Mike and Steve,
I purposely did not look at Mike's findings until I finished my own thinking that I wanted to see how closely they aligned. We'll obviously need to do a lot of talking to decide how to weave all of this together. I erred on the side of comprehensiveness, although my recommendations, as you can see, are still pretty disorganized.

We'll talk tomorrow, though.

Laurie
Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #322S
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

Sorry, one other word of explanation. You will see I did the draft in outline form. I expect, to the extent we agree, that the actual findings and recommendations would not be listed but expressed declaratively. I was also unsure how much we actually wanted to say about each finding/recommendation, but we can obviously work that out.

Michael Gerhardt
Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government
UNC School of Law
919.843.5600

Between this article from today and the revelations over the weekend, I'm beginning to wonder what our role in any of this is really supposed to be.

http://www.newsobserver.com/2012/06/14/2137034/former-unc-employee-linked-to.html

Laurie
Hi, I hate to do this but the most recent update we got from Nancy Davis prompts me to add a sentence to the draft. It seems to me that the continuing revelations of information in newspaper reports that was not mentioned in prior university reports undermine the credibility of these reports. So, I added a sentence on page 11. It seems to me this pattern underscores further the need for an independent committee to examine the situation. Obviously, you should feel to modify or eliminate what I have added, depending on your respective judgments.

--

Michael Gerhardt

Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government UNC School of Law
919.843.5600

On 7/3/12 10:13 AM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

> Mike and Steve,
> I have read this through once again, accepted all changes, added
> Steve's wording in the admissions section (and other spots), and have
> run a spelling and grammar check to catch our stray typos.
> 
> At this point, I would suggest that we are nearly done. Please read it
> over once more--mainly for mistakes, unless you absolutely cannot
> resist the urge to change wording! Send me any final comments. I will
> see if I can speak by phone with Holden on Thursday--then send this to
> Jan that day after having a conversation with him.
> 
> I hope you are both staying cool in NC. I won't tell you how beautiful
> and cool the weather is here. I hope for similarly pleasurable
> vacations for both of you soon!
> 
> Laurie
>
>
> Laurie F. Maffly-Kipp
> Professor and Chair
> Department of Religious Studies, CB #3225 The University of North
> Carolina at Chapel Hill Chapel Hill, NC 27599-3225
> 919.962.3927
Hi Steve and Mike,

I'm attaching the final version of the report here for you both in pdf form. I have left a voice message on Holden's cell phone, and an email message hoping to talk with him tomorrow. Will plan to send the report to Jan after that.

Best,

Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927
Mike and Steve,
I just spoke with Holden and explained our request to have an independent inquiry into changes that might be made to prevent recurrences of the mistakes that have been made regarding athletics. He sounded fine with that, and thought it actually dovetailed well with where the BOT is going.

He did ask one thing: he is concerned that the phrase "independent investigation" connotes something else: i.e., a look into the past, at who did what, with the goal of punishing people for past mistakes. I explained that our goal was constructive and forward looking. He asked whether we would consider substituting the phrase "outside entity" or something like it for "independent investigation." He is worried the latter will set off alarm bells and push an inquiry in the wrong direction. He is considering more of an audit than an investigation, I believe; apparently there are consultants that have done this before. I will say that I think what he has in mind is a corporate entity, not a commission of beloved and wise educators. So, that is worth bearing in mind.

I told him I would run this past the two of you. I attach the document again with two minor changes. Reading it again, I think we are actually pretty clear in the description of our intent; but I tweaked a little wording to see what you would think.

Let me know your wishes.

Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927
Dear Laurie, Steve & Michael,

Thank you so very much for this report. It is very thoughtful and well done. I and the FEC appreciate your taking on this charge and fulfilling it with an open, honest assessment of the history, procedures, and findings of reports already completed on campus, and the recommendations that might allow us to move forward. I will be sharing this with the Chancellor and the FEC for our meeting on July 16th meeting.

Thank you so very much, and I hope you all have a great rest of summer.

Best,
Jan

Hi Jan,
I'm attaching a pdf of our subcommittee report. Please let me know if you have any questions or want to discuss it. I'm out of town but can talk by phone. If memory serves, I think that both Steve and Michael will be at the July 16 FEC meeting; I will be away still. But I'm sure that they can answer more questions from the group then.

Just to let you know: Andy Perrin has already inquired about whether it is available. I told him (roughly) about our timeline, but said it would then be in your hands and you should decide when it would be made available beyond the FEC.

Stay cool!
Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927
Great. Just let me know.

From: Boxill, Jan
Sent: Tuesday, July 10, 2012 11:11 AM
To: Whisnant, Anne Mitchell
Subject: RE: subcommittee report

We should not post it yet. I am awaiting the Chancellor's comments. I told him we would not post it until he has spoken with GA and Bubba.
Thanks,
Jan

From: Whisnant, Anne Mitchell
Sent: Tuesday, July 10, 2012 10:19 AM
To: Boxill, Jan
Subject: Re: subcommittee report

Can you send me the PDF, and should we post it now to Sakai? I will check right away about the call-in process for South 105.

Anne Mitchell Whisnant, Ph.D.
Chapel Hill, NC
Sent from my iPhone

On Jul 10, 2012, at 9:55 AM, "Boxill, Jan" <jimboxill11@email.unc.edu> wrote:

There should be. I'll arrange it with Anne.

Jan

From: Gerhardt, Michael J
Sent: Tuesday, July 10, 2012 9:50 AM
To: Boxill, Jan
Subject: Re: subcommittee report

Ok, thanks. If there is a way to call in and that will help, let me know. I know Laurie will not be there, and I think Steve rotates off the committee. So, I would imagine it will help if at least one of us can be "present" in some way.

Michael Gerhardt
Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government
UNC School of Law
919.843.5600
Hi Michael,

Thanks. At this point we are planning on discussing the report. Right now it is with the Chancellor and he will get us his comments this week. He will not be at the meeting as he is out of town.

Thanks,
Jan

---

From: Gerhardt, Michael J  
Sent: Tuesday, July 10, 2012 9:45 AM  
To: Boxill, Jan  
Subject: Re: subcommittee report

Hi Jan, with the Report on our agenda for Monday, I wanted to let you know I can call into the meeting, if you like. I am dropping my at off Sunday in , and I will be driving back on Monday, July 16. But, I will have a phone, and I can stop and call into our meeting if that would help. If so, please let me know what number and time will work best.

Michael Gerhardt  
Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government  
UNC School of Law  
919.843.5600

---

From: Boxill, Jan  
Sent: Friday, July 6, 2012 10:38 AM  
To: "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu>  
Cc: "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu>, Michael Gerhardt <michaelgerhardt@gmail.com>  
Subject: RE: subcommittee report

Dear Laurie, Steve & Michael,

Thank you so very much for this report. It is very thoughtful and well done. I and the FEC appreciate your taking on this charge and fulfilling it with an open, honest assessment of the history, procedures, and findings of reports already completed on campus, and the recommendations that might allow us to move forward. I will be sharing this with the Chancellor and the FEC for our meeting on July 16th meeting.

Thank you so very much, and I hope you all have a great rest of summer.

Best,
Jan

---

From: Maffly-Kipp, Laurie F  
Sent: Friday, July 6, 2012 9:43 AM  
To: Boxill, Jan  
Cc: Bachenheimer, Steven L; Michael Gerhardt  
Subject: subcommittee report
Hi Jan,
I'm attaching a pdf of our subcommittee report. Please let me know if you have any questions or want to discuss it. I'm out of town but can talk by phone. If memory serves, I think that both Steve and Michael will be at the July 16 FEC meeting; I will be away still. But I'm sure that they can answer more questions from the group then.

Just to let you know: Andy Perrin has already inquired about whether it is available. I told him (roughly) about our timeline, but said it would then be in your hands and you should decide when it would be made available beyond the FEC.

Stay cool!
Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927
July 13, 2012

MEMORANDUM

TO: Professors Jan Boxill, Steve Bachenheimer, Michael Gerhardt and Laurie F. Maffly-Kipp

FROM: Holden Thorp

RE: Faculty Executive Committee Report

Thank you for the considerable effort you put into your report about the academic issues in the Department of African and Afro-American Studies and what they mean for Carolina. The Board of Trustees and I appreciate your willingness to look so thoroughly into this matter. We are grateful for the impassioned feedback from concerned faculty that led to this report. I agree with the scope and thrust of where you think we need to go, and I look forward to working with you to discuss your recommendations, define next steps and create an action plan.

As your report noted, there are other inquiries and activities in progress. Those include a directive by our Board of Trustees chair to retain an outside party to review and work with us on the new academic controls we've put in place for the fall semester. A Board of Governors panel will review the investigative work we have done related to the issues in African and Afro-American Studies. And we are cooperating fully with the State Bureau of Investigation's review of possible criminal activity. We embrace all of these efforts, and I pledge that we will take additional steps if they are warranted.

I emphatically share your concern about the faculty in African and Afro-American studies who have done nothing wrong. Their department is an important part of our teaching, research and service mission, and we must give them the support they need to emerge from this as a stronger, more vital part of our university.

Thanks again for what you all have done to help the University take a deep look at the many interrelated issues involved with this regrettable situation. You have provided a great service to your faculty colleagues, as well as our students and the entire University community.

cc: Wade Hargrove
Jan Boxill
Bruce Carney
Karen Gil
From: Bachenheimer, Steven L.  
Sent: Saturday, July 14, 2012 6:23 PM  
To: Maffly-Kipp, Laurie F.  
Subject: Re: FEC Meeting Reminder--Monday, July 16th 3-5pm  

I'll reserve judgement since I'm not sure what Jan means, but in principle, I agree with you Laurie. Seems to me the report should stand as is. I don't think there are any factual errors. The rest represents our impressions and recommendations.  
Steve  
Sent from my iPhone  

On Jul 14, 2012, at 12:13 PM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:  

Mike and Steve,  
Did this strike either of you as odd? I'm no Parliamentarian, but I didn't think a subcommittee report was supposed to be revised once it was written (?) Isn't the idea that the full FEC either acts on it or doesn't?  

Laurie  

Laurie F. Maffly-Kipp  
Professor and Chair  
Department of Religious Studies, CB #3225  
The University of North Carolina at Chapel Hill  
Chapel Hill, NC 27599-3225  
919.962.3927  

From: <Boxill>, Jan <JMBOXILL@email.unc.edu>  
Date: Saturday, July 14, 2012 12:09 PM  
To: "Turner, Katie" <katie.turner@email.unc.edu>, "facultyexecutive@sakai.unc.edu" <facultyexecutive@sakai.unc.edu>  
Subject: RE: FEC Meeting Reminder--Monday, July 16th 3-5pm  

Hello FEC members,  

We have a full agenda on Monday and we may not get to everything. I want to thank the subcommittee for their time and effort in collaborating to produce their thorough and thoughtful report, especially in the summer, when we should all be having some down time. I would like for us to discuss this report to make any revisions we might deem necessary to make it as accurate as possible and represent the full Council.  

Have a good weekend.  
Jan  

Jan Boxill, Ph.D  
Chair of the Faculty at UNC-CH  
Director, Parr Center for Ethics
Dear FEC members:

Welcome new members to your first FEC meeting of 2012-13!

Here is the link to Monday's agenda on Sakai. As always, click on the link and sign in with your ONYEN and password to access the agenda and handouts. If anyone has difficulty logging in, please let me know.

Please note the new listserv address is facultyexecutive@sakai.unc.edu. Our office is rolling our communications over into one system (Sakai), and we plan discontinue use of UNC's listserv system. Anne can answer any questions you have about this transition on Monday since she will be staffing the meeting.

Thank you all and have a great weekend!

Katie Turner
Office of Faculty Governance
204 Carr Building
CB 9170
Phone (919) 962-2146
Fax (919) 962-5479
From: Michael Gerhardt <michaeljgerhardt@gmail.com>
Sent: Saturday, July 14, 2012 7:00 PM
To: Maffly-Kipp, Laurie F.
Cc: Bachenheimer, Steven L.
Subject: Re: FEC Meeting Reminder--Monday, July 16th 3-5pm

I could not agree with you more. In fact the report depends on fact finding, which we were authorized to do. Moreover we were supposed to report to the full committee. It seems to me that is the full extent of it. I suppose the full committee has the authority to accept or reject it but not to revise it. In fact look at the subcommittee of the board of governors. I assume that the full board will not revise what it does. It seems to me that if the proposal is made to revise the report we need to object. It was never said not understood when we did the report that someone had the authority to change it. In fact look at every other report on the subject. None was subject to revision by any of the authorities to whom they were made. We should say if they could not be re-done then the same rule applies to our report. If I want to reject what we say she can do that. But she has no authority to redo what we did. Nor does anyone else have that authority -- no more than Karen had to redo what her associate deans reporter to her.

Sentas wee from my iPhone

On Jul 14, 2012, at 12:13 PM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

Mike and Steve,
Did this strike either of you as odd? I'm no Parliamentarian, but I didn't think a subcommittee report was supposed to be revised once it was written (?) Isn't the idea that the full FEC either acts on it or doesn't?

Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

From: <Boxill>, Jan <JMBOXILL@email.unc.edu>
Date: Saturday, July 14, 2012 12:09 PM
To: "Turner, Katie" <katie_turner@unc.edu>, "facultyexecutive@sakai.unc.edu"
 Subject: RE: FEC Meeting Reminder--Monday, July 16th 3-5pm

Hello FEC members,

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Have a good weekend.
Jan

Jan Boxill, Ph.D.  
Chair of the Faculty at UNC-CH  
Director, Parr Center for Ethics  
Senior Lecturer, Department of Philosophy  
University of North Carolina  
Chapel Hill, NC 27599-3125  
Office Phone 919-962-3317  
Fax: 919-962-3329  
web: parrcenter.unc.edu

From: Turner, Katie [katie_turner@unc.edu]  
Sent: Friday, July 13, 2012 4:30 PM  
To: facultyexecutive@sakai.unc.edu  
Subject: FEC Meeting Reminder--Monday, July 16th 3-5pm

Dear FEC members:

Welcome new members to your first FEC meeting of 2012-13!

Here is the link to Monday's agenda on Sakai. As always, click on the link and sign in with your ONYEN and password to access the agenda and handouts. If anyone has difficulty logging in, please let me know.

Please note the new listserv address is facultyexecutive@sakai.unc.edu. Our office is rolling our communications over into one system (Sakai), and we plan discontinue use of UNC's listserv system. Anne can answer any questions you have about this transition on Monday since she will be staffing the meeting.

Thank you all and have a great weekend!

Katie Turner  
Office of Faculty Governance  
204 Carr Building  
CB 9170  
Phone (919) 962-2146  
Fax (919) 962-5479

This automatic notification message was sent by The University of North Carolina at Chapel Hill (https://sakai.unc.edu/portal) from the Faculty Executive Committee site. You can modify how you receive notifications at My Workspace > Preferences.
Question is should we push this point before the full meeting?

Sent from my iPhone

On Jul 14, 2012, at 12:13 PM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

Mike and Steve,
Did this strike either of you as odd? I’m no Parliamentarian, but I didn’t think a subcommittee report was supposed to be revised once it was written (?) Isn’t the idea that the full FEC either acts on it or doesn’t?

Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

Hello FEC members,

We have a full agenda on Monday and we may not get to everything. I want to thank the subcommittee for their time and effort in collaborating to produce their thorough and thoughtful report, especially in the summer, when we should all be having some down time. I would like for us to discuss this report to make any revisions we might deem necessary to make it as accurate as possible and represent the full Council.

Have a good weekend.

Jan

Jan Boxill, Ph.D
Chair of the Faculty at UNC-CH
Director, Parr Center for Ethics
Senior Lecturer, Department of Philosophy
From: Gerhardt, Michael J
Sent: Saturday, July 14, 2012 10:41 PM
To: Maffly-Kipp, Laurie F.
Cc: Bachenheimer, Steven L
Subject: Re: FEC Meeting Reminder--Monday, July 16th 3-5pm

It probably does make sense to talk ahead of time with Jan if that is possible. If she has concerns that the report should say something other than it does then she is acting more of as a witness than a fact finder. She is free to disagree with the report as anyone is, but I cannot believe she has the authority to change what it says. Indeed, apart from her lack of authority to do this, it strikes me as very poor political judgment. Just imagine what the papers will do with that.

Sent from my iPhone

On Jul 14, 2012, at 10:35 PM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

I'm not sure how to work out a 3-person call from where I am, but assuming I can do that, let's talk at 1 pm on Monday. In the meantime, should we say something to Jan beforehand? I must admit that this has been a common theme (the precise purpose of the report), and in my phone call with Jan the other day she raised a few other potential "concerns" about our wording in the report— but stopped short of objecting or asking that anything be changed. I certainly feel as strongly as both of you that a report is just that: it is not a compromise bill that can be negotiated.

Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

From: <Bachenheimer>, Steven L <steven_bachenheimer@med.unc.edu>
Date: Saturday, July 14, 2012 9:49 PM
To: "Gerhardt, Michael J" <gerhardt@email.unc.edu>
Cc: Laurie Maffly-Kipp <maffly@email.unc.edu>
Subject: Re: FEC Meeting Reminder--Monday, July 16th 3-5pm

I'll have my phone with me wherever I am.
Steve

Sent from my iPhone

On Jul 14, 2012, at 9:45 PM, "Gerhardt, Michael J" <gerhardt@email.unc.edu> wrote:

Thanks, Steve. I agree completely with you the report stands as it is. I assume we will all speak some time before the full committee meeting. Since I am just driving that day I can easily work around your schedules to talk at a time convenient for you.
On Jul 14, 2012, at 8:11 PM, "Bachenheimer, Steven L" 
<steven_bachenheimer@med.unc.edu> wrote:

Sorry Mike, I didn't hit "respond to all" when I replied to Laurie, but 
you've said it better and more forcefully than I could have.
Steve

From: <Bachenheimer>, "steven_bachenheimer@med.unc.edu" 
<steven_bachenheimer@med.unc.edu>
Date: Saturday, July 14, 2012 6:13 PM
To: "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu>
Subject: Re: FEC Meeting Reminder--Monday, July 16th 3-5pm

I'll reserve judgement since I'm not sure what Jan means, but in 
principle, I agree with you Laurie. Seems to me the report should stand 
as is. I don't think there are any factual errors. The rest represents our 
impressions and recommendations.
Steve
Sent from my iPhone

On Jul 14, 2012, at 12:13 PM, "Maffly-Kipp, Laurie F" 
<MAFFLY@email.unc.edu> wrote:

Mike and Steve,
Did this strike either of you as odd? I'm no 
Parliamentarian, but I didn't think a subcommittee 
report was supposed to be revised once it was written 
(?) Isn't the idea that the full FEC either acts on it or 
doesn't?
Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

From: <Boxill>, Jan <JIMBOXILL@email.unc.edu>
Date: Saturday, July 14, 2012 12:09 PM
To: "Turner, Katie" <katie_turner@unc.edu>, 
"facultyexecutive@sakai.unc.edu" 
"facultyexecutive@sakai.unc.edu"
Subject: RE: FEC Meeting Reminder--Monday, July 16th 
3-5pm
From: Bachenheimer, Steven L  
Sent: Sunday, July 15, 2012 12:54 PM  
To: Gerhardt, Michael J; Maffly-Kipp, Laurie F; Michael Gerhardt  
Subject: Re: Admissions follow-up for FEC report

OK, if Farmer has never reversed a committee decision that's a good thing. Why then aren't the committee's decisions final? Should that be a recommendation to make, given this new bit of information? Does this fall under Jan's definition of "making revisions"?

I'm getting a feeling that the University wants to make a big definitive statement with this report. Can't blame them for wanting to get everything right.

Were either of you struck by the emphasis in Holden's "memo" on academic issues in Af-Am, rather than on our look at advising, admissions and culture, and steps going forward?

Steve

---

From: <Gerhardt>, Michael J <gerhardt@email.unc.edu>  
Date: Sunday, July 15, 2012 10:27 AM  
Cc: "steven_bachenheimer@med.unc.edu" <steven_bachenheimer@med.unc.edu>, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu>, Michael Gerhardt <michaelgerhardt@email.com>  
Subject: Re: Admissions follow-up for FEC report

Not sure what to make of this. Isn't the point that we are urging the clarification of the grounds for his deference or the grounds for the committee's rejection of his opposition?

Sent from my iPhone

---

On Jul 15, 2012, at 9:02 AM, "Farmer, Stephen M" <sfarmer@admissions.unc.edu> wrote:

Dear Laurie, Steve, and Michael (with a copy to Bruce Carney):

Bruce has shared with me a copy of your report. I should begin by thanking you again for the many hours that you've spent gathering information and thinking through how we should respond.

After reading your report, I'm concerned that I may not have made it clear to you that although the final decision regarding the admission of any undergraduate candidate rests with the Office of Undergraduate Admissions, our office has never acted contrary to a recommendation made by the subcommittee on athletics admissions, at least not during my eight years as director.

There have been times, as I mentioned, when I've strongly discouraged the athletics department from bringing a candidate to the subcommittee, because I couldn't be confident that I would agree to offer the student admission even if the student were endorsed by the faculty. But I've never reversed or overridden a recommendation made by the subcommittee. If you heard claims to the contrary during your discussions with others across campus, I'm at a loss to explain them.

I don't know that my making this clearer would have changed your recommendation regarding the development of criteria for such reversals. Regardless, I hope this information will be helpful to you.

Steve
Whew!!! That actually turned out better than I thought. I am VERY grateful that both of you were able to dial in; it helped enormously to have both your voices in the conversation. The mood in the room was very positive, and I'm comfortable with addressing most (but not all) of the suggestions made by the folks in the room.

Before you were both connected and the meeting hadn't officially started (and Bobbi Owen wasn't yet in the room), Jan said that she thought there were "serious errors" in the report, which she referred to as a "draft". I assured her that we didn't see it as a draft (Joe backed me up there). As the discussion progressed it seemed that Jan overstated her concerns.

BTW if there were some voices you didn't recognize, they were the new members, Sarah Shields (History) and Mimi Chapman (Soc Work).

Sounds like we need to have something in Jan's hands over this next weekend, because the BOT meetings are the 25-26th. First, are we all comfortable with addressing some of the issues? If so, what do you all think about my taking a stab at revisions, sending it to you two and then Laurie taking over as scribe, as we did before?

Steve

On 7/16/12 4:57 PM, "Gerhardt, Michael J" <gerhardt@email.unc.edu> wrote:

> Thanks for taking the lead today Steve. I will be back by tomorrow
> morning and happy to jump back in to help with editing.
> 
> Sent from my iPhone
> 
> On Jul 16, 2012, at 1:47 PM, "Maffly-Kipp, Laurie F"
> <MAFFLY@email.unc.edu> wrote:
> 
> >> Here is the report with the changes we discussed.
> >>
> >>
> >> Laurie F. Maffly-Kipp
> >> Professor and Chair
> >> Department of Religious Studies, CB #3225 The University of North
> >> Carolina at Chapel Hill Chapel Hill, NC 27599-3225
> >> 919.962.3927
> >>
> >>
> >>
> >>
> >>
> >> On 7/15/12 9:44 PM, "Bachenheimer, Steven L"
> >> <steven_bachenheimer@med.unc.edu> wrote:
> >>
OK, I've got Laurie's land line # and I'll start calling ~1:30.

Steve

On 7/15/12 7:32 PM, "Gerhardt, Michael J" <gerhardt@email.unc.edu> wrote:

Is 1:30 ok? I could probably do earlier if that would help.

Sent from my iPhone

On Jul 15, 2012, at 7:22 PM, "Maffly-Kipp, Laurie F"
<MAFFLY@email.unc.edu> wrote:

Best to call my land line: between 11 and 3; just say when.

Laurie

Sent from my iPhone

On Jul 15, 2012, at 4:18 PM, "Bachenheimer, Steven L"
<steven_bachenheimer@med.unc.edu> wrote:

I figured out (with help) how to conference call from our cell phones! When's a good time for me to call both of you tomorrow?

I have these numbers for you:

Mike:

Laurie:

My cell is

Steve

Sent from my iPhone

<FINAL Report from FEC Sub.pdf>
Steve and Mike,
Thanks to you both for your team work today. I'm glad you thought it went well, Steve, and I'm especially appreciative that you were there in person. At my end, it seemed a bit more frustrating so I'm glad to hear your report that the general vibe in the room seemed positive. I still think there is confusion about the purpose of the report among the FEC members; Shielda and Joe made good points about trying to keep the report pointed and not wanting to water it down, but I also heard some indications that others wanted a consensus report rather than a statement of our findings and judgments. I still feel strongly that, whatever happens in the long run, our opinions need to be voiced and not turned into something milder. I am all for clarifying points that people found confusing, but not for changing the thrust of what we've said.

I'm happy to have you work on it first, Steve. Here is a word version that reflects a few additions from our meeting today (e.g., I changed the spelling of Crowder's name to "Debby"), and there may be a few places where I started to make changes but didn't so read this version with that in mind, and trust the pdf copy if you have any questions about it (also attached). Could you also use "track changes" so we'll be able to quickly find what you've amended? Thanks. I've got a whole house full of relatives here now, but I promise to look at it quickly whenever my turn comes.

Thanks again to you both!
Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

From: <Bachenheimer>, Steven L <steven_bachenheimer@mad.unc.edu>
Date: Monday, July 16, 2012 10:54 PM
To: Laurie Maffly-Kipp <maffly@email.unc.edu>
Subject: Word version of report

Laurie,
It just occurred to me that I would need a Word version of the report, in order to do any editing. Would you please forward it to me. I will also ask Bobbi Owen for precise titles for folks like Woodard. I guess we can't rely on what it says in the UNC Directory.
Thanks,
Steve
Dear Laurie, Steve and Michael,
Once again thank you so much for ALL your work that went in to this report. As you heard from yesterday’s lively discussion you all brought to us many very interesting issues. There are a few comments that I have that I would like to bring up with you in doing the revision and so I was wondering if I could meet with you when you next meet to work on the revision. I will likely meet with the Chancellor tomorrow when he returns as we have to both prepare for next week’s Board of Trustees meeting.

Thanks so much,
Jan
Presumably we can make the changes of clarification/correction anyway; I don’t think that is what Jan has in mind. Any guesses what she might be wanting to discuss that she didn’t bring up in the meeting? I’m concerned procedurally about making changes to the report if they weren’t vetted by the entire FEC (?)

Laurie

Laurie F. Maffly-Kipp  
Professor and Chair  
Department of Religious Studies, CB #3225  
The University of North Carolina at Chapel Hill  
Chapel Hill, NC 27599-3225  
919.962.3927

From: Michael Gerhardt <michaelgerhardt@gmail.com>  
Date: Tuesday, July 17, 2012 11:02 AM  
Cc: Laurie Maffly-Kipp <maffly@email.unc.edu>, "Bachenheimer, Steven L" <steven_bachemheimer@med.unc.edu>  
Subject: Re: subcommittee report

So what do we think? I wonder whether we should revise it beforehand and then meet?

Sent from my iPhone

On Jul 17, 2012, at 9:01 AM, "Boxill, Jan" <jMBOXILL@email.unc.edu> wrote:

Dear Laurie, Steve and Michael,  
Once again thank you so much for ALL your work that went in to this report. As you heard from yesterday’s lively discussion you all brought to us many very interesting issues. There are a few comments that I have that I would like to bring up with you in doing the revision and so I was wondering if I could meet with you when you next meet to work on the revision. I will likely meet with the Chancellor tomorrow when he returns as we have to both prepare for next week’s Board of Trustees meeting.

Thanks so much,  
Jan
From: Maffly-Kipp, Laurie F.  
Sent: Tuesday, July 17, 2012 11:32 AM  
To: Bachenheimer, Steven L; Gerhardt, Michael J; Michael Gerhardt  
Subject: Re: subcommittee report

Sounds fine to me. I'm reading over Steve's draft now and making a few suggestions; will pass it on shortly.

Laurie

Laurie F. Maffly-Kipp  
Professor and Chair  
Department of Religious Studies, CB #3225  
The University of North Carolina at Chapel Hill  
Chapel Hill, NC 27599-3225  
919.962.3927

From: <Bachenheimer>, Steven L <steven.bachenheimer@med.unc.edu>  
Date: Tuesday, July 17, 2012 11:30 AM  
To: Laurie Maffly-Kipp <maffly@email.unc.edu>, "Gerhardt, Michael J" <gerhardt@email.unc.edu>, Michael Gerhardt <michaelgerhardt@gmail.com>  
Subject: Re: subcommittee report

Yes I like the approach and will volunteer to call Jan. I think that should only occur once we’ve all had a chance to weigh in on my first pass and we’re all satisfied. I can then send it along to her (a PDF) and offer to talk or meet at her convenience and make clear our positions as Mike has laid out.

Steve

From: <Maffly-Kipp>, Laurie F <MAFFLY@email.unc.edu>  
Date: Tuesday, July 17, 2012 11:23 AM  
To: "Gerhardt, Michael J" <gerhardt@email.unc.edu>, Michael Gerhardt <michaelgerhardt@gmail.com>  
Cc: "steven.bachenheimer@med.unc.edu" <steven.bachenheimer@med.unc.edu>  
Subject: Re: subcommittee report

Makes sense to me. Maybe one of you two could have a phone conversation with her sooner rather than later, so that we’ll know what the specific concerns are (rather than just assuming she plans to cross a line)? Any volunteers?

Laurie

Laurie F. Maffly-Kipp  
Professor and Chair  
Department of Religious Studies, CB #3225  
The University of North Carolina at Chapel Hill  
Chapel Hill, NC 27599-3225  
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Hi, Steve and I just talked further about this. It seems to me that we might need to tell Jan that there is a line we hope she does not cross. It is ok (I think) for the FEC and Jan to make changes in the report that will help with the press and public but it not ok for her, as a fact witness or interested observer, to make changes otherwise.

With that in mind, I wonder if we should go ahead and revised the report as we three think best. Then, we can tell Jan that we had not planned to meet to handle our revisions, and we could then resubmit to her and the rest of the FEC the revised report.

In any event, it seems we need to talk to her about what we can accept from her and what we cannot. Does that make sense?
---
Michael Gerhardt
Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government
UNC School of Law
919.843.5600

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Thanks so much,
Jan
Either way you two decide to go is fine with me. Meanwhile, I'll keep revising the draft.

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
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919.962.3927

From: <Gerhardt>, Michael J <gerhardt@email.unc.edu>
Date: Tuesday, July 17, 2012 11:33 AM
To: Laurie Maffly-Kipp <maffly@email.unc.edu>
Cc: Michael Gerhardt <michaeligerhardt@gmail.com>, "Bachemheimer, Steven L" <steven_bachemheimer@med.unc.edu>
Subject: Re: subcommittee report

How about both Steve and I call her? Steve, maybe we could use your new expertise later today to give her a call? We can explain we were not going to meet in person but revise it through email exchanges. In the same conversation we can see if we can find out what comments she had and then express our own concerns about the need to maintain the subcommittee's credibility and integrity?

Sent from my iPhone

On Jul 17, 2012, at 11:23 AM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

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Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
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919.962.3927

From: <Gerhardt>, Michael J <gerhardt@email.unc.edu>
Date: Tuesday, July 17, 2012 11:20 AM
To: Laurie Maffly-Kipp <maffly@email.unc.edu>, Michael Gerhardt <michaeliggerhardt@gmail.com>
Cc: "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu>
Subject: Re: subcommittee report

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Michael Gerhardt
Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government
UNC School of Law
919.843.5600

From: <Maffly-Kipp>, Laurie F <MAFFLY@email.unc.edu>
Date: Tuesday, July 17, 2012 11:07 AM
To: Michael Gerhardt <michaeliggerhardt@gmail.com>
Cc: "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu>
Subject: Re: subcommittee report

Presumably we can make the changes of clarification/correction anyway; I don't think that is what Jan has in mind. Any guesses what she might be wanting to discuss that she didn't bring up in the meeting? I'm concerned procedurally about making changes to the report if they weren't vetted by the entire FEC (?)

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Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

From: Michael Gerhardt <michaeliggerhardt@gmail.com>
Date: Tuesday, July 17, 2012 11:02 AM
Cc: Laurie Maffly-Kipp <maffly@email.unc.edu>, "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu>
Subject: Re: subcommittee report

So what do we think? I wonder whether we should revise it beforehand and then meet?

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Thanks so much,
Jan
Hi Steve,
Thanks so much for your email and I'm so glad to hear that you have done so much.
I actually just started writing the comments and decided it would be better to talk, as I don't my email comments to show up in the N&O. So I could talk to all of any one or all. Both those times are available for me.

Thanks,
Jan

From: Bachenheimer, Steven L
Sent: Wednesday, July 18, 2012 9:01 AM
To: Boxill, Jan
Cc: Michael Gerhardt; Maffly-Kipp, Laurie F
Subject: Re: subcommittee report

Jan,
Just to let you know we have nearly finished our revision of the report based on the feedback from the Monday meeting. We've done this all via email, and did not actually meet. We were wondering about the nature of your comments. I could set up a conference call with you, Mike and perhaps Laurie to discuss this. Available times are 2PM today, Wednesday, or later on Friday, say 3PM.

Steve

From: <Boxill>, Jan <JMBOXILL@email.unc.edu>
Date: Tuesday, July 17, 2012 9:01 AM
To: "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu>
Cc: "steven_bachenheimer@med.unc.edu" <steven_bachenheimer@med.unc.edu>, Michael Gerhardt <michaeliggerhardt@gmail.com>
Subject: RE: subcommittee report

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Thanks so much,
Jan
That's why I prefer to send a pdf version to her—one that can't be edited.

Laurie F. Maffly-Kipp  
Professor and Chair  
Department of Religious Studies, CB #3225 The University of North Carolina at Chapel Hill Chapel Hill, NC 27599-3225  
919.962.3927

On 7/18/12 9:23 AM, "Gerhardt, Michael J" <gerhardt@email.unc.edu> wrote:

>>I am wondering if it makes sense before we send something to Jan to ask
>>what she is going to do with it. I am concerned about her watering it
>>down.
>
>>Sent from my iPhone
>
>>On Jul 18, 2012, at 9:04 AM, "Bachheimer, Steven L"
>> <steven_bachheimer@med.unc.edu> wrote:
>>
>>>Laurie,
>>>Mike and I are good with this version. I wasn't sure from the flurry
>>>of email exchanges yesterday whether you were OK with it as well. Let
>>>me know and then I can send a PDF version to Jan.
>>>Steve
>>> <Report from FEC Sub_6.docx>
From: Maffly-Kipp, Laurie F.
Sent: Wednesday, July 18, 2012 9:36 AM
To: Bachenheimer, Steven L; Gerhardt, Michael J
Subject: Re: first pass
Attachments:
Report from FEC Sub_7.docx

Steve and Mike,

Here is a version with all the comments and changes accepted--and I spellchecked and made a few more minor corrections. If this looks okay, we can send this version along to Jan. It sounds as though she has some substantive suggestions, however, so perhaps Mike's point is a good one: should you talk with her before we send it?

Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225 The University of North Carolina at Chapel Hill Chapel Hill, NC 27599-3225
919.962.3927

On 7/17/12 4:55 PM, "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu> wrote:

> Laurie and Mike,
> 1. OK, I've deleted the sentence in the Conclusion and kept the "former wording":
> "Every student should have an academic advisor in Steele Building sign off on courses every semester. While we understand from Associate Dean Owen and others that this suggestion might be unrealistic, we believe that a full, candid discussion about the risks arising from the student to advisor ratio would be extremely beneficial for our Faculty, the administration, and our students."
> >
> 2. I now have the roster of the Advisory Committee to the ASPSA, including ex officio members, their terms and a description of the committee, that I've added as a footnote at the bottom of pg.5.
> >
> No one made a note of the term "area newspapers", so why give the N&O free notice? Also I'm sure the Charlotte Observer and other papers in Greensboro, W-S, etc have also picked up the N&O stories.
> Also re your previous email, yes the low key approach seems the right way to go.
> >
> I've attached the latest version. If we are OK with that I can send it
I think the game plan is for the two of us to sit down with her and have on the phone. We are not sending the draft ahead of time. I think we want to see what her "suggestions" are. I am prepared (but will hold in abeyance until necessary) to express my discomfort with being asked to change anything substantive in the report. I can appreciate the concerns about the N & O, but personally I think the administration, including Jan, overreacts to their coverage. I have done a lot of work with the press over the years (including running press coverage for the last two Supreme Court nominations), and I think there is no downside to the candor and transparency of our report. The downside is changing anything in response to pressure.

--

Michael Gerhardt

Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government UNC School of Law
919.843.5600

---

On 7/18/12 9:36 AM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

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>Here is a version with all the comments and changes accepted--and I
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>okay, we can send this version along to Jan. It sounds as though she
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>
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>

>On 7/17/12 4:55 PM, "Bachenheimer, Steven L"
><steven_bachenheimer@med.unc.edu> wrote:
>
>>>Laurie and Mike,
As an addendum to my last email, I think it makes sense to have our draft ready in PDF to share. Further, I would resist sending our draft to anyone in any form other than a PDF.

Michael Gerhardt

Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government UNC School of Law
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> Laurie
> 
> 
> Laurie F. Maffly-Kipp
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> Department of Religious Studies, CB #3225 The University of North
> Carolina at Chapel Hill Chapel Hill, NC 27599-3225
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> >>Laurie and Mike,
> >>1. OK, I've deleted the sentence in the Conclusion and kept the
> >>"former
> >>wording".
> >>"Every student should have an academic advisor in Steele Building sign
> >>off on courses every semester. While we understand from Associate Dean
Hi, I have attached what I hope was our most recent draft with some new sentences at the end of the opening section. I changed nothing else, so you should just focus on the material beginning with the words "Last but not least". I hope what I have written addresses the concerns Jan said Tom Ross and others had about our last proposal AND reflects what Steve and I discussed after Jan left. I am not wedded to this language and you should change it as you think best. My sense is that this is the only real change that we should consider making.

--

Michael Gerhardt

Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government UNC School of Law
919.843.5600

On 7/18/12 11:53 AM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

|I'm in complete agreement with all you've both said. We'll talk soon. |
|Sent from my iPhone |
|On Jul 18, 2012, at 11:46 AM, "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu> wrote: |
|Mike, |
|Agree with your last 2 emails. I have a read-only Word document of |
|the report and have made a PDF of that as well. I'm ready to send to |
|Anne or the FEC site at Sakai whenever we want. |
|Steve |
|On 7/18/12 11:31 AM, "Gerhardt, Michael J" <gerhardt@email.unc.edu> wrote: |
|As an addendum to my last email, I think it makes sense to have our |
|draft ready in Pdf to share. Further, I would resist sending our |
draft to anyone in any form other than a Pdf. |
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<td>Michael Gerhardt</td>
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<td>Samuel Ashe Distinguished Professor in Constitutional Law &amp;</td>
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<td>Director, Center for Law and Government UNC School of Law</td>
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Thanks for suggesting these changes, Mike. Since I didn't speak with you after the conversation with Jan, I'm not sure what the two of you discussed later. My concern here is that we are no longer framing the final portion as an enumerated recommendation (the numbering has been removed)--so it is unclear to me what its status is in the document. Are we still suggesting it shares equal weight with other recommendations?

I'm not sure about either of your reactions to our conversation today with Jan. Admittedly, I wasn't in the room and so didn't have full access to subtle cues in the conversation. But I don't feel happy about softening our language to please administrators--and I feel as though that is what is being asked of us. The point of this is to make a case--and administrators may react to it in whatever way they want. But the minute we begin to sand down the edges of our commentary so as not to alert outsiders to differences of opinion is, to my way of thinking, the day that faculty governance on this campus is going to die out. I don't feel right about easing the impact of whatever we plan to say--and it feels like the change to the opening paragraph--especially if we do not enumerate the final recommendation alongside the rest--is a way of doing that.

My two cents.

Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225 The University of North Carolina at Chapel Hill Chapel Hill, NC 27599-3225
919.962.3927

On 7/18/12 10:16 PM, "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu> wrote:

> Good job Mike. I really think this addresses the comments that Jan
> made, and I agree that no other change is warranted. It only remains to
> send a PDF to Anne and Jan, as we discussed at today's meeting.
> Steve
> 
> On 7/18/12 3:55 PM, "Gerhardt, Michael J" <gerhardt@email.unc.edu> wrote:
> 
> >> Hi, I have attached what I hope was our most recent draft with some
> >> new sentences at the end of the opening section. I changed nothing
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Hi, Laurie, I actually think we both agree with you. Steve is out of pocket today, so I do not think we can get his reaction to what I am saying until late today or some time tomorrow. I think that is ok, because the most important thing is to ensure whatever change we make is something we all agree on.

To begin with, my impression is that Jan was not pushing hard. She was nodding when we pushed back on what she said and seemed to be ok with whatever we said. I got the feeling (1) she felt a lot better about the report once she had all the feedback from the other folks at the university and (2) she just wanted to say what she felt she had to say and then would accept whatever we did with it. After you had signed off, she told us everyone was impressed with the report and even her husband, who had read it, told her he thought it was excellent.

My impression at our meeting yesterday was that Jan was conveying what the others were saying and allowing us to do with it what we thought best. She made no suggestion on what we do with the information she conveyed.

As a result, neither Steve nor I felt compelled to change the tone or substance of what we say in the Report. Of course neither of us was inclined to do that either. After Jan left, we just talked about what we could do with that last recommendation. Steve pointed to the language we used later in the report when we discuss that recommendation, and so I took much of that language and put it into our recommendation. I removed the lettering purely for stylistic reasons. As for the substance of what I have got us saying there, I thought we agreed we did not want to signal a lack of trust in the administration (at least at the top).

All of which leads me to say that we do not have to change the language of our intro at all or we could change it in a much less extensive way. I say this because we share your perspective and I do not want to make any change that would undercut it.

If you think no tinkering of the language is needed, just let me know.
Otherwise, I will tinker again with it and see what both of you think. At the very least, we will need to change the numbering, because we have it labeled as 6 and it is actually 5.

---

Michael Gerhardt

Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government UNC School of Law

919.843.5600
Thanks, Mike. And thanks, again, to you both for being there to take this on in person. My previous rant was in no way intended to question your judgments. I've felt that we have all been on very much the same page throughout this process, which in turn gives me more confidence in our recommendations. I'm just frustrated by the institutional caution that seems counterproductive, and feeds into the impression that something is being held back—even when that's not the case. And, in my ideal world, I'd love to have UNC be a leader on this issue and have the faculty push hard for a constructive way forward, rather than being fearful of asking the tough questions about all of this. I know people do this with good intentions: we basically really like our administrators and want to be supportive. I hope, though, that frank discussion of the problems we've faced will be met with openness (as I think Holden has already done so graciously).

So, you were very patient and generous to give me a thorough sense of the meeting with Jan.

Your second pass at the wording looks fine to me. Thanks for getting the #5 right (next time, maybe they should appoint someone from the Math department to the committee?). I would not be averse to including your wording from the first draft as the penultimate sentence in the paragraph ("We remain confident that the University administration is committed to addressing the complicated issues arising from its goal to ensure excellence in 28 Division I athletic programs and its academic mission.") That sentence again stresses the constructive and forward looking aspects of the report.

Let's see what Steve thinks.

Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225 The University of North Carolina at Chapel Hill Chapel Hill, NC 27599-3225 919.962.3927

On 7/19/12 6:55 AM, "Gerhardt, Michael J" <gerhardt@email.unc.edu> wrote:

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recommendation, and so I took much of that language and put it into our
recommendation. I removed the lettering purely for stylistic reasons.
As for the substance of what I have got us saying there, I thought we
agreed we did not want to signal a lack of trust in the administration (at least at the top).

All of which leads me to say that we do not have to change the language
of our intro at all or we could change it in a much less extensive way.
I say this because we share your perspective and I do not want to make
any change that would undercut it.
If you think no tinkering of the language is needed, just let me know.
Otherwise, I will tinker again with it and see what both of you think.
At the very least, we will need to change the numbering, because we
have it labeled as 6 and it is actually 5.

Michael Gerhardt

Samuel Ashe Distinguished Professor in Constitutional Law & Director,
Center for Law and Government UNC School of Law
919.843.5600

On 7/18/12 10:44 PM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

Thanks for suggesting these changes, Mike. Since I didn't speak with
you after the conversation with Jan, I'm not sure what the two of you
discussed later. My concern here is that we are no longer framing the
Hi All,
Thank you so much for the edited report. While there likely are some controversial things in it, I find it comprehensive, thoughtful, and forward looking. I may not be reading it as the Trustees or President Ross will, but I find it forward looking.

I have only 2 small comments:
1. I think it may be best to use Deborah Crowder, rather than Debby, but this may not be major.
2. Do you think it would be useful to add a footnote to the online degree audit, as it is not fully implemented but in pilot phase? I know Bobbi was concerned about this.

Thanks again,

Jan

Jan Boxill, Ph.D
Chair of the Faculty at UNC-CH
Director, Parr Center for Ethics
Senior Lecturer, Department of Philosophy
University of North Carolina
Chapel Hill, NC 27599-3125
Office Phone 919-962-3317
Fax: 919-962-3329
web: parrcenter.unc.edu

From: Maffly-Kipp, Laurie F
Sent: Saturday, July 21, 2012 12:21 AM
To: Boxill, Jan
Cc: Bachenheimer, Steven L; Michael Gerhardt
Subject: final report

Dear Jan,
I'm attaching d and corrected after our conversations this week. Thanks for your help clarifying some of the points we are making. Of course, if you see any errors of fact or typos that we've missed, please let me know.

Best,
Laurie

Laurie F. Maffly-Kipp
Hi Bobbi,
I thought I'd send you a copy of what we hope is a final draft of the subcommittee's report.

Once again, thank you so much for coming to the FEC meeting and for your input.

Also, here is a link to another interesting article.
http://www.news-record.com/content/2012/07/22/article/big_four_football_basketball_players_tend_to_cluster_academically

Jan

Jan Boxill, Ph.D
Chair of the Faculty at UNC-CH
Director, Parr Center for Ethics
Senior Lecturer, Department of Philosophy
University of North Carolina
Chapel Hill, NC 27599-3125
Office Phone 919-962-3317
Mobile Phone: 919-270-6815
web: parrcenter.unc.edu
Thank you so much. Just what I needed.
Jan

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Jan,
I thought the report was terrific. It sounds like those who were at the meeting last Monday were of like mind. If Bruce and Holden have had a chance to weigh in on it, then I don’t think there is a problem sharing it with the BOT (and of course, if that path is chosen, with the entire faculty). However, I would definitely like Bruce and Holden to have an opportunity to react, and hopefully to discuss it with us first. If this hasn’t happened, then I could see doing only a summary at the BOT, and waiting until they can do so, and perhaps after we discuss their reactions. And of course I’m fully supportive of strong support for Af-Am.
JAE

Dear FEC Members,
I am following up on my last email. I am hoping to hear from many of you so I can make a decision about my comments to the Board of Trustees on Wednesday. The final report is posted on our Sakai site.

The report nicely reflects our discussion at the last meeting, and I greatly appreciate Laurie, Steve, and Michael for all their good work on this.

Here is what I need from you:

1. After reading the report are you prepared to accept the report as presently written or do you wish to delay full acceptance until we can have a full discussion of it at the next meeting on August 5th? The Provost will be at this meeting, and I believe the Chancellor can make this meeting as well.
2. I have to give my usual presentation to the Board of Trustees this week on Wednesday, July 25th; if we accept it as it is written, should I share the entire report with the BOT and then give a summary in my remarks, or just share a summary? If I share it with the BOT I would want it sent to the Faculty in general at the same time.

3. In my remarks I plan to give strong support to the African and African-American Studies Department and Chair Eunice Sahle on behalf of the Faculty. Are you all comfortable with this?

Thanks,
Jan

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Thank you very much—just what I needed.

Jan

Jan Boxill, Ph.D
Chair of the Faculty at UNC-CH
Director, Parr Center for Ethics
Senior Lecturer, Department of Philosophy
University of North Carolina
Chapel Hill, NC 27599-3125
Office Phone 919-962-3317
Fax: 919-962-3329
web: parrocenter.unc.edu

From: Chapman, Mimi V
Sent: Monday, July 23, 2012 8:49 PM
To: Boxill, Jan
Cc: facultyeexecutivecomm@sakai.unc.edu
Subject: Re: Subcommittee report

Dear Jan,

In my view, this is a very strong report. It outlines the issues very clearly and draws sensible conclusions. I am in full support of accepting this version of the report. I would defer to others in terms of when it should be presented to the board, released to all faculty, etc.

The sub-committee is amazing. Thanks to each of you for your work on this.

Mimi

Mimi Chapman, MSW, Ph.D
Associate Professor
UNC Chapel Hill
School of Social Work
919-843-8282

On Jul 23, 2012, at 5:18 PM, "Boxill, Jan" <BOXILL@email.unc.edu> wrote:

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I am following up on my last email. I am hoping to hear from many of you so I can make a decision about my comments to the Board of Trustees on Wednesday. The final report is posted on our Sakai site.

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3. In my remarks I plan to give strong support to the African and African-American Studies Department and Chair Eunice Sahle on behalf of the Faculty. Are you all comfortable with this?

Thanks,
Jan

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Thanks

Jan Boxill, Ph.D
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University of North Carolina
Chapel Hill, NC 27599-3125
Office Phone 919-962-3317
Fax: 919-962-3329
web: parrcenter.unc.edu

From: Maffly-Kipp, Laurie F
Sent: Monday, July 23, 2012 9:12 PM
To: Boxill, Jan
Cc: Michael Gerhardt; Bacheheimer, Steven L
Subject: FW: Subcommittee report

I agree completely with Steve's responses to the queries below.

Thanks!
Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

From: <Boxill>, Jan <JBOXILL@email.unc.edu>
Date: Monday, July 23, 2012 5:17 PM
To: "facultyexecutivecomm@sakai.unc.edu" <facultyexecutivecomm@sakai.unc.edu>
Subject: Subcommittee report

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Thanks,
Jan

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Thanks

Jan Boxill, Ph.D  
Chair of the Faculty at UNC-CH  
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Senior Lecturer, Department of Philosophy  
University of North Carolina  
Chapel Hill, NC 27599-3125  
Office Phone 919-962-3317  
Fax: 919-962-3329  
web: parrcenter.unc.edu

From: Gerhardt, Michael J  
Sent: Monday, July 23, 2012 9:53 PM  
To: Maffly-Kipp, Laurie F; Boxill, Jan  
Cc: Michael Gerhardt; Bachenheimer, Steven L  
Subject: Re: Subcommittee report

I agree as well, thanks.

--

Michael Gerhardt  
Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government  
UNC School of Law  
919.843.5500

From: <Maffly-Kipp>, Laurie F <MAFFLY@email.unc.edu>  
Date: Monday, July 23, 2012 9:12 PM  
To: "Boxill, Jan" <IMBOXILL@email.unc.edu>  
Cc: Michael Gerhardt <michaeligerhardt@gmail.com>, "Bachenheimer, Steven L"<steven_bachenheimer@med.unc.edu>  
Subject: FW: Subcommittee report

I agree completely with Steve's responses to the queries below.

Thanks!  
Laurie

Laurie F. Maffly-Kipp  
Professor and Chair  
Department of Religious Studies, CB #3225  
The University of North Carolina at Chapel Hill  
Chapel Hill, NC 27599-3225  
919.962.3927
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3. In my remarks I plan to give strong support to the African and African-American Studies Department and Chair Eunice Sahle on behalf of the Faculty. Are you all comfortable with this?

Thanks,

Jan
I recommend that you all read the attached report. I managed to read half of it but now must start getting ready to go in.

I welcome reactions of any sort. Jan will present this or the summary to the BoT so please read it soon. Chris, I'd in particular appreciate your opinion as to the use of paper to register students for classes. Bobbi, there are obviously a number of points about advising that I'd like to discuss with you.

And this morning on WRAL I saw an article about SACS, which of course jogged my mind about that. As I mentioned to you last Friday, I think that five of the six sections are solid, but I still worry about the piece of athletics.

--Bruce

From: Boxill, Jan
Sent: Monday, July 23, 2012 8:40 PM
To: Carney, Bruce William
Subject: Report

I have sent this to Holden, but would like your input as well. I am hoping to bring up and give a summary at the BOT meeting on Wednesday.

Thanks,
Jan
From: Maffly-Kipp, Laurie F.
Sent: Tuesday, July 24, 2012 9:42 AM
To: McMillan, Tim
Subject: Re: Subcommittee report

Tim,

I'm glad you think the report was forceful and it is really important to me that your department, in particular, gets some vocal support out of this. We'll keep pushing that!

Hope your summer has been restful.

Laurie

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

From: <McMillan>, Tim <tjm1@email.unc.edu>
Date: Tuesday, July 24, 2012 9:16 AM
To: "Boxill, Jan" <JMBOXILL@email.unc.edu>, "facultyexecuteccomm@sakai.unc.edu"
     <facultyexecuteccomm@sakai.unc.edu>
Subject: RE: Subcommittee report

Dear Jan and the rest of the FEC,

1. The original report and the revisions are forceful and should provide an excellent template for action.
2. I think delivering this message in a timely fashion is very important. Sharing a summary will only make people want to see the whole document if you share it would be best to share it all.
3. We would appreciate any and all support we can get.

Tim

From: Boxill, Jan [mailto:JMBOXILL@email.unc.edu]
Sent: Monday, July 23, 2012 5:18 PM
To: facultyexecuteccomm@sakai.unc.edu
Subject: Subcommittee report

Dear FEC Members,

I am following up on my last email. I am hoping to hear from many of you so I can make a decision about my comments to the Board of Trustees on Wednesday. The final report is posted on our Sakai site.

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3. In my remarks I plan to give strong support to the African and African-American Studies Department and Chair Eunice Sahle on behalf of the Faculty. Are you all comfortable with this?

Thanks,
Jan
Sarah,
Thanks for your comments.

-----Original Message-----
From: Sarah Shields [mailto:sshields@email.unc.edu]
Sent: Tuesday, July 24, 2012 9:51 AM
To: Boxill, Jan; facultyexecutivecomm@sakai.unc.edu
Subject: Re: Subcommittee report

I think this is a terrific report, and I am grateful to all who spent so much time on it. It is clear, it has a wonderful summary of the background, and I support the conclusions and recommendations. The information here is important, and the authors have done a terrific job articulating and framing the big issues. I think presenting it to the Board is a great idea. And it is very important to point out again and again that the faculty in African and African-American Studies has not been complicit and has the full support of the rest of the university.

I remain very confused and a bit concerned, however, about that section on pages 6-7:

"While we do not know exactly what transpired, clearly there is considerable uncertainty in the relationship between academic departments and athletic counselors. Further, athletic counselors have been discouraged from contacting faculty or questioning decisions about pedagogy. For example, in 2002 Robert Mercer and John Blanchard met with the FAC to discuss the teaching of IS courses, and were told that faculty members have great latitude to teach courses as they see fit.

Counselors, then, concluded that it is not their responsibility to question decisions made within academic units about specific courses. In practice, athletic counselors are left in a difficult position with less than complete knowledge or authority about the specific requirements for courses. We believe that this leaves too much of the burden for the selection of classes and knowledge about courses on individual student-athletes."

This section seems to suggest that student-athletes should not be burdened by having to select their own classes without considerable input from counselors who have extensive knowledge about UNC's course offerings. I had previously thought that one of the problems we were trying to remedy was too much input from counselors in scholar-athletes' section of courses, and that counselors with special, esoteric, or at least privileged information about courses was one of the big problems we are trying to engage. Are we here actually calling for counselors' institutionalized access to special information so they can assist student-athletes in choosing courses somehow more accessible to them?

This section could also be interpreted as recommending more contact between counselors and faculty around issues of pedagogy. I am certain that I would be joined by many of my colleagues in opposing this kind of input, easily transformed into perceived pressure to alter our courses for the benefit of one group of students.

These two issues, of privileged access to course information and athletic counselors' intervention in pedagogy, seem to be central not only to the issues this report is directed toward engaging, but also seem pivotal to the creation of a new kind of relationship between the university and student-athletes.
My understanding of this paragraph may not be what the authors intended, but I think (and hope) the paragraph conveys the opposite meaning as the rest of the report and should be changed or omitted. It is not essential to understanding the rest of the report, and, indeed, seems to muddy the general thrust of the recommendations.

Thanks
Sarah

Bowman and Gordon Gray Distinguished Term Professor Department of History CB 3195 University of North Carolina Chapel Hill, NC 27599
Phone: 919 962-8078
Fax: 919 962-1403
https://teachingthemiddleeast.wordpress.com

On 7/23/2012 5:17 PM, Boxill, Jan wrote:
> Dear FEC Members,
>
> I am following up on my last email. I am hoping to hear from many of
> you so I can make a decision about my comments to the Board of
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> Thanks,
>
> Jan

>
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I agree with Sarah that the paragraph she cited can be interpreted in different ways and I think some of that has to do with what one thinks SHOULD be the case. I also think the issue about a single advisor signing each student’s registration proposal and summer courses not being on worksheet is strange. BUT smart, dedicated faculty (Steve, Laurie and Mike) found these issues concerning. They are reporting on the situation as they see it and heard about it and if it confuses or concerns them, then it needs to be brought out and looked at and at least clarified, if not corrected. This report is about where vulnerabilities, misunderstandings, soft spots might be. Where we need to look at things a little more carefully. If it is viewed like that rather than as a definitive report about things that are right or wrong, I think we can be more comfortable with ambiguities. It is the ambiguities that are the concerning places. I know we worry about how the rest of the world will interpret that and we have to keep that in mind so as not to cause unintended damage to the place we love. But in the end, I think we have to continue the willingness to allow of weak spots to be revealed.

I’m at the beach with my brother from Sherrill’s Ford NC. He is a proud Carolina graduate (as is his son). His comment was, the university will tell all this stuff to the NCAA but not to the taxpayer. After we talked about that for a while, he said, well why doesn’t somebody tell everyone about that (that the NCAA protects confidentiality and that the taxpayers don’t fund as much of the university as he might think). I wish there were some way to tell the real situation to people one-on-one. Even so, any opportunity we have to make our voice hear is important.

I’d say, give the board and the public the whole thing explain that these are as much questions that need to be asked as they are findings.

Jean

Jean DeSaix, Ph.D. Senior Lecturer in Biology
Director Health Professions Advising Office http://preprofessionaladvising.unc.edu/pre-health
Department of Biology Coker Hall CB#3280
University of North Carolina at Chapel Hill, NC 27599-3280
Work Phone: 919-962-1068 Home Phone 919-929-1580
FAX 919-962-1625 email jdesaix@email.unc.edu

From: Sarah Shields [mailto:sshields@email.unc.edu]
Sent: Tuesday, July 24, 2012 9:51 AM
To: Boxill, Jan; facultyexecutivecomm@sakai.unc.edu
Subject: Re: Subcommittee report

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Dear Jan & Fellow FEC members,

First, I want to thank the ad hoc committee. This was an unpleasant topic to investigate and the committee sacrificed a significant portion of their summer to produce an excellent report. I think it is important to keep in mind that a report like this is going to elicit strong reactions by almost every reader and I think the committee did an amazing job transmitting the voices they heard in a constructive manner.

It is a complicated document so summarizing it runs the risk of diminishing it or even damaging some of its content. So, like Tim, I recommend releasing the whole report and letting people digest it for themselves.

I think Jan's plan to provide strong support for Af-Am Studies is very important.

With regard to Sarah's concerns, I don't think the report called for giving advisors special access, but I share her concern about the wording around pedagogy. I think transparency, open-lines of communication and full access to well informed advisors is a GOOD thing. The problem isn't that advisors point students to favorable sections/classes - the problem is that those types of sections/classes exist. We need to fix it on the class end rather than hiding access to it on the advising end. I don't think advisors have a role in shaping pedagogy (though any member of the University community should report ethics issues if they see them). On balance I think this section of the report is communicating a message that the committee heard during their interviews so we shouldn't try to suppress it.

-cheers

Greg

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Version: 2013.0.3336 / Virus Database: 3162/6323 - Release Date: 05/14/13
I have read everyone's comments and my thoughts are varied. In essence, I think the entire report should be presented and not a summary (in keeping with what Tim says). I support the entire report and commend our colleagues who completed it. In terms of support for the African and African American Studies department, they have my support without reservation.

Shielda Glover Rodgers, Ph.D., RN
Clinical Associate Professor
School of Nursing
The University of North Carolina at Chapel Hill
919-843-2478

Dear FEC Members,
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Thanks,
Jan
I am writing the subcommittee members right now to ask if they would agree to change the one paragraph otherwise it is ready to go.

From: Davis, Nancy K  
Sent: Thursday, July 26, 2012 9:59 AM  
To: Boxill, Jan; Moore, Tanya Topolka  
Cc: McFarland, Michael B  
Subject: RE: report

Mike is going to call you. Alston and Wade both said it would be released today. Holden did an interview with Erin Hartness of WRAL because she wasn’t here yesterday. He didn’t promise it. But if there’s any way we could get it out, that would be good. But at the same time, it’s the FEC’s report, and we won’t release it until you’re ready.

From: Boxill, Jan  
Sent: Thursday, July 26, 2012 9:55 AM  
To: Davis, Nancy K; Moore, Tanya Topolka  
Cc: McFarland, Michael B  
Subject: RE: report

Oh no—I specifically told him it wouldn’t be—at least that is what I thought I communicated to him. I said there were things that I still had to address with the FEC before I could release it. I now think I might have said it could be as early as Friday, but not sure.

Jan

From: Davis, Nancy K  
Sent: Thursday, July 26, 2012 9:36 AM  
To: Moore, Tanya Topolka; Boxill, Jan  
Cc: McFarland, Michael B  
Subject: report

Jan,

Alston just said in his report to the board that the FEC report will be released today. I’m copying Tanya so she can track you down and be sure you see this email. Mike or I will call you as soon as we can.

Nancy
Good Morning,
I thought I told Alston Gardner the Chair of the Academic Affairs Committee that the report would not be released until I had discussed some things with the FEC, but today he announced it would be released today!!! So, I need your help. I think the report is ready to be released to the faculty and then to the media, but there are a few things I want to make sure about before I do that.

Thanks for all the email exchange about the report.
I have received a few comments from FEC members, who have now read the report more carefully or who were not present at our discussion meeting, about Page 6 the paragraph beginning 3Although we may never know52
Two points: would you feel comfortable rewording that first sentence to read:
3Although we may never know for certain, it was our impression that a department staff member managed to use the system52
This removes Deborah Crowder and the 3extremely close3 -- The worry is that this could raise further NCAA issues and that is not the intention. Also while it may be true, they feel this is not relevant and more 3gossipy3 and 3unfacultylike3!

The other concern is the last part of that bullet point: 3We were told that athletes claimed52 While it is something you were told by others, since you did not interview any athletes, would this be appropriate to be put in?

I don’t want to release this and then craft another one. I would like this to be it from the FEC.

One thing that we all missed was that we didn’t interview Provost Carney or Chair Eunice Sahle. I received a couple of comments on this: not something we can do anything about now, but just wanted to let you know it was brought to my attention.

I know sending emails is always difficult because they are sometimes read in a way not intended. So these are friendly comments and requests.
Because it has been talked about by the Trustees for the past 2 days, I need to release the report today if possible to the Faculty Council before it gets to the media.

Thanks so much. I know we will all be happy once we can get this released! well maybe!!!

Jan
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From: Boxill, Jan
Sent: Thursday, July 26, 2012 10:34 AM
To: Whisnant, Anne Mitchell
Subject: RE: FEC report

Thanks. The BOT presentation went well, and apparently Alston gave me great kudos at the meeting today. Just wish he’d not jumped the gun on this, but it’s fine.

From: Whisnant, Anne Mitchell
Sent: Thursday, July 26, 2012 10:32 AM
To: Boxill, Jan; Turner, Katie
Subject: RE: FEC report

Ok, just let us know FOR SURE that we have the true FINAL version, and we will post it on the public site when you give the go-ahead.

I hope all went well yesterday! Saw the report on Chapelboro.

Breathe!

From: Boxill, Jan
Sent: Thursday, July 26, 2012 10:30 AM
To: Whisnant, Anne Mitchell; Turner, Katie
Subject: FEC report

Hi,

This report is going to be the death of me!!!

Anyway, as soon as I get clearance from the subcommittee I will want it put on the Fac Council website as well as my comments. When that is done, the news service will send out a release.

Unfortunately, at the trustees meeting today, they announced it would be released TODAY!!! I specifically told them it would not. 😞

Ugh, but we’ll get through this.

Jan

Jan Boxill, Ph.D
Chair of the Faculty at UNC-CH
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Thanks so much. I know we will all be happy once we can get this released.\textit{well maybe}!!!

Jan
Good to know. Let's give Steve some time to catch up with all of this. Maybe you could just tell Jan that we are waiting to hear back from Steve and will let her know soon?

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

From: <Gerhardt>, Michael J <gerhardt@email.unc.edu>
Date: Thursday, July 26, 2012 11:33 AM
To: "Gerhardt, Michael J" <gerhardt@email.unc.edu>
Cc: Laurie Maffly-Kipp <maffly@email.unc.edu>, Michael Gerhardt <michaelgerhardt@gmail.com>, "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu>
Subject: Re: final report

I hit the button too fast. Happy to wait to hear from Steve on this. By the way Jan said she did push back against the person who made this comment.

Sent from my iPhone

On Jul 26, 2012, at 11:32 AM, "Gerhardt, Michael J" <gerhardt@email.unc.edu> wrote:

The least I could do. Frankly, this is what Jan should do. Should I tell Jan our position?

Sent from my iPhone

On Jul 26, 2012, at 11:27 AM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

I will go along, reluctantly, with changing the first if Steve also thinks it is the right thing to do.

Thanks for your spirited defense of our professionalism!

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I agree with Mike on not changing the second part.

My sense is that we didn't interview the provost or Sahle because we were asked to follow up on the three reports and neither of them had any involvement in the reports, from what I could tell.

L.

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, Michael Gerhardt
<michaeljgerhardt@gmail.com>
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I am ok with the first suggestion but not with the second. I could give my reasons for opposing the second but suspect they are self evident.
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the media.
Thanks so much. I know we will all be happy once we can get this released. (Well maybe!!!)
Jan
I should also say that everyone has had GREAT things to say about the report, which is why I thought it was fine to talk about it at the BOT. I also wanted to let them know what we were doing, as I had been getting a lot of flack about "the faculty" not showing any concern.

Again thanks,
Jan

Jan Boxill, Ph.D
Chair of the Faculty at UNC-CH
Director, Parr Center for Ethics
Senior Lecturer, Department of Philosophy
University of North Carolina
Chapel Hill, NC 27599-3125
Office Phone 919-962-3317
Fax: 919-962-3329
web: parrcenter.unc.edu

Thanks, that means a lot to us. I think we are waiting to hear back from Steve.

Sent from my iPhone

On Jul 26, 2012, at 11:26 AM, "Boxill, Jan" <JMBOXILL@email.unc.edu> wrote:

I did!

Personally I would appreciate some push back against that language or insinuation here. One can disagree about facts or language but not about integrity. I know this was something all three of us cared a lot about.

Sent from my iPhone

On Jul 26, 2012, at 11:03 AM, "Boxill, Jan" <JMBOXILL@email.unc.edu> wrote:

I can't remember who actually said that, but it was a term used. I was kind of shocked by the use myself.
From: Gerhardt, Michael J  
Sent: Thursday, July 26, 2012 10:49 AM  
To: Boxill, Jan  
Subject: Re: final report

I think we need to hear from Laurie and Steve before we can release. I expect they will agree with me but throughout we have proceeded with the understanding that we would do nothing unless we all agreed to it. Again on a personal note I am shocked anyone would suggest anything we did was unfaculty like. I think that is uncalled for and fails to accord at least Steve and Laurie the extraordinary respect they should be given as faculty members whose professionalism throughout our work together was at the highest level possible.

Sent from my iPhone

On Jul 26, 2012, at 10:44 AM, "Boxill, Jan" <jMBOXILL@email.unc.edu> wrote:

Thanks so much. I knew that emails were not good!!! I did not intend to demean anything you all did. I merely used words given to me. I know you acted as you said. This is why I chose you and the others because I [and Holden] so respect each of you for the reasons you gave. Thanks also for clarifying the hearsay issue. I wish all the members had been at the first discussion.

So my question is: are you comfortable releasing the report just as written. I greatly appreciate all that you have done and hope you don't take the comments in a negative way.

Thanks.

Jan

From: Gerhardt, Michael J  
Sent: Thursday, July 26, 2012 10:38 AM  
To: Boxill, Jan  
Subject: Re: final report

Jan, on a personal note, I think it fair to say we undertook this task with extreme professionalism and thus, on behalf of my two colleagues, reject anything characterization of our efforts as unfaculty like. In fact we think We acted in accordance with the highest ideals Of academic integrity and professionalism. We met with everyone who asked to meet with us and with whom Those closest to the situation thought we should meet. We also took care in how we assessed hearsay and other evidence. I might add we also insisted on acting with the fullest extent of independence possible. It was out hope to produce something that was not politically expedient but institutionally useful and credible.

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Two points: would you feel comfortable rewording that first sentence to read:
“Although we may never know for certain, it was our impression that a department staff member managed to use the system…”
This removes Deborah Crowder and the “extremely close” -- The worry is that this could raise further NCAA issues and that is not the intention. Also while it may be true, they feel this is not relevant and more “gossipy” and “unfacultylike”!

The other concern is the last part of that bullet point:
“We were told that athletes claimed…” While it is something you were told by others, since you did not interview any athletes, would this be appropriate to be put in?

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Jan
I could make this a very long response, but I agree with you both. I'm not happy with the way Jan is handling this at all.
Steve

I will go along, reluctantly, with changing the first if Steve also thinks it is the right thing to do.

Thanks for your spirited defense of our professionalism!

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After some pressing from me Jan told me she did push back against the charge made. She also said the board had many nice things to say about the report. With your permission I will convey your agreement.

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Thanks so much. I know we will all be happy once we can get this released. I well may be!!!

Jan
From: Gerhardt, Michael J
Sent: Thursday, July 26, 2012 12:13 PM
To: Maffly-Kipp, Laurie F.
Subject: Re: final report

I can, though it seems to me at this point either of us could. If you have a preference, let me know. I do not mind doing it though it is your document and you have been our fearless leader.

--
Michael Gerhardt
Samuel Ashe Distinguished Professor in Constitutional Law & Director, Center for Law and Government
UNC School of Law
919.843.5600

From: <Maffly-Kipp>, Laurie F <MAFFLY@email.unc.edu>
Date: Thursday, July 26, 2012 12:06 PM
To: "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu>, Michael Gerhardt <gerhardt@email.unc.edu>
Cc: Michael Gerhardt <michaelgerhardt@gmail.com>
Subject: Re: final report

Okay, I have made the first change and attached both word and pdf copies (with a "_9" suffix). Mike, do you then want to forward the pdf to Jan with an explanation?

Laurie

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Yes
Steve

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Cc: Michael Gerhardt <michaelgerhardt@gmail.com>
Subject: Re: final report
So, the agreement is to change the first part but not the second? If so, I would rather make the change in our version and send it to her as a pdf (since this is the form in which she currently has it).

Is the change agreeable to Steve?

L.

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Department of Religious Studies, CB #3225
The University of North Carolina at Chapel Hill
Chapel Hill, NC 27599-3225
919.962.3927

From: <Gerhardt>, Michael J <gerhardt@email.unc.edu>
Date: Thursday, July 26, 2012 10:40 AM
To: Laurie Maffly-Kipp <maffly@email.unc.edu>
Cc: "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu>, Michael Gerhardt <michaeligerhardt@gmail.com>
Subject: Re: final report

This is what I told Jan in a separate email. I take some personal exception to the suggestion that we said or did anything unfaculty like. Indeed I believe this is the kind of report one would like to see from an unafraid and independent faculty.

Sent from my iPhone

On Jul 26, 2012, at 10:36 AM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

Why is it a good thing to remove Deborah Crowder's name from the report? The fact is, she was close to people in athletics. This does not imply that anyone close to someone in athletics would do the same thing. But it is what happened. Not sure why this would be a flag for the NCAA?
I agree with Mike on not changing the second part.

My sense is that we didn't interview the provost or Sahle because we were asked to follow up on the three reports and neither of them had any involvement in the reports, from what I could tell.

L.

Laurie F. Maffly-Kipp
Professor and Chair
Department of Religious Studies, CB #3225
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919.962.3927

From: <Gerhardt>, Michael J
<gerhardt@email.unc.edu>
Date: Thursday, July 26, 2012 10:29 AM
Cc: Laurie Maffly-Kipp <maffly@email.unc.edu>,
"Bachenheimer, Steven L"
<steven_bachenheimer@med.unc.edu>, Michael
Gerhardt <michaeligerhardt@gmail.com>
Subject: Re: final report

I am ok with the first suggestion but not with the second. I could give my reasons for opposing the second but suspect they are self evident.
Sent from my iPhone

On Jul 26, 2012, at 10:25 AM, "Boxill, Jan"
<jmbboxill@email.unc.edu> wrote:

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Thanks for all the email exchange about the report.
I have received a few comments from FEC members, who have now read the report more carefully or who were not
present at our discussion meeting, about Page 6 the paragraph beginning: "Although we may never know whether..."

Two points: would you feel comfortable rewording that first sentence to read: "Although we may never know for certain, it was our impression that a department staff member managed to use the system..."

This removes Deborah Crowder and the "extremely close" -- The worry is that this could raise further NCAA issues and that is not the intention. Also while it may be true, they feel this is not relevant and more "gossipy" and "unfacultylik€"!

The other concern is the last part of that bullet point: "We were told that athletes claimed..." While it is something you were told by others, since you did not interview any athletes, would this be appropriate to be put in?

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Because it has been talked about by the Trustees for the past 2 days, I need to release the report today if possible to the Faculty Council before it gets to the media.

Thanks so much. I know we will all be happy once we can get this released. Well maybe!!!

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Thanks so much. I know we will all be happy once we can get this released. Well maybe!!!

Jan
From: Gerhardt, Michael J  
Sent: Thursday, July 26, 2012 12:51 PM  
To: Maffly-Kipp, Laurie F.  
Cc: Bachenheimer, Steven L  
Subject: Re: final report

Well said. Please disregard my last comment. Too little, too late on my part.

Sent from my iPhone

On Jul 26, 2012, at 12:47 PM, "Maffly-Kipp, Laurie F" <MAFFLY@email.unc.edu> wrote:

> Jan,
> I've attached a final version of the report. We made the first change
> you suggested, but do not feel comfortable making the second change and are leaving it as is.
> 
> And, for the record, I would not characterize our failure to interview
> Provost Carney or Chair Sahle as an oversight: our charge was to begin with the reports and to interview those we felt
> would help us understand the issues regarding those reports and other "soft spots." Our strategy was to do just that,
> and to interview others suggested to us (and no one on the FEC or elsewhere, when asked, suggested interviewing the
> two you mention). My assumption, at least, is that a full-scale analysis, as we recommend, would include many more
> interviews.
> 
> Best,
> Laurie
> 
> Laurie F. Maffly-Kipp
> Professor and Chair
> Department of Religious Studies, CB #3225 The University of North Carolina at Chapel Hill Chapel Hill, NC 27599-3225
> 919.962.3927
> 
> From: <Boxill>, Jan
> <JMBOXILL@email.unc.edu><mailto:JMBOXILL@email.unc.edu>>
> Date: Thursday, July 26, 2012 10:23 AM
> To: Laurie Maffly-Kipp
> <maffly@email.unc.edu><mailto:maffly@email.unc.edu>>
> Cc: "Bachenheimer, Steven L"
<steven_bachenheimer@med.unc.edu><mailto:steven_bachenheimer@med.unc.edu>>
Michael Gerhardt
<mailto:michaelgerhardt@gmail.com>
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> Although we may never know.
> Two points: would you feel comfortable rewording that first sentence to 
> read:
> Although we may never know for certain, it was our impression that a department staff member managed to use the system.
> This removes Deborah Crowder and the extremely close -- The worry is 
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> I need to release the report today if possible to the Faculty Council before it gets to the media.

> Thanks so much. I know we will all be happy once we can get this released. (well maybe!!!)
> Jan

> <Report from FEC.Sub_9.pdf>
No worries. I always value your careful weighing of issues and trust your judgment. Thank you.

Laurie F. Maffly-Kipp
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Too late! It's done and gone! And maybe now the summer can really begin . . .

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Cc: Laurie Maffly-Kipp <maffly@email.unc.edu>, "Bachenheimer, Steven L" <steven_bachenheimer@med.unc.edu>, Michael Gerhardt <michaelgerhardt@gmail.com>
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Thanks so much. I know we will all be happy once we can get this released. (Well maybe!!!)

Jan
From: Gerhardt, Michael J  
Sent: Thursday, July 26, 2012 1:02 PM  
To: Maffly-Kipp, Laurie F.  
Subject: Re: final report

Thanks. Now we can be sure no one is going to be tinkering with or trying to rewrite the report. That will help the summer really to begin. Have fun.

Sent from my iPhone

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past 2 days, I need to release the report today if
possible to the Faculty Council before it gets to the
media.
I'm still at my exam. Students still writing!!!
Would it be bad if I don't release the report today?
I'm still waiting to hear from the subcommittee about some wording. It may not come, as I think the way I wrote
the email may have not been the best.
Most everyone who has read it outside the FEC have found it okay--BOT that I know and admin.

Jan

Jan Boxill, Ph.D
Chair of the Faculty at UNC-CH
Director, Parr Center for Ethics
Senior Lecturer, Department of Philosophy
University of North Carolina
Chapel Hill, NC 27599-3125
Office Phone 919-962-3317
Fax: 919-962-3329
web: parrcenter.unc.edu

From: McFarland, Michael B
Sent: Thursday, July 26, 2012 11:35 AM
To: Boxill, Jan
Subject: FW: consultant?

We're checking on both of these things. I have spoken with Jan Boxill and as of mid morning she still didn't have the final report. We'll be back in touch.

From: Stancill, Jane [mailto:jstancill@newsobserver.com]
Sent: Thursday, July 26, 2012 11:22 AM
To: McFarland, Michael B; Moon, Karen B
Subject: consultant?

Hi Mike and Karen,

Seems like Wade Hargrove was saying that the consultant had been hired, but he did not say the name of the firm. Can you find out?
And also, is the faculty report forthcoming today or tomorrow? Or sometime later.

Thanks,
Jane
Laurie,
I am sorry about the tone of the last email. I am quite overwhelmed with the media, the news service and the BOT. I was hoping to buy some time regarding the report, but faculty are asking for it as well as the media, etc. What would you suggest? Release it as is, or wait until everyone has responded.

Thanks so much,
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Jan,

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Good luck. I know you are under the gun, so to speak. Just breathe!

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From: <Boxill>, Jan <jMBOXILL@email.unc.edu>
Date: Thursday, July 26, 2012 4:43 PM
To: Laurie Maffly-Kipp <maffly@email.unc.edu>
Subject: report

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web: parrcenter.unc.edu
THANK YOU SO MUCH. This is greatly appreciated, and again I apologize for the last email. I can thank you, Steve and Michael enough.

Jan

From: Maffly-Kipp, Laurie F  
Sent: Thursday, July 26, 2012 4:52 PM  
To: Boxill, Jan  
Subject: Re: report

Jan,
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Here is the final report some slight edits on page 6 of the last report. It is being put up on the Faculty Exec Committee website.
Thanks for all your help and input.

Jan

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Thank you, thank you. I so appreciate all your support. In my comments I have been emphasizing the forward looking recommendations. Of course not everyone is going to see that. Also the BOT has been very supportive and greatly appreciates the report and has nothing but positive comments.

Thanks, and see you on the 6th.

Best,

Jan

---

Hi Jan,

Be strong; remember that the faculty leadership supports the findings and recommendations of our report. I hope it is seen as just the beginning of a forward-looking process that hopefully will contribute to both a local as well as a national conversation about the tensions that arise when big-time athletics on the one hand, and our aspirations for the undergraduate academic experience on the other, collide. We have tried to be forward looking and not dwell on the minutia of the N’yangoro-Crowder abuses. I hope that the press coverage can appreciate the distinction.

Steve

---

Thank you all for your help. I think we are all good. I have just now sent it to be released on our website and for the news.

I can’t think you enough for all that you have done and for my emails. I deeply apologize for the tone of the earlier email. I am a bit overwhelmed by the confusions created, the media bash, and I’m also teaching summer school [big mistake]. My grades are due tomorrow!

I have told our news people that we all agreed that questions should be directed to me and you can do the same. I hope I am ready for that.

Thanks,

Jan
Thanks. The one thing that will allow me to get through this is everyone's support.
Jan

From: Maffly-Kipp, Laurie F
Sent: Thursday, July 26, 2012 5:42 PM
To: Boxill, Jan; Bachenheimer, Steven L
Cc: Michael Gerhardt
Subject: Re: final report

I can only second what Steve has already said so well. There WILL be people who try to turn this around into something scintillating, no doubt. That's where having the mission statement always helps me—there's a positive goal here that is larger than any one set of events, and you can be sure that we are fully in support as you remind others of that.

Laurie

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From: <Boxill>, Jan <IMBOXILL@email.unc.edu>
Date: Thursday, July 26, 2012 5:38 PM
To: "Bachenheimer, Steven L" <stephen_bachenheimer@med.unc.edu>
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Subject: Re: final report
Hi Jan,

Be strong; remember that the faculty leadership supports the findings and recommendations of our report. I hope it is seen as just the beginning of a forward-looking process that hopefully will contribute to both a local as well as a national conversation about the tensions that arise when big-time athletics on the one hand, and our aspirations for the undergraduate academic experience on the other, collide. We have tried to be forward looking and not dwell on the minutiae of the N’yangoro-Crowder abuses. I hope that the press coverage can appreciate the distinction.

Steve

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From: <Boxill>, Jan <jboxill@email.unc.edu>
Date: Thursday, July 26, 2012 5:16 PM
To: "Maffly-Kipp, Laurie F" <maffly@email.unc.edu>
Cc: "steven_bachenheimer@med.unc.edu" <steven_bachenheimer@med.unc.edu>, Michael Gerhardt <michaelgerhardt@gmail.com>
Subject: RE: final report

Thank you all for your help. I think we are all good. I have just now sent it to be released on our website and for the news.

I can’t think you enough for all that you have done and for my emails. I deeply apologize for the tone of the earlier email. I am a bit overwhelmed by the confusions created, the media bash, and I’m also teaching summer school [big mistake]. My grades are due tomorrow!

I have told our news people that we all agreed that questions should be directed to me and you can do the same. I hope I am ready for that.

Thanks,
Jan