BOARD OF TRUSTEES
THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO

April 10, 2008

INFORMATION:
Joint School of Nanoscience and Nanoengineering Update
(Management Agreement, Founding Dean Search, Degree Proposals)

BACKGROUND INFORMATION:

In order to meet the state’s increasing need for a well-educated, prepared workforce in nanoscience and nanoengineering, North Carolina Agricultural and Technical State University (NCA&T) and The University of North Carolina at Greensboro (UNCG) have received permission from the UNC Board of Governors to establish a Joint School of Nanoscience and Nanoengineering (JSNN). This joint initiative, to be located on the South Campus of the Gateway University Research Park, will build on the strengths of the two universities to offer cross-disciplinary masters and doctoral programs, and to drive research and economic development in Greensboro, in the Triad, in North Carolina and beyond. It will shape the economic future of Greensboro and position it at the cutting edge of some of the most exciting developments in the sciences and engineering in the twenty-first century. The General Assembly has appropriated $50 million in non-recurring capital funding to construct the JSNN building, $8 million in non-recurring equipment funding, and $1.4 million in recurring funding for operating costs. An additional $2.9 million in recurring funding for operating costs has been included in the 2008-09 budget priorities by General Administration. Requests to Plan the PhD and MS degrees in nanoscience have been reviewed and approved by the Graduate Council of UNC. A Management Agreement, which addresses mission and organizing principles, governance, administration, the dean and faculty, curriculum/degrees, support services, contingencies, and amendments/modifications, has been written and approved/signed by the NCA&T and UNCG Chancellors. The search for a founding dean is underway and being coordinated by a professional search firm (Baker & Associates) and finalists have been identified for campus interviews. It is anticipated that a founding dean will be in place during the summer of 2008.

David H. Perrin
Provost and Vice Chancellor for Academic Affairs
MANAGEMENT AGREEMENT

Providing for the Governance and Management of the

North Carolina Agricultural and Technical (NCA&T) State University
The University of North Carolina at Greensboro (UNCG)
Joint School of Nanoscience and Nanoengineering

March 3, 2008
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NCA&T/UNCG Joint School of Nanoscience and Nanoengineering

Management Agreement

North Carolina A&T State University (NC A&T) and the University of North Carolina at Greensboro (UNCG) agree to the following provisions for the management and operation of the NCA&T/UNCG Joint School of Nanoscience and Nanoengineering (JSNN or School).

Article 1: Mission and Organizing Principles

Mission. The mission of the JSNN is to train students to conduct basic and applied research in nanoscience and nanoengineering; offer joint interdisciplinary Ph.D. degrees and joint professional master’s degrees (M.S.); strengthen the representation of nanoscience and nanoengineering in undergraduate and K-12 education; provide training for scientists and engineers already in the workforce; engage in activities that influence economic development globally; and link to the entrepreneurial activities at both campuses to better transfer innovation to practice.

Organizing Principles. NCA&T and UNCG are committed to the principle that the JSNN is a shared academic unit of the two institutions in terms of governance, faculty, students, curriculum, and management. The JSNN will have the same status as other colleges/schools at the respective partner universities. JSNN faculty will complement existing strengths on both campuses. The School will be housed on the South Campus of the Gateway University Research Park, a collaborative initiative between the two universities. Neither university may commit the JSNN to any activity, service, or other obligation, financial or otherwise, without the written consent of the other partner university.

Article 2. Governance

JSNN Dean. The Dean of JSNN will be appointed by and report to the Provosts of NCA&T and UNCG. The Dean will be responsible for providing academic and administrative leadership for JSNN.

Academic Advisory Council. A JSNN Academic Advisory Council, composed of the Chief Academic Officers, the Chief Research Officers, the Graduate School Deans, the Deans of Arts and Sciences and the Dean of Engineering at the partner universities will meet at least once each semester to advise the Dean on issues of mission and management.

Professional Advisory Council. A JSNN Professional Advisory Council, appointed by the Dean to represent regional interests in nanoscience and nanoengineering, will meet at least once each semester to advise the Dean on issues of regional needs.
**Academic Organization.** JSNN's academic departments and offices will report to the Dean following expected academic organizational structure and have all rights and responsibilities as other academic departments in other schools/colleges at the partner universities.

**Collaboration.** JSNN can collaborate with any other schools or departments at the partner universities to develop shared curricula, research, service, or other mission-related activities following established policies and procedures governing such collaborations.

**Transition.** The Dean of JSNN will be responsible for working with the appropriate administrators from the partner institutions to develop transition processes for fiscal, personnel, curricular, research administration, and student management matters as needed during JSNN's start-up period.

**Article 3. Administration**

**Facilities.** JSNN will be housed in a new building to be built and managed by the Gateway University Research Park on the South Joint Millennium Campus under the terms of the existing Management Services and Development Agreement.

**Fiscal Management.** NCA&T will act as the financial manager for JSNN, using a budget account code established for the JSNN. JSNN will follow all NCA&T budget and fiscal management policies and procedures. The budget for the JSNN must be approved by the NCA&T and UNCG Provosts. An annual internal audit of the JSNN will be provided to the partner institutions for review by the Provosts and Chief Financial Officers of NCA&T and UNCG.

**Personnel Management.** NCA&T will also act as personnel manager for JSNN. For purposes of payroll and human resources administration, all faculty and staff will be NCA&T employees and are subject to NCA&T policies and procedures for position classification, compensation, benefits, sick leave, and other human resource provisions. In all other respects, JSNN faculty and staff are regarded as representing the two universities equally.

**Enrollment/Student Services.** UNCG will administer all student services and enrollment management functions (such as admissions, financial aid, registration, transcripts, international students, and grievance policies).

**Enrollment Growth Committee/Funds.** The JSNN Enrollment Growth Committee will be composed of the Dean and a designee appointed by each Provost. Any Enrollment Growth funds will be received directly by the JSNN.

**Tuition/fees.** JSNN will recommend Campus Initiated Tuition Increases for JSNN courses as approved by the two Provosts. A separate fee structure will be established for the JSNN. The fees will go to the institutions for services provided by them (e.g.
Activities Fee), or retained by JSNN for services it will provide (e.g. E&T related items). Revenues will be collected by the cashier at UNCG and remitted to NCA&T in keeping with that institution’s fiscal management as described above. The tuition and fee rate approvals will follow General Administration required policies and procedures.

**Grant Administration.** Grant administration for JSNN will be managed by both NCA&T and UNCG as a “neutral” activity for both campuses. Said differently, both NCA&T and UNCG benefit equally from grants submitted by and awarded to faculty at JSNN. Each item related to grant administration will be carefully considered so that in all instances no benefit will be obtained by the campus managing the submissions or awards. Below are listed the basic elements of this plan.

- Faculty at JSNN will be allowed to submit grants through either the research administration office at NCA&T or UNCG. The faculty member will choose. Both offices will function only in a service capacity. Both offices are in the process of implementing the electronic research administration software from UNC-CH so the process for grant submission will be similar on both campuses.

- The F&A rate for JSNN will be based on the rate at both campuses. Currently the rate for NCA&T is 40% and UNCG is 39.5%. The rate for JSNN will be 40%.

- F&A from JSNN grants will be distributed as it is at NCA&T and UNCG: 20% will go to JSNN and the remainder kept centrally. Of that kept centrally, half will go to NCA&T and half to UNCG. JSNN will determine the distribution of the 20% between departments and PIs.

- The value of all grants submitted by and awarded to JSNN will be distributed equally between NC A&T SU and UNCG to count in their respective records. Further, the awards would be halved for each funding agency.

- JSNN will hire its own post-award administrator coordinator. Overall responsibility for post-award administration will be at NC A&T SU.

**Management of Compliance at JSNN**

- JSNN faculty will go through NCA&T’s Institutional Animal Care and Use Committee (IACUC) for work involving animal subjects.

- JSNN faculty will go through UNCG’s Institutional Review Board (IRB) for work involving human subjects.

- JSNN faculty will go through NCA&T’s Radiation Safety Committee.

- JSNN faculty will go through UNCG’s Biosafety Committee.
• JSNN will use UNCG’s Conflict of Interest policy and associated guidelines for managing conflicts.

• JSNN faculty will use the Export Control Plan at NCA&T.

• JSNN faculty and students may utilize the training programs at either campus. They will choose.

Management of Intellectual Property at JSNN

• JSNN faculty may use the Office of Technology Transfer at either UNCG or NCA&T. JSNN faculty have the option to choose the Office of Technology venue.

• Any fees or patent costs for intellectual property-related activities for JSNN faculty will be paid by NCA&T or UNCG from the retained F&A.

• A Memorandum of Understanding for sharing intellectual property generated by JSNN faculty will be developed jointly by the Offices of Technology Transfer at NCA&T and UNCG. It will allow both campuses to share equally, as well as provide for sharing with the inventors.

Administrative Services. It is expected and understood that JSNN will compensate the institution that provides the aforementioned administrative services.

Article 4. Dean and Faculty

Dean Appointment. The dossier of any externally-hired dean will be forwarded by each Provost to their respective campus P&T committees for review and recommendation. The dean is tenured as a faculty member at both institutions. The dean’s performance will be reviewed annually by both provosts. The position is classified within the UNC System as a Senior Academic and Administrative Officer (SAAO).

JSNN Faculty Appointments. All JSNN faculty (ranked, tenured, tenure-track, non-tenure track) will hold appointments in JSNN.

Joint Faculty Appointments. Any UNCG or NCA&T faculty who wish joint appointments at JSNN will follow established UNC and relevant institutional policies.

Faculty Committees/Governance. JSNN faculty will be expected to establish appropriate JSNN committees for admissions, curriculum, search, due process, grievance, and promotion and tenure and will have all governance rights and responsibilities as faculty at either partner institution. JSNN faculty will have the appropriate representation as any other school/college on NCA&T and UNCG Faculty Senates.
Campus Representation. JSNN will have the same representation as any other school/college at either partner institution for all other campus functions and activities (such as alumni, development, strategic planning, assessment).

Faculty Privileges. JSNN faculty will have faculty privileges (such as library, IT, parking, bookstore, recreation) at both institutions.

Reappointment, Promotion and Tenure Criteria and Procedures. JSNN will establish its own reappointment, promotion, and tenure criteria and procedures to be approved by both NCA&T and UNCG Boards of Trustees, Faculty Senates, and Provosts as would be required by any school/college at either university.

JSNN faculty P&T dossiers will be reviewed at the appropriate JSNN department and school levels following approved JSNN policies. The JSNN Dean will submit a recommendation for or against reappointment, promotion and/or tenure to the Provosts of the partner institutions.

Dossiers will then be reviewed by both Provosts. In the case of promotion and/or tenure, the Provosts will refer them on to the appropriate campus P&T committee for review and recommendation. Any disagreements between the two campus P&T committees will be resolved by the Provosts or, if not, referred on to the Chancellors and, if necessary, to the Chief Academic Officer for the UNC General Administration.

The Chancellors of both institutions will jointly make reappointment decisions after receiving recommendations from the Provosts. They will recommend promotion and/or tenure to the Boards of Trustees at NCA&T and UNCG. Tenure will be awarded in both institutions as established by current policy.

Appeals of Reappointment Denial. The Chancellors shall jointly establish procedures for hearings by the JSNN faculty Due Process Committee in cases of nonreappointment. This review is limited to determining whether the decision not to reappoint was based upon any of the grounds stated to be impermissible in the Code of the Board of Governors. Subject to limitations contained in the Policies of the Board of Governors, a faculty member may appeal to the Board of Governors the decision of the Chancellors not to reappoint the faculty member.

Appeals of Tenure Denial. In cases of denial of tenure by the Chancellors, JSNN faculty members may seek review of the decision by the Board of Governors’ Committee on Promotion and Tenure in accordance with Section 301D of the Code of the Board of Governors, as it may be amended from time to time.

Appeals of Promotion Denial. In cases of denial of promotion by the Chancellors, JSNN faculty members may seek review of the decision by the Faculty Grievance Committee, as described in “Hearing of Faculty Grievances” below, and in accordance
with Section 607 of the Code of the Board of Governors, as it may be amended from time to time.

**Post-Tenure Review of JSNN Faculty.** JSNN will establish its own post-tenure review policy and procedures, to be approved by both NCA&T and UNCG Boards of Trustees, Faculty Senates, and Provosts. The policy and procedures shall be consistent with the Board of Governors policy, “Performance Review of Tenured Faculty” (Policy 400.3.3), and its corresponding guidelines (400.3.3.1[G]), as it may be amended from time to time.

**Due Process Before Discharge or Serious Sanctions.** A JSNN faculty member who is the beneficiary of institutional guarantees of tenure may be discharged or suspended from employment or diminished in rank only for reasons of incompetence, neglect of duty, or misconduct of such a nature as to indicate that the individual is unfit to continue as a member of the faculty. Such penalties may be imposed only upon the agreement of both Provosts, who will jointly send the faculty member a written statement of intention to discharge the faculty member. The statement shall include notice of the faculty member’s right, upon request, to both written specification of the reasons for the intended penalty and a hearing by the JSNN faculty Committee on Due Process. The Provosts shall jointly respond to requests for specifications of reasons for the proposed penalty, establishment of a hearing, and participation in hearings. Recommendations of the faculty Due Process Committee will be forwarded to both Chancellors. Subsequent appeals will be addressed by the two Boards of Trustees. The boards may delegate the duty of conducting a hearing to a joint subcommittee of at least three members from each board.

When a faculty member has been notified of the decision to discharge the faculty member, he or she may be suspended with pay at any time (and the suspension continued until a final decision concerning discharge has been reached) if agreed upon by both Chancellors. All decisions and procedural steps in regard to discharge and serious sanctions must be consistent with Section 603 of the Code, as it may be amended from time to time.

**Termination of Faculty Employment due to Financial Exigency or Program Curtailment.** The tenure policies of the JSNN shall provide that the employment of faculty members with permanent tenure or faculty members appointed to a fixed term may be terminated because of (1) demonstrable, bona fide institutional financial exigency or (2) major curtailment or elimination of a relevant teaching, research, or public-service program. The determination of either of these conditions shall be made jointly by the Chancellors, after consulting with the academic administrative officers and faculties as required by the Code of the Board of Governors, Section 605 C(1), subject to the concurrence by the President and approval by the Board of Governors, as it may be amended from time to time. All procedures for termination must also be consistent with Section 605, as it may be amended from time to time.

**Hearing of Faculty Grievances.** The Chancellors shall jointly provide for the establishment of a JSNN Faculty Grievance Committee and procedures governing how
grievances shall be heard. Committee membership, charge, and procedures shall be consistent with Section 607 of the Code, as it may be amended from time to time.

Article 5. Curriculum/Degrees

Degrees. Degrees will be awarded jointly by NCA&T and UNCG, certified by a JSNN diploma bearing the names of both universities. Degrees will be awarded at a JSNN Commencement Ceremony. Faculty and graduates may also attend either or both NCA&T and UNCG commencement ceremonies. For degree productivity, graduates will be split equally between both institutions.

Curriculum Approval Process. JSNN courses and curricula will be approved by the appropriate JSNN curriculum committee(s) and forwarded for review and approval through NCA&T and UNCG established curricular approval processes. Any conflicts will be resolved by the Provosts.

Course Offerings. Students may enroll in JSNN courses and/or dual-listed NCA&T or UNCG courses following established consortium registration and enrollment procedures. Student Credit Hours (SCHs) will follow enrollments.

Coordination. Under the principle of “complementing strengths at both campuses”, neither JSNN nor either of the partner institutions will offer courses or programs that duplicate each other’s courses or programs.


Library. Library services for faculty and students will be offered jointly by the two partner universities under the terms of an agreement developed by the two library directors and approved by both Provosts.

Information Technology. IT services for faculty and students will be offered jointly by the two partner universities under the terms of an agreement developed by the two Chief Information Officers.

Student Services. UNCG will coordinate access to student support services for JSNN students. Student IDs will be issued by both NCA&T and UNCG to access student services, and the fees generated will be divided equally between the two institutions.

Article 7. Contingency

In the unlikely event the JSNN is closed:

Faculty. Should the School be closed, tenured faculty would be relocated at either NCA&T or UNCG under existing UNC policies.
Students. Students would be allowed to complete their programs of study under a closure plan based on existing UNC and partner institutions’ policies.

Facilities/Equipment. Building(s) and equipment would be reallocated by agreement between the two Provosts and Chancellors in keeping with the existing Gateway University Park Management Services and Development Agreement.

Article 8. Amendments/Modification

Agreement modification. The Management Agreement can be amended or modified by mutual agreement between the two partner universities.

On Behalf of North Carolina Agricultural and Technical State University

[Signature]
Stanley F. Battle, Chancellor /Date 3/4/08

On Behalf of The University of North Carolina at Greensboro

[Signature] Patricia A. Sullivan, Chancellor /Date March 3, 2008