



# State of North Carolina

**ROY COOPER**  
GOVERNOR

November 1, 2022

**EXECUTIVE ORDER NO. 272**

**ESTABLISHING THE GOVERNOR'S COMMISSION ON THE  
GOVERNANCE OF PUBLIC UNIVERSITIES IN NORTH CAROLINA**

**WHEREAS**, North Carolinians continually strive to be better educated, healthier, and more financially secure so they may live purposeful and abundant lives; and

**WHEREAS**, the 17 institutions in the University of North Carolina System are responsible for educating 244,500 students annually, employ thousands of North Carolinians, and have an estimated economic impact of \$27.9 billion on the state; and

**WHEREAS**, the University of North Carolina System is a national leader in scientific and social science research, bringing in billions of dollars in grants to North Carolina; and

**WHEREAS**, the research and discoveries from the University of North Carolina System's campuses save lives, result in innovations that improve lives, and enable the creation of new businesses that add jobs and economic value to the state; and

**WHEREAS**, the University of North Carolina System's campuses are located throughout the state and use the services of many private sector businesses, all of which add significantly to the economy of the state; and

**WHEREAS**, Article IX, Section 8 of the North Carolina Constitution makes clear that a public university system is a fundamental part of the composition of the State of North Carolina; and

**WHEREAS**, Article IX, Section 9 of the North Carolina Constitution instructs that the benefits of this system be extended, as far as practicable, to the people of the state free of expense; and

**WHEREAS**, North Carolina has been a national leader in public higher education since the University of North Carolina at Chapel Hill became the first public university in the nation to open its doors in 1795; and

**WHEREAS**, in 1971, the General Assembly passed legislation consolidating the University of North Carolina into a sixteen-campus system, with a constituent high school added in 2007, and establishing a board of governors to govern the system (the "Board of Governors"); and

**WHEREAS**, each institution has a board of trustees which advises its Chancellor and the Board of Governors on matters concerning the institution, and is comprised of members selected by the Board of Governors and General Assembly; and

**WHEREAS**, the University of North Carolina System is dedicated to the service of North Carolina and its people; and

**WHEREAS**, the University of North Carolina System is the state's crown jewel by virtue of the system's excellent academic reputation, training of North Carolina's workforce, and advancement of health care, agriculture, and technology; and

**WHEREAS**, the University of North Carolina System includes five (5) Historically Black Colleges and Universities that have been recognized nationally for their academic programs and general excellence; and

**WHEREAS**, a stable, affordable, high-quality public university system is critical to the educational and economic future of North Carolina and its residents; and

**WHEREAS**, in 1971 when the University of North Carolina System was formed, and again in 1991, the General Assembly sought to ensure, through legislation, that the members of the Board of Governors of the University of North Carolina System would be diverse in terms of experience and thought, and that the board would include North Carolinians from various backgrounds; and

**WHEREAS**, such diversity of experience and thought in members of the governing board is consistent with the very nature of an institution focused on higher learning; and

**WHEREAS**, pursuant to Article III of the North Carolina Constitution and N.C. Gen. Stat. §§ 143A-4 and 143B-4, the Governor is the chief executive officer of the state and is responsible for formulating and administering the policies of the executive branch of state government; and

**WHEREAS**, the undersigned, as the state's Chief Executive Officer, seeks recommendations on how to ensure that the composition of the Board of Governors of the University of North Carolina System and the Board of Trustees of each constituent institution is reflective of the diversity of the state and is best suited to assure the success of the University of North Carolina System in the 21st century; and

**WHEREAS**, a diverse commission comprised of members from various backgrounds who reflect the regional, ethnic, racial, gender, and political diversity of the state will assist in identifying the best governance strategies to improve the quality of higher education for all students in North Carolina.

**NOW, THEREFORE**, by the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED**:

**Section 1: Establishment and Purpose**

- a. The Governor's Commission on the Governance of Public Universities in North Carolina ("Commission") is hereby established. The Commission is charged with evaluating the current governance structure of the University of North Carolina System and of each constituent institution and making recommendations to the Office of the Governor on how to improve existing governance, by recommending 1) who should appoint the members of the Board of Governors and the members of each Board of Trustees; 2) how to ensure that the composition of the Board of Governors and each Board of Trustees reflects the regional, ethnic, racial, gender, gender, political, and economic diversity of the state; and 3) a proposed set of principles and responsibilities that should apply to members of the Board of Governors and members of each Board of Trustees.
- b. Commissioners shall deliver a report to the Office of the Governor no later than eight (8) months from the date of this Executive Order providing the assessment and

recommendations specified in Section 1(a) herein and making any additional recommendations as requested by the Governor regarding support for and oversight of the State's public universities.

Section 2: Duties

The Commission shall have the following duties and functions:

- a. Engage subject matter experts who can provide information to the Commission on the status of public university governance in North Carolina and best practices elsewhere.
- b. Receive testimony from individuals with experience and perspective on the governance structure of the University of North Carolina System and of each constituent institution.
- c. Make recommendations, consistent with Section 1, regarding the structure and composition of the Board of Governors and the Board of Trustees, including who should make appointments to these governing bodies.

Section 3: Membership

- a. The Commission shall be comprised of at least fifteen (15) members appointed by the Governor. These members shall include individuals with (i) experience with the University System; (ii) general experience with higher education governance; (iii) experience with higher education governance best practices; or (iv) other relevant experience that would be valuable to the Commission.
- b. All members will serve at the pleasure of the Governor.
- c. The Governor shall select co-Chairs and a Vice Chair from the members serving on the Commission. The Commission may elect other officers as it deems necessary.

Section 4. Meetings and Quorum

The Commission shall meet at least four (4) times before producing the report identified in Section 1 and shall also meet upon the call of one of the Commission Chairs, the call of the Commission Vice Chair if a Commission Chair position is vacant, or upon the written request of a majority of the Commission members. A simple majority of the Commission's members shall constitute a quorum to conduct official business.

Section 5. Administration

- a. The Commission may create sub-committees.
- b. The Office of the Governor shall provide staff and administrative support services for the Commission.
- c. Commission members shall serve without compensation but may receive a per diem allowance and reimbursement for travel and subsistence expenses from available state funds in accordance with state law and Office of State Budget and Management policies and regulations.

Section 6. Effect and Duration

This Executive Order is effective immediately and shall remain in effect until December 31, 2024, unless otherwise extended, modified, or rescinded by subsequent Executive Order.

**IN WITNESS WHEREOF**, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this the 1<sup>st</sup> day of November, in the year of our Lord two thousand twenty-two.



Roy Cooper  
Governor

**ATTEST:**



Rodney S. Maddox  
Chief Deputy Secretary of State

