynote speaker for the Charlotte Rotary Club meeting on January 26 at 12:00 pm. It is TBD whether it will be live or virtual but trustees will receive an update with connection information or location as soon as it is finalized
- Charlotte 49ers redshirt defensive end Tyrig Harris has been selected as one of the 12 finalists for the prestigious National Football Foundation's 2020 William V. Campbell Trophy presented by Mazda

Approval of Previous Meeting Minutes. Mr. Wilson requested action on the open and closed minutes of the September 22, 2020 meeting as distributed.

Action. On a motion by Mr. Bunker, seconded by Mr. Sanchez, the Board approved the September 22, 2020, minutes as distributed.

Update on Chancellor Onboarding. In his capacity as chair of the Chancellor Transition Team, Mr. Bunker gave an update on the status of Chancellor Gaber's onboarding engagement plan. He reported that since her arrival in July, Chancellor Gaber has engaged a total of 4,600 constituents, which is very impressive given that most of the engagement has been virtual and with groups of one to three people, if in-person. Mr. Bunker concluded his remarks by encouraging trustees to leverage their connections within the business and philanthropic communities to make introductions for Chancellor Gaber.

Remarks by the Chancellor. Chancellor Gaber began by reporting on the efforts to keep the campus safe during the fall semester, which have included daily health checks, testing, waste water surveillance, contact tracing, and administering flu shots.

Chancellor Gaber then discussed the spring semester, reporting that decisions will continue to be made with the health and safety of the campus as the top priority. Chancellor Gaber highlighted proposed key dates and emphasized that nimbleness and flexibility will be required as decisions made in January will be based on the county's COVID-related data. Chancellor Gaber also provided information about the required COVID re-entry testing, as well as ongoing surveillance testing.

Next, Chancellor Gaber reported that she has asked Dr. Tankersley to chair a 25-member commission to explore the pathway to becoming a Carnegie R1 institution. The focus of the commission will be an R1 gap analysis and identification of key strategies to accelerate research growth and identification of five to six areas of research excellence.

Chancellor Gaber then reported on the branding initiative recently undertaken by the University, and concluded with information on the process and timeline of the Niner Nation Memorial, which has a final design announcement target of April 30, 2021.

Strategic Planning Update. Chancellor Gaber began her update on the strategic planning process by reminding the Board about three key facts regarding the process: deliverables, deadline, plan's horizon. She reported that the process will be completed by March 22, 2021 and ready to present to the Board of Trustees at the April 6 meeting.

Chancellor Gaber identified the three stages of the planning process as discovery and analysis; building and testing; and, refining, vetting, and finalizing. She reported that we have nearly finished the discovery and analysis phase and have begun to build initial designs of what the plan will include.

Chancellor Gaber then addressed the concerns expressed by some about why we are doing strategic planning in the midst of a pandemic, stating that now is the absolute right time to plan for the future in order to be proactive and strategic about creating and achieving the future for UNC Charlotte that we desire. Chancellor Gaber advised that this 10-year plan will extend beyond the immediate COVID crisis and position UNC Charlotte for success in a post-COVID world. She stressed the importance of the plan and implementation process to be both flexible and dynamic.

Next, Chancellor Gaber reported that the level of engagement of the multiple stakeholder groups was very high and that feedback revealed the top five responses for both important strengths and areas of focus for the next 2-3 years, as well as what longer term goals should be. Chancellor Gaber also shared the primary and secondary emerging themes for the 10-year goals for the University.

Chancellor Gaber concluded by identifying the next steps in the planning process, and recognizing that the Strategic Planning Committee is deeply engaged and making good progress.

Budget Update. Mr. Smith provided an update on the budget, indicating that the FY21 budget is less than last year's budget, revealing that the reality of the last few months was different from what was planned. Mr. Smith explained that nearly 80% of revenue comes from tuition, athletics, and other auxiliary units, all of which have been affected by the pandemic. Mr. Smith further clarified that the decreased enrollment and tuition for non-resident students has resulted in lost revenue but indicated that we should be able to recuperate funds next year with state appropriations.

Discussion ensued about future plans and decisions regarding the budget geared around normalization from this difficult situation when that time comes. Chancellor Gaber ensured that we will carefully monitor the budget, although it is difficult to predict what will happen in the future.

2021-2022 Tuition and Fees. Chancellor Gaber began her report by providing an overview of the uses of tuition and fee funding. She then highlighted the key considerations that guided the process to set tuition and fee rates this year.

After providing an overview of the system office's parameters for 2021-2022, Chancellor Gaber reported there are no recommended increases for tuition. She then presented the recommended FY 2021-2022 fees for the Board's approval, which only entailed an \$88 increase to the Student Health Fee. Chancellor Gaber then discussed the matriculation fee, which is under her authority and will be increased by \$25 to \$150, effective FY22. Lastly, Chancellor Gaber informed the Board of the status of housing and dining rates, reporting that there will be no housing rate increases for FY2022 and that dining rates will be finalized and approved during the Spring semester.

Discussion ensued regarding the mandatory increase needed to meet a growing demand.

Mr. Wilson requested a motion to approve the proposed tuition and fee adjustments for FY 2021-2022.

Action. On a motion by Mr. Bunker, seconded by Mr. Sanchez, the Board approved the proposed tuition and fee adjustments for FY 2021-2022, with a 12-1-0 vote.

IT Security. Dr. Carlin provided the annual IT security report by giving an overview of how the University defends against cyber attacks, limits the effects of a security incident, and ensures the continuity of University operations during and after an attack. Dr. Carlin explained that the top three threat vectors are phishing, malware, and vulnerability exploitation of operating systems. Dr. Carlin then highlighted OneIT's five-part endpoint IT security structure, including advanced malware protection, Domain Name System (DNS) protection services, endpoint hardening, patching, and vulnerability scanning. He provided the Board with an overview of some of the specific products and protocols that are implemented, as well as the level of daily threats that OneIT successfully thwarts.

Discussion ensued regarding the protocols for when threats occur and Dr. Carlin confirmed that there is set criteria and consistent internal tabletop exercises and testing of these processes and protocols to ensure security. Dr. Carlin also confirmed that information about compromises that are not common is shared amongst system and other external peer groups, which enables everyone to remain vigilant of new threats.

Clery Act Requirements and Campus Safety (Education) and Clery Report. Ms. Edwards reviewed the background, context, and requirements of the Clery Act. She then reported that the required Annual Security Report (ASR) submission date, usually October 1, was extended to the end of December this year due to the pandemic.

Ms. Edwards stated that Police and Public Safety compiles the ASR each year with input from Legal Affairs, Dean of Students Office, Title IX Office, CAPS, and numerous others on campus. Ms. Edwards reported that the federal government rescinded the Clery handbook in October 2020 but the new administration may reinstate it.

Next, Chief Baker reviewed statistics from the 2019 Annual Security Report, explaining that the violent crimes numbers reflect the charges related to April 30, 2019. Chief Baker also reported that none of the weapons violations involved our students, faculty, or staff. Discussion ensued regarding the increase in alcohol-related statistics in the last year. Chief Baker reported that there was nothing that could pinpoint the increase. Ms. Edwards added that disciplinary referrals were lower this year.

Report of the Facilities and Physical Properties Committee. Mr. Klein reported that the Committee approved a resolution under committee authority, and discussed the potential delay of a capital project. Mr. Klein then presented a few items requiring full board authorization.

Bond Refinancing. Mr. Klein reported that the Committee had authorized the sale and issuance of the revenue bonds and the acquisition refinancing of the Greek Village housing facilities and presented a motion from the Committee for Board approval.

Mr. Wilson called for action on the Committee motion for authorization of the sale and issuance of the revenue bonds and the acquisition refinancing of the Greek Village housing facilities.

Action. The Board unanimously authorized the sale and issuance of the revenue bonds and the acquisition refinancing of the Greek Village housing facilities.

Request for Authorization of Capital Project – McColl Richardson Football Field Turf Replacement. Mr. Klein reported that the Committee had approved the request for authorization to undertake a capital improvement project – McColl Richardson Football Field Turf Replacement with a budget of \$500,000.

Mr. Wilson called for action on the Committee motion for authorization to undertake a capital improvement project – McColl Richardson Football Field Turf Replacement with a budget of \$500,000.

Action. The Board unanimously approved the request for authorization to undertake a capital improvement project – McColl Richardson Football Field Turf Replacement with a budget of \$500,000.

Request for Authorization of Capital Project – Kennedy Second Floor Renovation. Mr. Klein reported that the Committee had approved the request for authorization to undertake a capital improvement project – Kennedy Second Floor Renovation with a budget of \$500,000 and presented a motion from the Committee for board approval.

Mr. Wilson called for action on the Committee motion for authorization to undertake a capital improvement project – Kennedy Second Floor Renovation with a budget of \$500,000.

Action. The Board unanimously approved the request for authorization to undertake a capital improvement project – Kennedy Second Floor Renovation with a budget of \$500,000.

Request to Dispose of Real Estate by Easement – Duke Energy Easement for Cellular Antenna. Mr. Klein reported that the Committee had approved the request for authorization to dispose of real property by easement at “no cost” to the Duke Energy to access a pole-mounted electrical transformer and presented a motion from the Committee for Board approval.

Mr. Wilson called for action on the Committee motion for authorization to dispose of real property by easement at “no cost” to the Duke Energy to access a pole-mounted electrical transformer.

Action. The Board approved the request for authorization to dispose of real property by easement at “no cost” to the Duke Energy to access a pole-mounted electrical transformer with a vote of 12-0-1, with one recusal.

Mr. Klein then reported that the Committee reviewed the six-year capital plan and capital improvements summary.

Report of the University Faculty Council. Mr. Avrin provided a summary of highlights of his written report of the Faculty Council, including the activities and focus of the Fall Planning Advisory Group (FPAG), the new Pass/No Credit policy, and recommendations for the balance between synchronous and asynchronous online courses.

Report of the University Staff Council. Ms. Corpening provided highlights of the staff council's recent activities, including participation in the strategic planning and branding processes, the UNC Board of Governor's Racial Equity Task Force process, and attending the quarterly staff assembly meeting. Ms. Corpening also reported that voting for staff council officers, and all even numbered area representatives will take place in December. Ms. Corpening concluded with an update on issues brought to the attention of the staff council at the last meeting, and reported that the Staff Council continues to work with the Business Affairs communications team for guidance on how to address the concerns of staff regarding parking, Niner Health Check, flu attestation protocols, and COVID-19 testing and work accommodations.

Report of the Student Government Association. Ms. Sampson reported that the Student Government Association (SGA) members met with state legislators on November 10 for the Association of Student Governments (ASG) Advocacy Day and discussed several issues, including student emergency funds, availability of financial aid, and having a student vote on the UNC System Board of Governors.

Ms. Sampson then addressed the pass/no credit option and stated that the student body is thankful that faculty agreed to move forward with it. Ms. Sampson concluded by stating that the SGA was extremely grateful for having the opportunity to participate in the meetings and advocate for the needs of the student body.

Report of the Executive Committee. Mr. Wilson advised the Board that all of the Executive Committee business was in closed session.

Report of the Audit, Compliance, and Enterprise Risk Management Committee. Ms. Drew reported that the ACERM Committee was pleased to have several exception report items cleared. She then reported that the Committee received updates and reports from Internal Audit, including a review of its annual budget, Compliance, the Division of Institutional Integrity's organizational structure, and Enterprise Risk Management.

Report of the Academic and Student Affairs Committee. Mr. Bunker reported that the Committee received a Research Spotlight presentation from Associate Professor Ming-Chun Lee, who described a set of projects conducted by a partnership among four organizations in Charlotte to develop a number of experimental Augmented Reality (AR) apps. Mr. Bunker explained that the underlying principle behind these AR projects is the belief that innovative digital tools for information-sharing and broad-based public participation can help build inclusive, healthy, and livable communities.

Mr. Bunker reported that the Committee also received a presentation from Assistant Dean for Undergraduate Research Erin Banks and three students providing an overview of the Office of Undergraduate Research (OUR).

Report of the Athletics Committee. Mr. Young reported that the Committee received updates from the men's and women's soccer coaches, who shared that the teams will not compete until February but they continue to help the student athletes focus on their physical and academic journey. He then reported that UNC Charlotte has been awarded the 1st and 2nd rounds of the 2024 NCAA Division I Men's Basketball Tournament at Spectrum Center, which will have a significant impact on the Charlotte community, as well as UNC Charlotte in terms of recruiting athletes.

Mr. Young also reported that the Committee received an overview of the shifting NCAA compliance landscape. Lastly, he summarized the presentation on the Name, Image, and Likeness legislation, which will allows athletes to promote camps and clinics, private lessons, and their own products and services, as well as receive payment for autographs and personal appearances.

Motion to Convene in Closed Session. Mr. Wilson called for a motion to convene in closed session, inviting Cabinet members to stay.

Action. On a motion by Mr. Bunker, seconded by Ms. Drew, the Board convened in closed session pursuant to the following General Statutes of the State of North Carolina:

- a. *Pursuant to N.C.G.S. §143-318.11(a)(1), to prevent the disclosure of information that is privileged or confidential pursuant to the laws of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, such privilege or confidentiality arising under the Family Educational Rights and Privacy Act (20 U.S.C. §1232g) or N.C.G.S. Ch. 126, Art. 7;*
- b. *to consult with and receive advice from counsel pursuant to N.C.G.S. §143-318.11(a)(3);*
- c. *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 pursuant to N.C.G.S §143-318.11 (a)(6);*
- d. *to prevent the premature disclosure of an award pursuant to N.C.G.S. §143.318.11(a)(2).*

Closed Session

Closed session minutes are filed in the office of the Assistant Secretary to the Board of Trustees.

Open Session

Adjourn. There being no further business to come before the Board, Mr. Wilson adjourned the meeting at 2:47 p.m.

Submitted:

Kim S. Bradley 2/9/2021
Kim S. Bradley Date
Assistant Secretary to the Board
UNC Charlotte Board of Trustees

Approved:

Michael L. Wilson 02.09.21
Michael L. Wilson Date
Chair
UNC Charlotte Board of Trustees