

RESOLUTION OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF NORTH CAROLINA AT CHAPEL HILL
SUPPORTING SECTION 300.5.1 OF THE UNC POLICY MANUAL

MARCH 23, 2023

WHEREAS, North Carolina General Statute 116-300(3) requires the University of North Carolina to adopt a policy on free expression that states that constituent institutions in the UNC System “may not take action, as an institution, on the public policy controversies of the day in such a way as to require students, faculty, or administrators to publicly express a given view of social policy;” and

WHEREAS, Section 300.5.1 of the UNC Policy Manual states that “the University shall neither solicit nor require an employee or applicant for academic admission or employment to affirmatively ascribe to or opine about beliefs, affiliations, ideals, or principles regarding matters of contemporary political debate or social action as a condition to admission, employment, or professional advancement;” and

WHEREAS, the UNC System Office issued *Guidance Regarding Implementation of Policy Against Compelled Speech* on March 17, 2023; and

WHEREAS, Section 103 of *The Code of the Board of Governors of the University of North Carolina* states that “[a]dmission to, employment by, and promotion in the University of North Carolina and all of its constituent institutions shall be on the basis of merit, and there shall be no unlawful discrimination against any person on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, or veteran status;” and

WHEREAS, Section 403A of *The Code* states that “[e]ach board of trustees shall promote the sound development of its institution within the functions prescribed for it, helping to serve the people of the state in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every area of endeavor” and that the board of trustees shall “serve as an advisor to the chancellor concerning the management and development of the institution;” and

WHEREAS, Appendix I of Chapter 100.1 of *The Code* charges the Board of Trustees of the University of North Carolina at Chapel Hill with the responsibility for “ensuring the institution’s compliance with the educational, research, and public service roles assigned to it by the Board of Governors, either by express directive or by promulgated long-range plans of the Board of Governors;”

THEREFORE, BE IT RESOLVED that the Board of Trustees of the University of North Carolina at Chapel Hill affirms its support for the principles stated above and its commitment to UNC-Chapel Hill’s compliance with Section 300.5.1 of the UNC Policy Manual, as well as all University policy, state, and federal law and regulation; and in furtherance of that commitment, offers the Chancellor the support of the Board as he works with the Office of the Provost, the Division of Human Resources and Equal Opportunity Compliance, and any other appropriate operational units on campus to consider and, if needed, develop any guidance, policies, or procedures to ensure UNC-Chapel Hill’s compliance with Section 300.5.1.

The Board also asks that the Chancellor inform the Board of the progress on the above at its May 2023 meeting.