



MEMORANDUM

TO: Dr. Sharon L. Gaber, Chancellor
Dr. Jennifer Ames Stuart, Chief Communications Officer/Associate Vice Chancellor for University Communications
Dr. Richard Amon, Vice Chancellor for Business Affairs
Dr. Kevin Bailey, Vice Chancellor for Student Affairs
Dr. Jennifer Troyer, Provost and Vice Chancellor for Academic Affairs
Ms. Kim Bradley, Chief of Staff
Dr. Michael Carlin, Vice Chancellor for OneIT and CIO
Ms. Beth Crigler, Vice Chancellor for University Advancement
Dr. John Daniels, Vice Chancellor for Research
Ms. Betty Doster, Special Assistant to the Chancellor for External Relations & Partnerships
Ms. Shari Dunn, Senior Executive Assistant to the Chancellor
Mr. Mike Hill, Director of Athletics
Dr. Deborah Thomas, Associate Vice Chancellor for Research
Dr. Brandon Wolfe, Associate Vice Chancellor for Diversity and Inclusion and Chief Diversity Officer

FROM: Jesh Humphrey, Vice Chancellor for Institutional Integrity and General Counsel JH
Sarah Edwards, Associate Vice Chancellor for Legal Affairs and Deputy General Counsel SOE

DATE: July 9, 2024

SUBJECT: Update and Guidance re: New UNC System Policy, “Equality Within the University of North Carolina”

Introduction

On Thursday, May 23, 2024, the UNC Board of Governors approved [Section 300.8.5 of the UNC Policy Manual](#), “Equality Within the University of North Carolina,” repealing and replacing the former policy entitled “Policy on Diversity and Inclusion Within the University of North Carolina.” The UNC System legal office has released guidance on implementing the new policy, which is attached separately.

Generally speaking, the new policy takes the following three existing university obligations under North Carolina law and UNC System policy and applies them to address *offices* and *roles* within the university:

- (1) [N.C.G.S. 116-300](#) mandates “institutional neutrality” and prohibits the university and any university department or unit from endorsing specific viewpoints on contemporary political debate or social action.
- (2) Both [N.C.G.S. 126-14.5](#) and [Section 300.5.1 of the UNC Policy Manual](#) prohibit “compelled speech,” or requiring university employees to endorse or opine about beliefs, affiliations, ideals, or principles regarding matters of contemporary political debate or social action.
- (3) [N.C.G.S. 126-14.6](#) prohibits the university from promoting a list of concepts either through employee training or by requiring employees to affirm or profess belief in those concepts.

Impact on UNC Charlotte

While UNC Charlotte has adhered to institutional neutrality since July 2023, the new policy extends this



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principle to the university's organization and operations. It prohibits any employing subdivision or employment position from being organized or operated contrary to the neutrality mandate and restricts contracting with third parties for services that advance prohibited concepts.

The policy and guidance state that diversity, equity, and inclusion (DEI) matters, particularly those addressing groups with shared identities collectively, may contradict the neutrality mandate. However, academic freedom remains protected as do student success initiatives if they are tied to specific metrics.

Deans, directors, and other unit heads should thoroughly evaluate current practices to ensure compliance with both the new and existing obligations. This memo provides an overview of key areas requiring attention, including student services, faculty and staff service opportunities, departmental webpages, and academic centers, to align our practices with the new policy while upholding academic freedom and student success. Because the university must certify its compliance with the policy, it is crucial to identify and address areas of potential conflict to meet the September 1, 2024, reporting deadline.

Specific Focus Areas

Student Services and Activities

DEI-focused offices and positions are specifically prohibited by the policy. The policy allows for university-sponsored student services and activities aimed at promoting "student success," even when such programs address specific student identities. A program is considered to promote "student success" if it is designed to address the specific metrics identified to quantify "student success" in the [University of North Carolina Strategic Plan](#), namely graduation rates, degree efficiency, and student mental health.

For example, identity-based programming such as mentorship programs for first-generation college students, cohort-based programs that connect students with shared identities to campus resources and each other, and networking events may be allowed if there is evidence that these programs improve graduation rates or student mental health and so long as they do not have content that endorses or compels endorsement of specific viewpoints on social or political issues.

UNC Charlotte must also avoid contractual terms that contradict the policy, including those with vendors providing training or programming to students and employees. However, the new policy allows the university to continue to organize and fund speaking events that enrich the student body and foster diverse perspectives, provided that the university itself does not endorse or imply endorsement of any particular political or social stance. To that end, departments and offices are strongly encouraged to consult with University Communications before deciding to host an open speaking event on campus..

Student organizations can support their members and pursue their interests, including engaging in political or social advocacy, as long as they do not speak on behalf of the university. The university supports all registered student organizations without regard to their viewpoints, ensuring equal access to campus resources and opportunities. Faculty and staff may serve as advisors to student organizations so long as the service is voluntary and the faculty or staff member does not exert control over the students' message.

Faculty and Staff Service and Affiliation Opportunities

UNC Charlotte faculty and staff are actively encouraged to participate in service roles such as committee work and community outreach, but must adhere to the new policy and guidance when these activities are performed in the course of employment. Committees focused on specific identities or DEI matters are unlikely to be considered neutral under the new policy unless their primary objective is to improve student graduation rates, degree efficiency, and/or student mental health. Committee membership should be selected without regard to social or policy viewpoints, and committee training must adhere to the requirements the new policy has regarding all university programming.



Faculty and staff may continue to participate in self-governing groups or caucuses, which are independent and do not represent the university or speak on its behalf. These groups, which often serve as community-building platforms to address specific issues or concerns, remain permitted as long as their activities remain non-discriminatory (i.e., do not exclude individuals based on any of the protected statuses identified in the university's Nondiscrimination policy, [University Policy 501](#)) and do not involve any actual or implied university-sponsored political or social advocacy. UNC Charlotte can support these groups on a non-discriminatory basis by providing them with access to university resources without regard to their viewpoints.

University Webpages and Social Media Accounts

Employing units within UNC Charlotte must ensure that all university webpages and social media accounts adhere to the principles set out in the policy and guidance. This requires removing content that endorses specific political or social viewpoints. Employing units should begin by addressing the most obvious issues, such as website statements or posts that explicitly advocate for particular social policies or political positions. Web content and social media posts should focus on providing factual information about programs, services, and events without implying institutional endorsement of specific viewpoints. Content should emphasize support and resources available to students without delving into political or social advocacy. Any statements regarding nondiscrimination should point to the new policy or [University Policy 501](#).

It is recommended that unit efforts begin with the most visible content first, such as information linked from their main website. While retroactively deleting past content is not expected, all publicly facing materials representing current activities of employing units should be reviewed and updated to ensure compliance.

Centers and Institutes

Centers and institutes remain permitted under the new policy. Centers that are staff-directed must ensure compliance with the policy's content neutrality requirements just like any other employing unit, and focus on their primary service or function without advocating specific political or social viewpoints. Staff-directed centers will need to carefully navigate the line between facilitating research and collaboration and refraining from endorsing or advocating for particular political, social, or policy positions. This means that while they can continue to serve as conveners and connectors for various research initiatives, they must avoid taking stances on the issues being studied.

Academic centers that are faculty-directed and serve as extensions of the faculty's pursuit of teaching, research, and service are protected by academic freedom. These centers may continue to organize and market their academic work as long as they maintain their scholarly function and are continuously directed by faculty members. This protection includes academic centers employing support personnel, provided these centers are driven by academic objectives. Essentially, the guidance affirms that faculty may do collectively what academic freedom permits them to do individually, so long as they make clear that their views and activities do not represent the official stance of the university.

Affirmation of Commitment to Academic Freedom

The new policy reaffirms the University of North Carolina's strong commitment to academic freedom, including in curriculum development and research. Faculty members retain the freedom to design and teach their courses according to their academic expertise and the educational needs of our students. This includes the ability to select course materials, direct classroom discussions, and incorporate varying perspectives relevant to their academic disciplines.

In research, faculty members are encouraged to pursue inquiries and investigations that contribute to the advancement of knowledge within their fields. Academic freedom protects the integrity of research activities, ensuring that faculty can explore, hypothesize, and draw conclusions based on their scholarly work without undue restriction. This commitment extends to the pursuit of grant funding, where faculty members may affirm their personal beliefs in support of applications while ensuring that institutional commitments comply



with the neutrality mandate described in the policy and guidance.

As noted above, faculty members are also free to collaborate with colleagues and form research groups or centers to advance their scholarly objectives. These academic endeavors are specifically protected under the new policy, though consistent with the principles of academic freedom, faculty and groups of faculty should seek to make clear when they are speaking in their individual capacities and not on behalf of the university, ensuring that their work remains within the framework of academic inquiry without implying institutional endorsement of specific viewpoints.

Conclusion

Implementing this new policy and guidance presents a significant challenge, requiring careful reevaluation and adjustment of many established practices. While these changes are mandated by the UNC System, UNC Charlotte remains dedicated to fostering an inclusive and supportive environment for all students and staff. Many of these initiatives are already underway, and we appreciate the understanding and cooperation of our faculty and staff during this transition. We are committed to upholding our core values of fairness, academic excellence, and student success, ensuring that every member of our community is respected and valued. Through thoughtful compliance with these guidelines, we aim to maintain the integrity of our educational mission while navigating this complex transition.

Appropriately applying the policy and guidance may not be straightforward. Specific questions concerning the interpretation and application of laws and policies affecting the university, including the new policy and guidance, may be addressed to the Office of Legal Affairs by email to legal-affairs@charlotte.edu or by phone to x5732.

Thank you for distributing this as you deem appropriate within your division to fully implement the policy and guidance, and for everything you and the employees you support do on behalf of UNC Charlotte and its community of faculty, staff, and students.

