



East Carolina University | Board of Trustees

Finance and Facilities | September 18, 2014

Agenda

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|-----|--|-------------|
| I. | Approval of July 17, 2014 Minutes | Action |
| II. | Action and Information Items | |
| A. | East Campus Student Center Elevations | Action |
| B. | Dance Building Elevations | Action |
| C. | Approval to Sublease - 2365 Stantonsburg Rd. | Action |
| D. | Approval of Policy for: Review Process & Procedure for EPA Non-Faculty Employees | Action |
| E. | ITCS - Year in Review | Information |
| F. | Capital Projects Update | Information |
| G. | Reimbursement Resolution for Student Centers | Information |
| H. | Other | Information |

East Carolina University
Board of Trustees
Finance and Facilities Committee
September 18, 2014

Session	Finance and Facilities Committee
Responsible Person	Vice Chancellor for Administration and Finance Frederick Niswander
Agenda Item	I.A.
Item Description	Minutes of July 17, 2014 Meeting
Comments	N/A
Action Requested	Committee approval
Disposition	
Notes	

**ECU Board of Trustees
Finance and Facilities Committee Minutes
July 17, 2014**

Committee Members Attending: Terry Yeargan, Chair, Steve Jones, Edwin Clark, Mark Copeland, Max Joyner, Robert Brinkley, Vern Davenport, and Bob Plybon.

Others Attending: Rick Niswander, Steve Duncan, John Fields, Scott Buck, Bill Bagnell, Bill Koch, Donna Payne, Virginia Hardy and Rhonda Jordan.

The Finance and Facilities Committee meeting was called to order at 10:51 a.m. by Chairman Yeargan, who read the conflict of interest statement. No conflicts were identified. The minutes of the September 19, 2013, Finance and Facilities Committee meeting were approved.

Property Purchase

The Committee reviewed a request to purchase Property at 908 Forbes Street. Mr. Buck was available for questions. The Committee approved a motion to recommend that the full Board approve the request.

Information

Dr. Niswander and Mr. Bagnell updated the Committee on the East Campus Student Center.

Mr. Bagnell updated the Committee on Capital Projects.

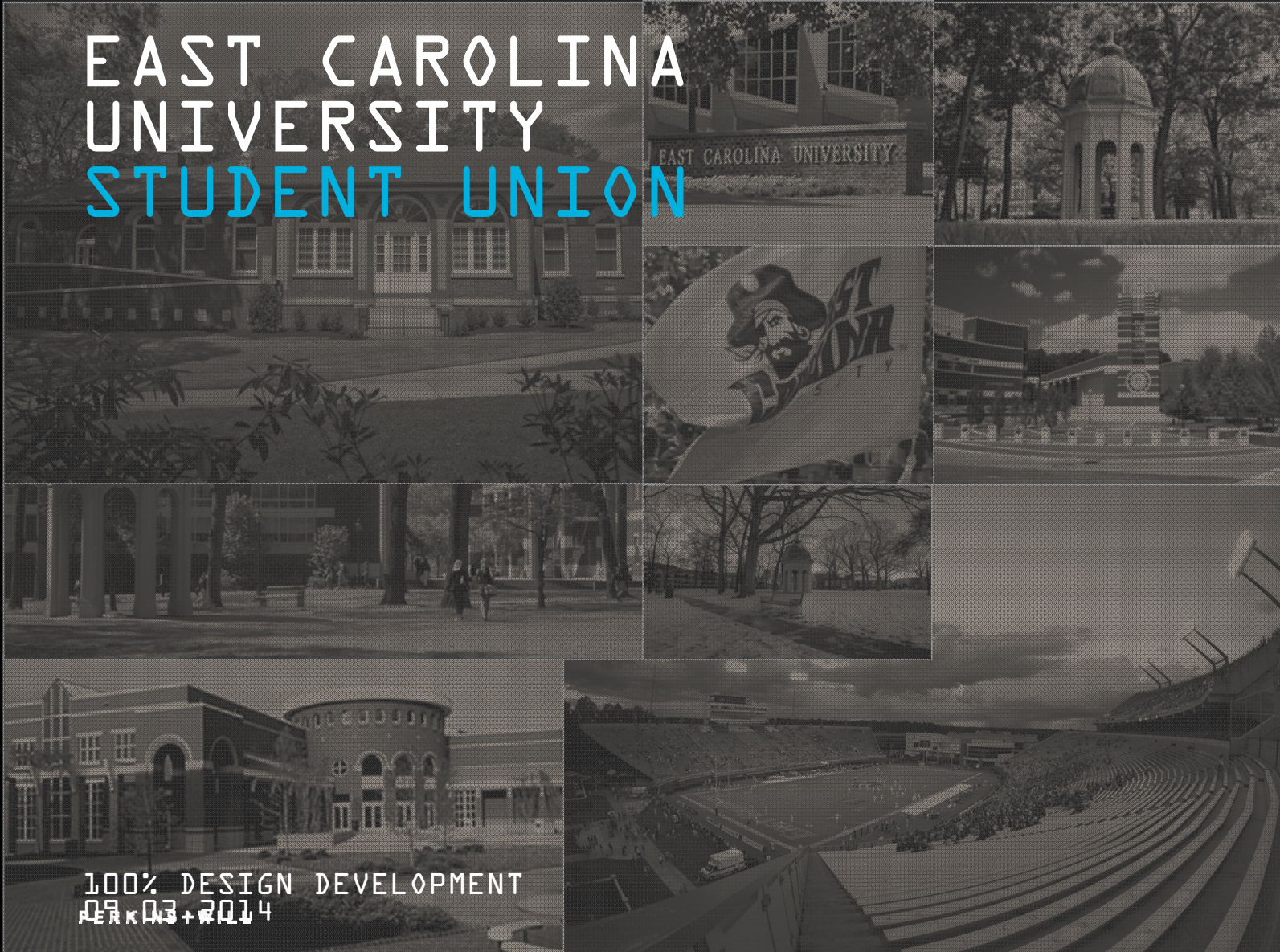
Dr. Niswander and Mr. Bagnell updated the Committee on Deferred Maintenance, Repair and Renovation Priorities.

The meeting adjourned at 12:06 pm.

East Carolina University
Board of Trustees
Finance and Facilities Committee
September 18, 2014

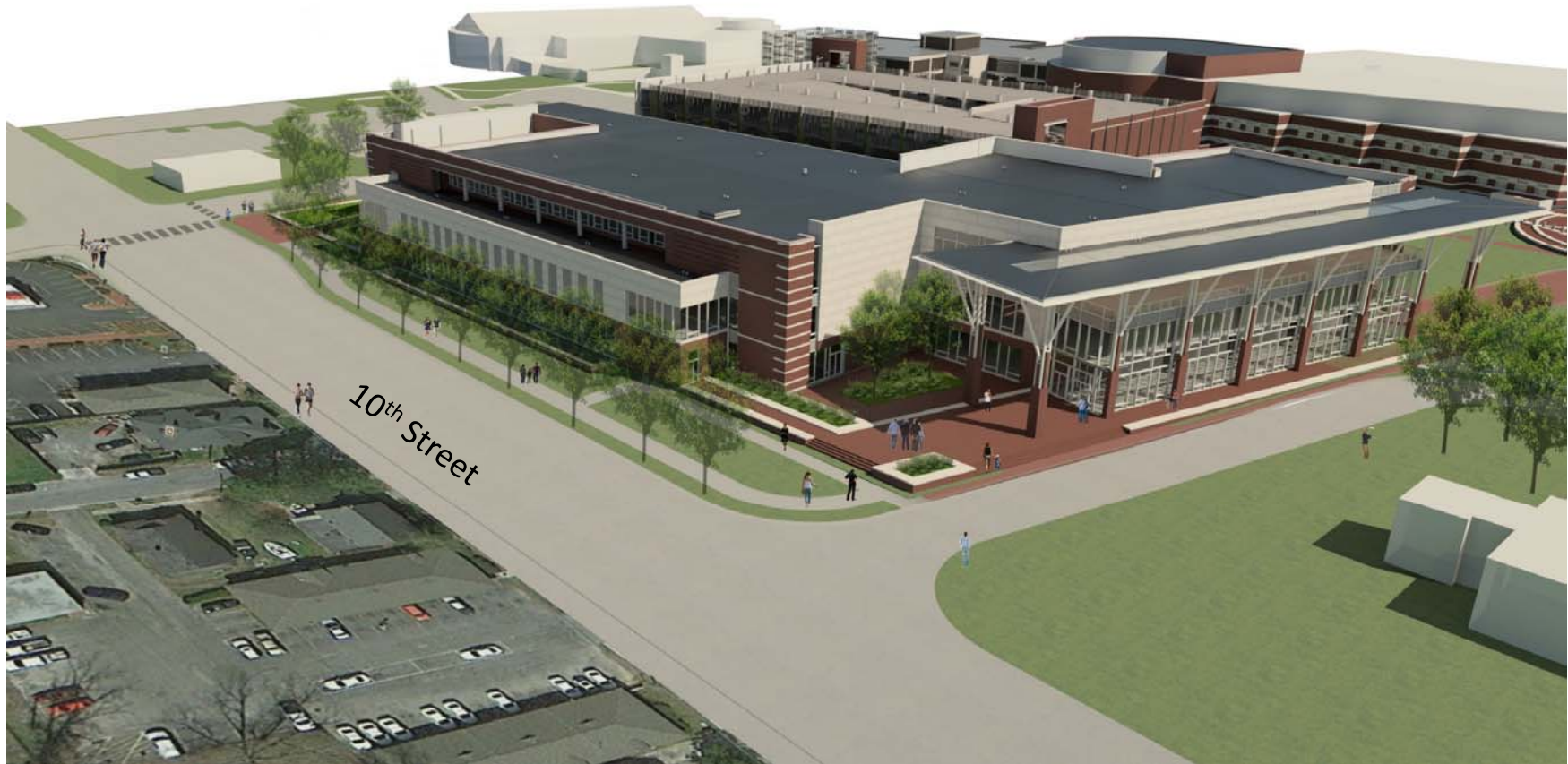
Session	Finance and Facilities Committee
Responsible Person	Vice Chancellor for Administration and Finance Frederick Niswander
Agenda Item	II.A.
Item Description	East Campus Student Center Elevations
Comments	N/A
Action Requested	Committee approval
Disposition	
Notes	

EAST CAROLINA UNIVERSITY STUDENT UNION



100% DESIGN DEVELOPMENT
PERKINS+WILL

AERIAL VIEW FROM SOUTHEAST



AERIAL VIEW FROM NORTH



VIEW TO NORTH ENTRY AND MEDIA SCREEN FROM SONIC PLAZA



VIEW TO ENTRY, LEDONIA WRIGHT CULTURAL CNTR. AND THEATRE FROM NE



VIEW TO TERRACE FROM EAST



SOUTHEAST GATEWAY ENTRY FROM 10TH STREET



TERRACE VIEW LOOKING TOWARD SONIC PLAZA



VIEW TO GATEWAY ENTRY AND PLAZA FROM 10TH STREET



SOUTH ELEVATION AT 11TH+ STREET



SOUTH ELEVATION OPTION 1



SOUTH ELEVATION OPTION 2



SOUTH ELEVATION OPTION 3



SOUTH ELEVATION OPTION 5



SOUTH ELEVATION OPTION 4



VIEW TO SOUTHWEST CORNER FROM 10TH STREET BOOKSTORE AT CORNER



VIEW TO WEST ENTRY



VIEW TO WEST ENTRY AT BOOKSTORE AND DINING ATRIUM



VIEW TO WEST ENTRY FROM NORTH



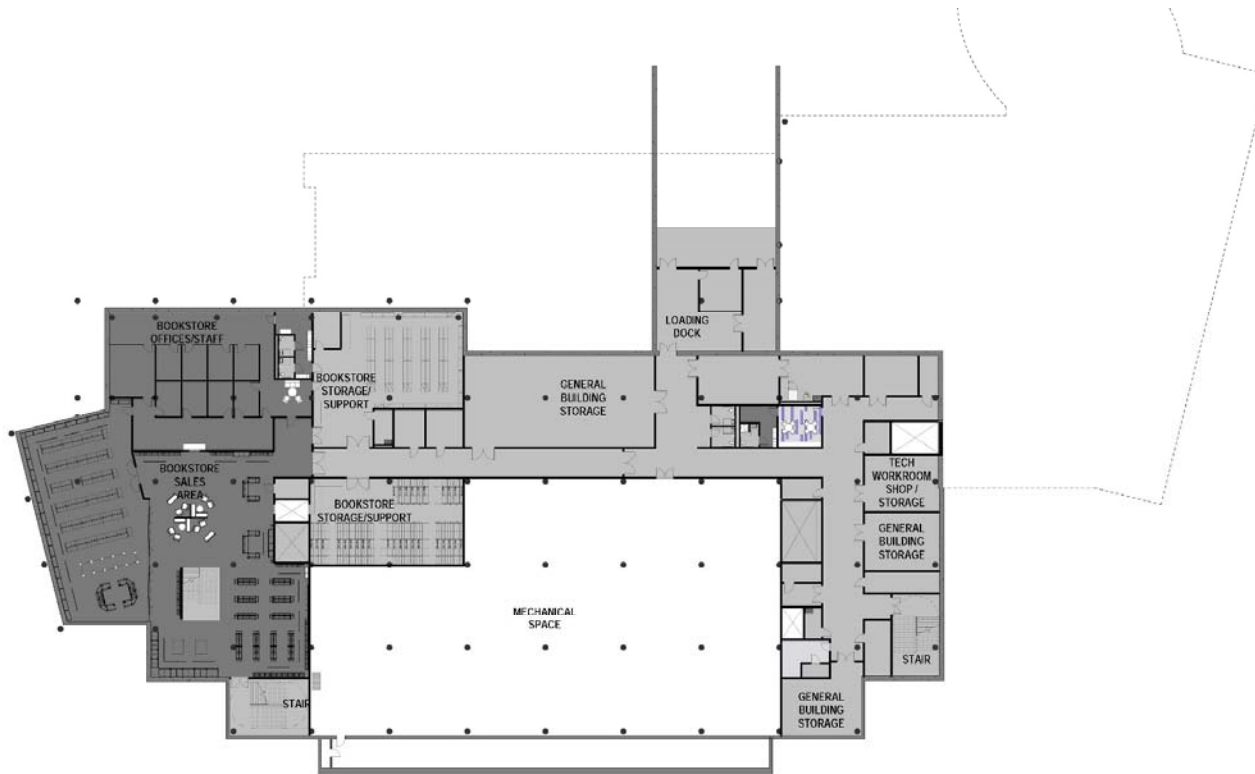
VIEW TO GREEN SPACE AT EAST ELEVATION OF PARKING DECK



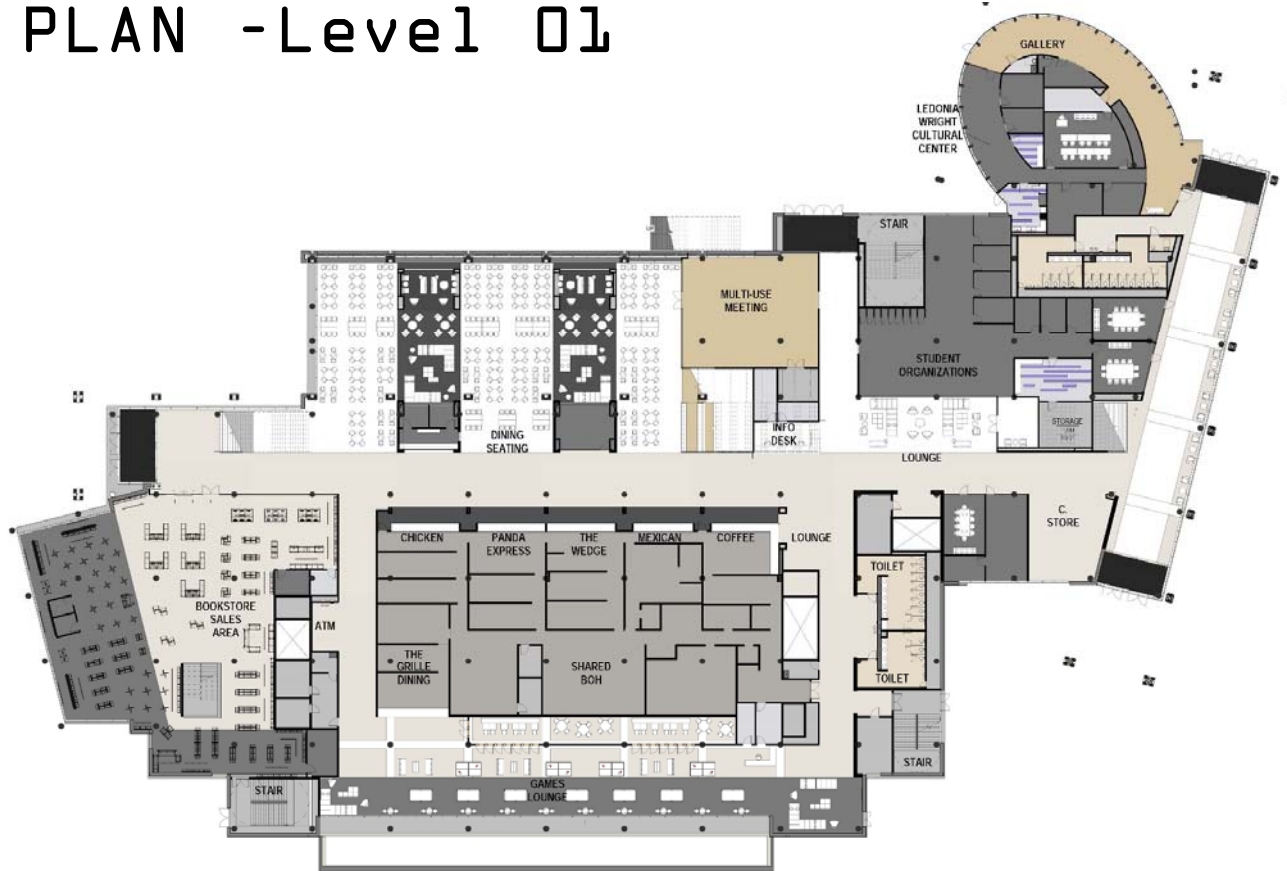
VIEW TO PEDESTRIAN PATHWAY BETWEEN JOYNER LIBRARY, CP AND DECK



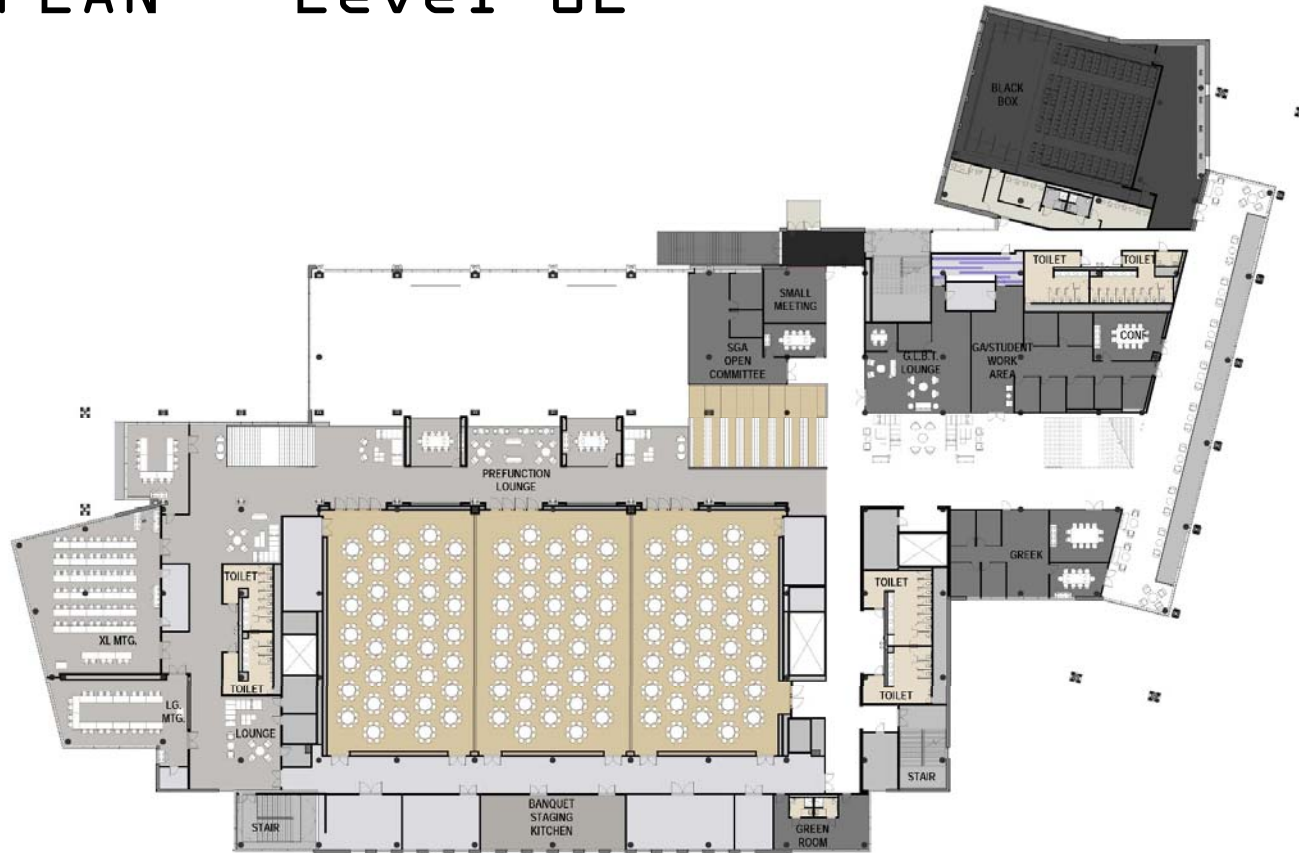
FINISH PLAN - Level 0B



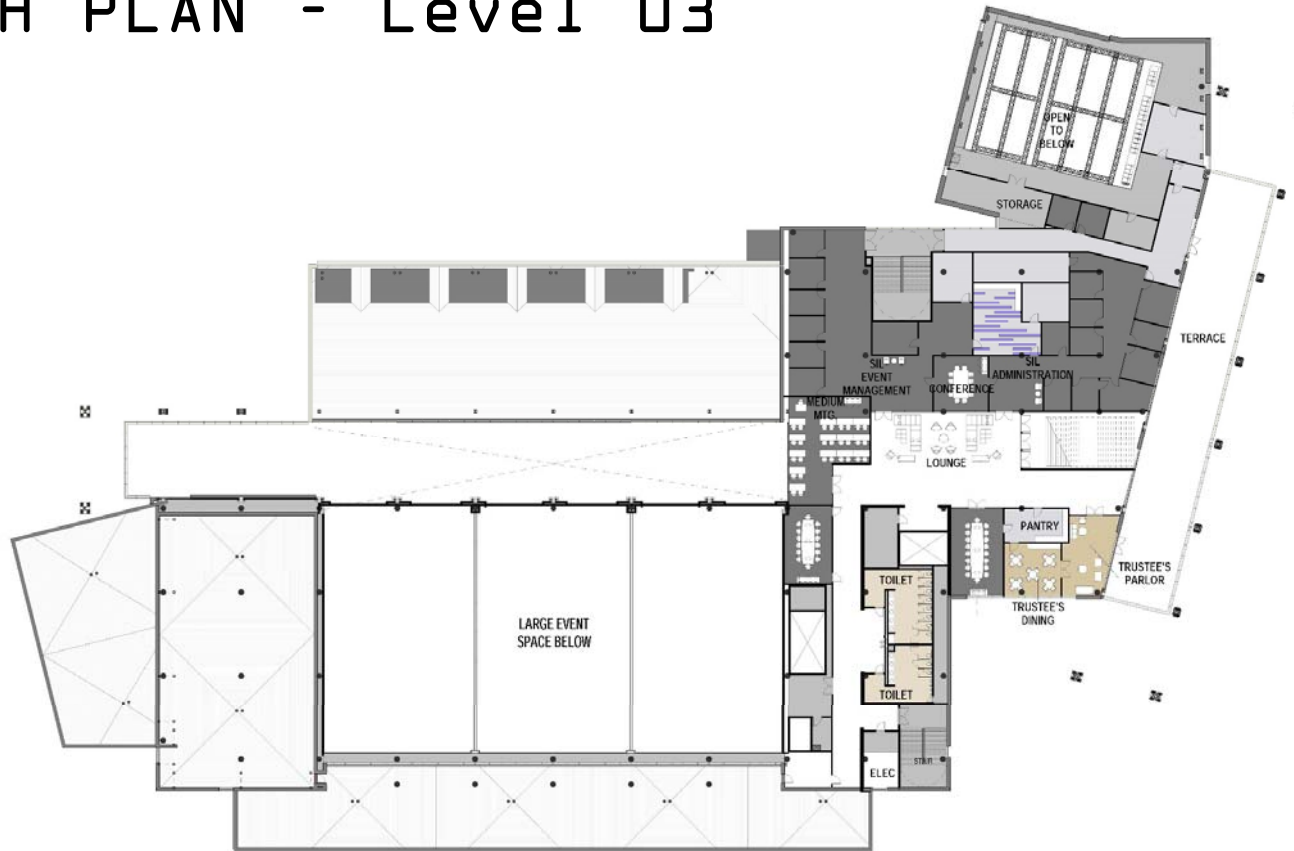
FINISH PLAN -Level 01



FINISH PLAN - Level 02



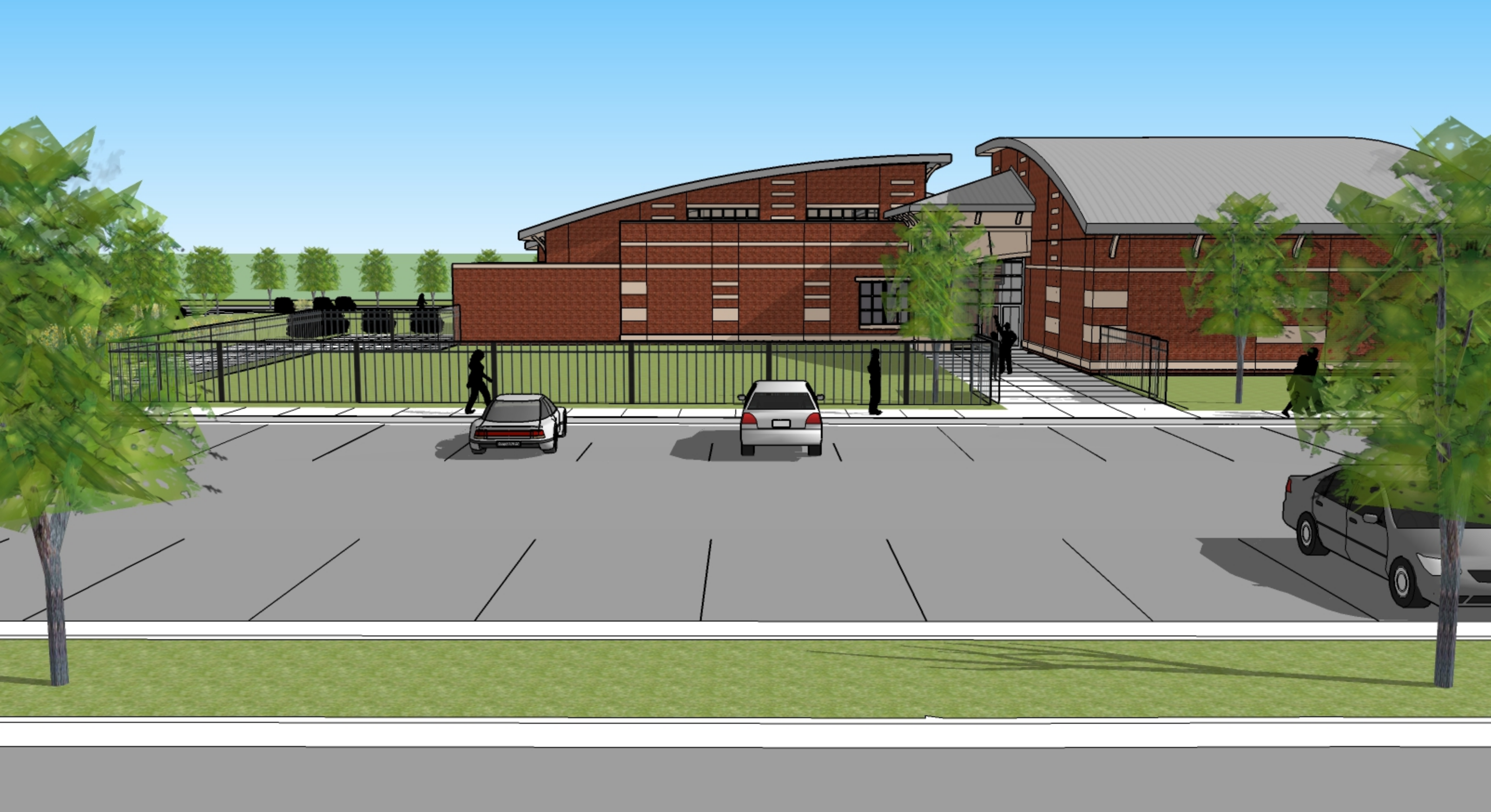
FINISH PLAN - Level 03

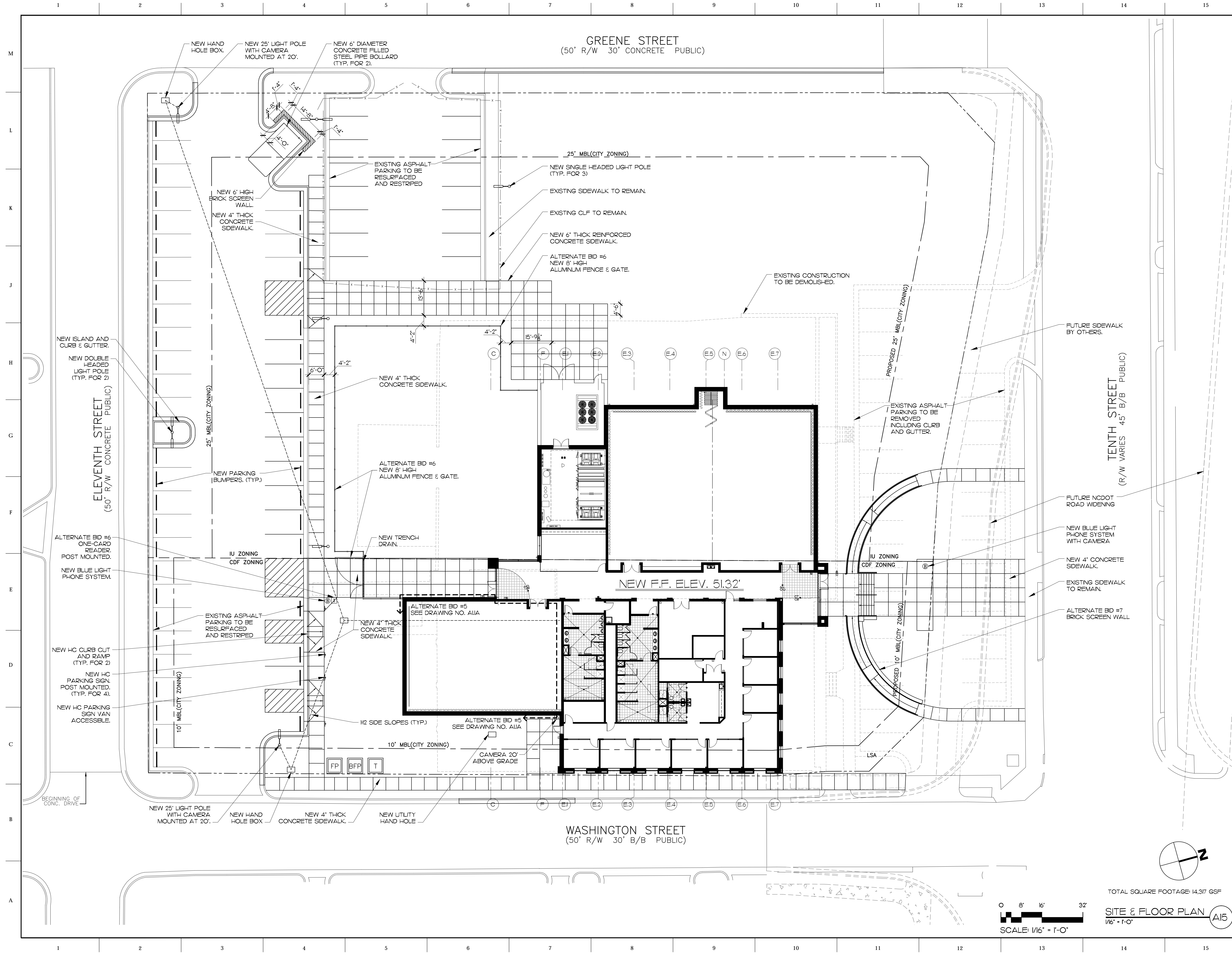


East Carolina University
Board of Trustees
Finance and Facilities Committee
September 18, 2014

Session	Finance and Facilities Committee
Responsible Person	Vice Chancellor for Administration and Finance Frederick Niswander
Agenda Item	II.B.
Item Description	Dance Building Elevations
Comments	N/A
Action Requested	Committee approval
Disposition	
Notes	







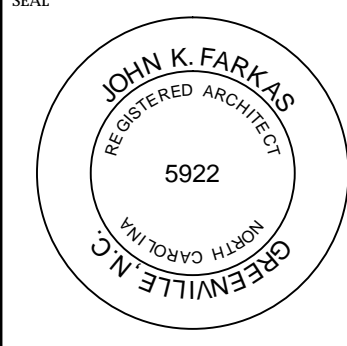
MATERIALS KEYING LEGEND

GENERAL NOTES

KEY PLAN

SCO ID #121006702; CODE 41236-303; ITEM 313

NO	REVISION	DATE

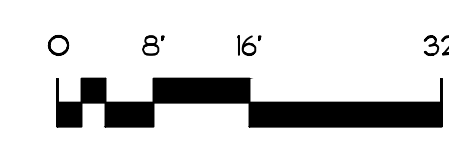

J K F
 ARCHITECTURE

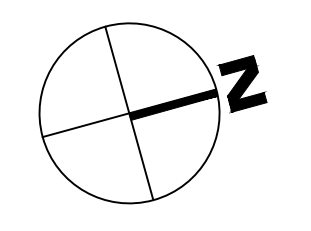
P.O. BOX 20662 GREENVILLE, NC 27858 PHONE 252-355-1068

EAST CAROLINA UNIVERSITY
WOODWORKS BUILDING DANCE
STUDIO RENOVATION
GREENVILLE, NC

DRAWING TITLE
SITE & FLOOR PLAN

SCALE	1/16" = 1'-0"	DRAWING NO.	A15
DRAWN	MCZ		
CHECKED	JKF		
DATE	9-1-2014		
PROJECT NO.	2013-21		

TOTAL SQUARE FOOTAGE: 14,317 GSF

 SCALE: 1/16" = 1'-0"
 SITE & FLOOR PLAN A15





East Carolina University
Board of Trustees
Finance and Facilities Committee
September 18, 2014

Session	Finance and Facilities Committee
Responsible Person	Vice Chancellor for Administration and Finance Frederick Niswander
Agenda Item	II.C.
Item Description	Approval to Sublease 2365 Stantonsburg Road.
Comments	N/A
Action Requested	Information
Disposition	
Notes	

Associate Vice
Chancellor for
Administration
and Finance -
Business Services

224 Ragsdale Building
East Carolina University
Greenville, NC 27858-4353

252-328-6910 office
252-328-1558 fax

MEMORANDUM

TO: Rick Niswander

FROM: Scott Buck *Scott*

DATE: September 5, 2014

SUBJECT: Request ECU Board of Trustees Approval to Sublease By
Disposition ± 19,866 SF of Clinical/Office Space Located at 2365
Stantonsburg Road

ECU Physicians, Brody School of Medicine, requests ECU Board of Trustees approval to sublease by disposition ± 19,866 SF of office/clinical space (ECU Neurological and Spine Center) located at 2365 Stantonsburg Road to Vidant Medical Center.

The annual sublease amount shall be \$408,128.25 (\$20.55/SF). Term shall be from October 1, 2014 and ending September 30, 2015 with a one (1) year renewal option. If renewed, the lease amount shall be adjusted by the Consumer Price Index. ECU Physicians shall be responsible for all maintenance including building and grounds. Vidant shall be responsible for all utilities and janitorial.

The master lease for this property is between ECU Physicians and the East Carolina University Real Estate Foundation which expires December 31, 2018. Rental receipts shall be deposited in the Medical Faculty Practice Plan.

This request is in accordance with ECU Physicians Real Property Acquisition by Lease Policy.

cc: P. Horns
P. Cunningham
B. Jowers
N. Benson
C. Erwin
B. Clark

East Carolina University
Board of Trustees
Finance and Facilities Committee
September 18, 2014

Session	Finance and Facilities Committee
Responsible Person	Vice Chancellor for Administration and Finance Frederick Niswander
Agenda Item	II.D.
Item Description	Approval of Policy for: Review Process & Procedure for EPA Non-Faculty Employees
Comments	N/A
Action Requested	Committee approval
Disposition	
Notes	



Policies, Regulations and Rules

Authority	Board of Trustees
Title	Review Process and Procedure for EPA Non-Faculty Employees
Classification	06.35.01
PRR Subject	Dispute Resolution, Reviews, and Appeals
Contact Info	Assistant Vice Chancellor for Human Resources and Director of EPA Administration, (252) 328-9882

History: Chancellor: October 12, 2005; Board of Trustees: December 16, 2005; Amended: January 1, 2009; Revised December 2, 2013; Board of Trustees approved January 13, 2014.

Related Policies:

Section 611 of the Code of the University of North Carolina, "Review of Personnel Actions Affecting Specified Employees Exempt from the State Personnel Act (EPA)"

UNC Policy Manual 300.1.1, Senior Academic and Administrative Officers

UNC Policy Manual 300.2.1, Employees Exempt from the State Personnel Act

Additional References:

ECU Policy for Employees Exempt from the State Personnel Act

ECU Human Resources Benefits

Human Resources

Contact Information:

Assistant Vice Chancellor for Human Resources and Director of EPA Administration, (252) 328-9882

Review Process and Procedure for EPA Non-Faculty Employees²

Introduction

East Carolina University is committed to fair and equitable treatment for all employees. The University administration is charged by law and University policy with managing and directing its human resources, including but not limited to workforce size, recruitment, training, work

² "EPA Employees" are "Employees Exempt from the State Personnel Act" which includes Senior Academic and Administrative Officers as defined in Section I.B and governed by Section III of the UNC policy 300.1.1, and employees designated within the non-teaching EPA Instructional or Research category under G.S. 126-5, and as defined in UNC Policy 300.2.1.

assignments, hours of employment, promotion, demotion, transfer, or dismissal. Where there are concerns or problems related to employment, employees, their co-workers and their supervisors are strongly encouraged to find informal means of resolving them. Employees may pursue formal requests in accordance with the Review Procedure outlined in section 4 below.

1. General Considerations

1.1. The University has established this Review Process and Procedure for those actions stated in Section 3 below.

1.2. EPA Non-Faculty Employees (hereinafter "Employees") have the right to use this Review Process & Procedure ("Review Process & Procedure") free from threats or acts of retaliation, interference, coercion, restraint, discrimination, or reprisal. Employees and students may not be retaliated against for participating in a review as an employee, a witness, an employee assistant, or as a Review Committee member. Any person who retaliates against another person for exercising rights in good faith under this Review Process & Procedure will be subject to appropriate and prompt administrative action by the University.

2. The EPA Non-Faculty Employee Review Committee (the "Committee")

2.1. Roles and Responsibilities of the Committee

The Committee hears requests for reviews brought by Employees covered by the Review Process & Procedure.

2.2. Composition of the Committee

The Chancellor² shall appoint five (5) EPA Non-Faculty employees to serve as regular committee members representing EPA non-faculty employees across the divisions of the University. Additionally, the Chancellor shall appoint three (3) EPA Non-Faculty employees to serve as alternate Committee members. The Chancellor shall endeavor to have each division have representation on the Committee. All regular and alternate members of the Committee must be subject to the Review Process & Procedure.

The three (3) alternates will be appointed to: fill the unexpired terms of regular members who may leave the Committee; or, to serve in the event that a regular member is not available to serve or must recuse him/herself because of a conflict of interest; or, if the Employee is a member of the regular member's division. If an alternate is appointed to fill the unexpired term of a regular member, the Chancellor shall appoint a new alternate member to represent the division previously served by the replaced regular member.

Upon expiration of a regular member's term, a new member of the Committee will be appointed from among the three alternates and a new alternate will be appointed to represent the division

² The Chancellor may designate an individual to fulfill any responsibility of the Chancellor under this Review Process & Procedure if he or she chooses to delegate any assignment.

previously served by the regular member whose term has expired.

The Committee's membership year is July 1 through June 30. New appointees assume membership on July 1 and expiring terms end on June 30 of each year. Membership may continue in the event that the Committee is actively hearing a case, or there is a currently pending review.

A Committee member may not participate in a review he or she brings on his or her own behalf, in any case in which he or she has been materially involved or in any case that arose within that Committee member's department or division in instances where a Vice Chancellor or division head is the respondent.

2.3. Appointments to the Committee

The Assistant Vice Chancellor for Human Resources is responsible for facilitating the work of the Committee, including orienting new members and managing this appointment process. For initial appointments, and subsequently on an annual basis in May or as soon thereafter as practicable, the Chancellor may send a memorandum to the Vice Chancellors requesting nominees. The Chancellor will send a letter of appointment to the selected individuals to fill the expired terms of regular and alternate members. When a vacancy occurs during a regular or alternate member's term due to inability to continue through the remainder of the unexpired term, the Chancellor² will solicit a nomination from the head of the division represented by that regular or the alternate member, or another unrepresented division. The Chancellor² will send a letter of appointment to the individual(s) selected to fill the unexpired term of the regular or alternate member(s).

The regular members of the committee will elect the Chair of the Committee ("Committee Chair" or the "Chair") annually in July or as soon thereafter as practicable. The Committee will also elect a vice chair, who will preside in the event that the Chair is unable to fulfill the requirements of this position. The Chair and Vice Chair are permitted to serve multiple terms.

3. Committee Jurisdiction and Request for Review Statement.

3.1 Requests for review are subject to the standards set out below, which define matters which may or may not be reviewed under this Review Process & Procedure. A University official may choose to offer a proposed resolution to a dispute without such offer conferring jurisdiction under this Review Process & Procedure where such jurisdiction is not otherwise present. Matters that can be reviewed shall be limited to claims that:

3.1.1 Discharge for cause or other disciplinary action violated the interpretation and application of any provision of The University of North Carolina Policy Manual Section 300.2.1.

3.1.2 Discontinuation, expiration of term appointments, or terminations with notice upon allegations of violations of the notice requirements, or the Equal Employment Opportunity and Protected Activity provisions of the University of North Carolina Policy Manual Section 300.2.1

3.2 Matters outside the Committee's jurisdiction. Absent a demonstration by the employee that

the decision was based on a factor reviewable under the University of North Carolina Policy Manual Section 300.2.1, the Committee has no jurisdiction to review pursuant to the Review Policy and Procedure:

3.2.1. Dissatisfaction by an Employee with the general application of a University, School/College or Department policy, regulation, or practice or with a University official's decision-making on the grounds it is undesirable or inadvisable.

3.2.2. Complaints, reviews or appeals that are exclusively subject to another University procedure or are exclusively within the scope of another University committee such as, but not limited to, intellectual property determinations, research ethics, Campus Police trespass appeals, parking appeals or assignments, and health and safety concerns. The outcome of such matters may be presented to and considered by the Committee when they have a direct relevance to a matter which otherwise is within the scope of the process subject to the specific disclosure and confidentiality rules of the other University procedure or Committee.

3.3 Written Request for Review Statement Required

3.3.1 An Employee must file a written request review statement ("Statement") using the form available on the ECU HR website (link provided above) with the Chair of the Committee.

3.3.2 Absent exceptional circumstances, the signed, written Statement shall be submitted within 20 working days of the decision cited in the Statement. The deadline for submitting the Statement may be extended only if, in the judgment of the Chair, there are significant extenuating circumstances. The act of filing a Statement does not extend employment.

3.4 Referral to the Office for Equity and Diversity

If the Statement submitted by the employee includes an allegation of prohibited discrimination and/or harassment based on a protected class as set forth in the University's Equal Opportunity, Harassment, and Non-Discrimination Policies, the Statement is first referred to the University's Office of Equity and Diversity ("OED") for assessment. The Statement is held in abeyance during any preliminary review and/or investigation by the OED. The OED will conduct a preliminary review to determine if part or all of the concerns outlined in the Statement are in the purview of the OED. The OED shall endeavor to complete its preliminary review within 10 working days but may, depending upon the specifics of the issues involved, request the Chair of the Review Committee (the "Chair") to provide additional time, if/as necessary. If the preliminary review determines that part or all of the concerns outlined in the Statement are found to be within the purview of the OED, the OED will investigate those concerns in accordance with the review procedures outlined in the Equal Employment Opportunity Plan. If there are no findings by the OED that result in a violation of the University's Equal Opportunity, Harassment and Non-Discrimination Policies, the OED will issue a notice of outcome to the Chair.

4. Review Procedures

4.1. Convening the Committee

Not later than 10 working days after receipt of the Statement, the Chair shall convene the Committee for its initial meeting. At this meeting or before, the Chair will provide the members of the Committee with an orientation covering the role and responsibilities of the Committee and a review of the process. At this meeting, the Committee shall review the Statement and determine whether the matter as stated falls within the jurisdiction of the Committee or not. Relevant considerations include, but are not limited to, the employment status of the Employee and the subject matter of the concerns in the Statement. If the matter is not eligible for review, the Committee may:

4.1.1 Allow the Employee to amend the Statement in writing within five working days of Employee's receipt of notice of an opportunity to amend his/her Statement. The Committee will review the amended Statement pursuant to Section 4.1 above; or

4.1.2 Dismiss the Statement, in writing, for failure to state a concern that is eligible for review under this Review Process and Procedure.

If the matter is eligible for review under the Policy, the Committee Chair shall, within 10 working days, forward a copy of the Statement to those named by the Employee as responsible ("Respondent(s)"), together with notice that a written response to the Statement concerns must be provided to the Committee Chair and the Employee within 10 working days. A copy of the Statement must also be submitted to the University Counsel and the appropriate Vice Chancellor.

4.2. Challenges to a Committee Member

4.2.1. Challenge by the Committee. If, in the opinion of the Committee, the membership of the Committee is for any reason inappropriate, then the Chair shall submit a written recommendation to the Chancellor that changes in membership are necessary to ensure objective and timely review in that case. Upon such request, the Chancellor shall have the discretion to make any changes to the Committee necessary for the Committee to function effectively including, but not limited to, replacement of the Chair. The decision of the Chancellor regarding the disposition of such a request must be in writing and shall be included in the Official Record.

4.2.2 Challenge by a party. Any party may request that a member of the Committee be removed. The party shall submit the request for removal of a Committee Member to the Chair in writing no later than five (5) working days after receipt of the Notice described at Section 4.5. The Chair shall forward the request to the Chancellor. The decision of the Chancellor regarding the disposition of the request is final, must be in writing, and shall be included in the Official Record.

4.3 Assistants

This Review Process is not intended to be a formal legal process nor do the formal rules of evidence apply. Neither the Employee nor the Respondent(s) may have an attorney actively participate at the Review Hearing (the "Hearing"). (Attorney is defined as anyone with a Juris Doctorate, or other recognized law degree, regardless of whether or not that person is licensed to practice law in the State of North Carolina and/or whether or not that person is "representing" the

employee.) However, the Employee and the Respondent(s) is/are entitled to have one assistant (the "Assistant") of the party's choice present at all meetings and at the Hearing to aid the party in developing their case. The Assistant may not be a witness or speak at the Hearing or otherwise actively participate in the Hearing. An attorney may serve as an Assistant. Information shared by a party with their Assistant is considered confidential and shall not be divulged except as required by law.

Each party shall confirm the identity of any Assistant who will attend the hearing to the Chair in writing no later than five (5) working days after receipt of the Notice described at Section 4.5.

Upon request of the Chair, the Office of the University Counsel ("OUC") may designate an attorney to provide procedural advice to the Committee.

4.4 Confidentiality. Members of the Committee, parties, Assistants and witnesses shall maintain strict confidence concerning all aspects of the review process. This is required by state law as well as University policy.

4.5 Notices of Meetings. The Chair shall send notices of the scheduled meetings to all Committee members, the Employee, and the Respondent(s). The Notice will

4.5.1 set the date for the Hearing not later than four weeks from the date that the Respondent(s) submitted the response to the Statement;

4.5.2 identify the review the Committee will be hearing, and the parties and the Committee members;

4.5.3 instruct the parties to exchange one copy of their proposed exhibits and witness lists at least five (5) working days in advance of the Hearing, and a sealed copy to the Chair for the Record, but in no case shall information be provided to the Committee prior to the Hearing. References to the documents during the Hearing shall be by exhibit number with page references as applicable;

4.5.4 inform the parties that, at least two (2) working days prior to the hearing, they must list whether or not there are any factual or other items that can be agreed upon and reduced to written stipulations signed by the parties prior to the Hearing. The parties shall present the stipulations to the Chair;

4.5.5 remind parties of any other applicable deadlines in accordance with this Review Process and Procedure (e.g., challenges to a Committee member at Section 4.2.2, identification of Assistants at Section 4.3); and

4.5.6 instruct the parties to bring to the Hearing at least one copy of each exhibit for each Committee member, one copy for the court reporter and one copy for each party.

The Chair of the Committee may consider and grant a reasonable extension of any deadlines established in this Review Process and Procedure at the request of one of the parties based on extenuating circumstances and/or at the recommendation of the Committee.

4.6 The Hearing

4.6.1 Court Reporter. The Chair shall arrange a court reporter to record all Hearings and maintain the exhibits presented by the parties at the Hearing. The University shall bear the expense of the court reporter. No other recordings of the Hearing shall be allowed.

4.6.2 Amendment of Statement. Once the Hearing begins, the Employee shall not have the right to amend the Statement without the unanimous vote of the Committee. If any amendment to the Statement is allowed, the Chair shall promptly notify the Respondent(s) of this action and defer subsequent proceedings until the Respondent(s) have had the opportunity to respond to this revision. A respondent shall have 10 working days to respond to any amended Statement.

4.6.3 Attendance at the Hearing. The only persons allowed to attend the Hearing are the Committee, the Assistant Vice Chancellor for EPA Administration; counsel from the OUC, to advise the Committee; the court reporter, the Employee and the Employee's Assistant and the Respondent(s) and the Respondent(s)' Assistant. Any other persons who are witnesses shall only attend the Hearing while they are testifying.

4.7 Guidelines for the Conduct of the Hearing

4.7.1 Committee Participation. Hearings shall be conducted with the Chair and all five (5) Committee members present.

4.7.2 Control of Hearings. The Chair shall preside over the Hearing. Consistent with the principles of impartiality and equity, the Chair shall determine, in consultation with the Committee, among other things, the following:

4.7.2.1. The order of testimony presentation, if it deviates from the standard order described below;

4.7.2.2 Whether a party has provided adequate justification for accepting evidence into the record at the Hearing;

4.7.2.3. The order and procedure for questioning the parties and witnesses;

4.7.2.4. Compliance with all procedures; and

4.7.2.5. The admissibility of all evidence

4.7.2.5.1 Whether evidence is relevant to the issues involved in the review and may rule that evidence not be considered.

4.7.2.5.2 If evidence is excluded, the Chair shall state the reasons for the exclusion on the record and the materials shall be included in the Official Record; and

4.7.2.6 The appropriateness of all questions and the method of questioning. The Chair should

not allow any questions that are irrelevant, immaterial, unduly repetitious, or abusive.

The Committee shall keep a copy of all exhibits, whether admitted or not, for inclusion in the Official Record.

4.7.3 Testimony. Parties shall have the right to testify, to present testimony of witnesses and other evidence, to hear and question witnesses offered by the other party, and to examine all documents and other information considered by the Committee. If a witness cannot or will not appear, and the Chair determines that testimony of the witness should be admitted into evidence, the Chair shall identify the witness, disclose the statement of the witness and, if possible, provide for questions. So long as it does not substantially delay the Hearing process, the Chair may, at his or her discretion, call a recess so that reasonable time is provided for the examination of all evidence and for the preparation of appropriate responses. The Committee will carefully consider the weight and credibility of any written witness statements, taking into account whether it is sworn and that the witness is not subject to cross-examination, either of which may reduce its credibility.

4.7.4 Order of presentation. The standard order of presentation is as follows :

4.7.4.1 The Employee may make an opening statement that does not exceed 10 minutes;

4.7.4.2 The Respondent may make an opening that does not exceed 10 minutes;

4.7.4.3 The Employee presents the Employee's case through the Employee's own testimony, exhibits and witnesses. The Respondent(s) may question the Employee and the Employee's witnesses after the Employee finishes testifying/examining each of the witnesses. The Committee members may ask questions of the Employee/each of the Employee's witnesses after the Employee and the Respondent(s) finish their questioning. The Employee's case shall not exceed two (2) hours, excluding cross-examination of the Employee's witnesses by Respondent(s) or questions by the Committee;

4.7.4.4 At the conclusion of the Employee's presentation, the Committee will recess to consider if the Employee has met the Employee's burden of demonstrating that, using the standard of preponderance of the evidence (which is the same as the "greater weight of the evidence.") the Employee has experienced an injury that would entitle the Employee to relief and that such injury is remediable. If the Committee decides that the Employee's evidence is insufficient to meet the preponderance of the evidence standard, then the Committee shall adjourn the Hearing and prepare a report as outlined below.

4.7.4.5 If the Committee does not adjourn the Hearing at the conclusion of Employee's presentation of evidence, then the Respondent(s) may present evidence through the testimony of parties, exhibits, and witnesses. The Employee may question the Respondent and the Respondent's witnesses after the Respondent(s) finishes testifying/examining each of the witnesses. The Committee members may ask questions of the Respondent and each of the Respondent's witnesses after the Respondent(s) and Employee finish their questioning. Each Respondent shall have two (2) hours to present their case excluding cross examination of

Respondent(s)' witnesses by Employee or questions by the Committee

4.7.4.6 At the conclusion of the Respondent(s)' presentation, the Chair may allow the Employee and the Respondent(s) to present rebuttal evidence following the same format as set out above. Each party shall have an additional 30 minutes to present rebuttal evidence case, excluding cross examination by the other party(ies).

4.7.4.7 Once all of the evidence has been presented, the Employee may make a closing statement. The closing statement shall not include a discussion of information not presented in the Hearing and shall not exceed 20 minutes.

4.7.4.8 The Respondent(s) may make a closing statement. The closing statement shall not include a discussion of information not presented at the Hearing and each Respondent's closing statement shall not exceed 20 minutes.

4.7.4.9 The Chair shall adjourn the Hearing.

5. Deliberations and Report of the Review Committee

Upon the conclusion of the Hearing, the Committee shall deliberate and decide based solely on material presented in the Statement, the evidence presented at the Hearing, and such written or oral arguments as the Committee, in its discretion, may allow. The Committee should be careful not to simply substitute its judgment for that of the Respondent(s). The Employee has the burden of proof and must show, using the standard of preponderance of the evidence (which is the same as the "greater weight of the evidence") that the Employee has experienced an injury that would entitle the Employee to relief and that such injury is remediable. The Chair will prepare a brief written report of the Committee's findings and recommendations for the Chancellor (the "Report").

6. Official Record.

The Chair shall prepare the record (the "Official Record") of the review as outlined here:

6.1 The Official Record of the review process shall consist of all correspondence between the Committee or the Chair and the Employee and/or Respondent(s) pertaining to the review, and every document and exhibit that was either submitted to or given consideration by the Committee, along with the court reporter's transcript of the Hearing and the Committee's Report. Documents offered but not admitted in evidence shall be clearly labeled to that effect and placed in a separate file for record-keeping purposes and possible reference in the event a point on appeal relates to failure to admit evidence offered. All documentation relevant to the Committee's procedural rulings, factual findings, recommendations, and any other aspects of its final report shall be included in the Official Record.

6.2 The Official Record should be forwarded to the Chancellor along with the Committee's final report.

6.3 Once the Official Record has been delivered to the Office of the Chancellor, or a review is terminated, Committee members shall destroy in a confidential manner any extra copies of documents, and any personal notes taken during the Hearing process, consistent with the University's records retention schedule. Any original or unique records must be forwarded to the Chair for maintenance in accordance with the records retention schedule.

6.4 Delivery of Committee's Report.

6.4.1 The Chair shall send the Committee's Report, along with the Official Record of the review to the Chancellor. A copy of the Report shall be sent to the parties.

6.4.2 The Report should describe any recommendation in favor of the employee, as appropriate. Separate from issuing the Report, the Committee, through its Chair, may communicate to the Chancellor changes to the process the Committee deems reasonable.

6.4.3 The Committee shall attempt to complete this task within six (6) weeks after the Hearing.

6.5 Withdrawal of Request for Review. The Employee may withdraw the request for review at any time during the review process.

6.5.1 If the Committee has been appointed, the Employee shall provide the written withdrawal to the Chair. The Chair shall notify the Committee and the Respondent(s), with a copy to the Employee, and the review process will be closed.

6.5.2 If the Committee has provided its Report to the Chancellor at the time of the Employee's decision to withdraw the request for review, then the Employee shall provide the written withdrawal to the Chancellor. The Chancellor shall notify the Respondent(s) and the review process will be closed.

7. Chancellor's Decision

Upon receipt of the Committee's Report of the Hearing, the Chancellor may accept or reject any or all findings and recommendations of the Committee, may remand the matter to the Committee for further consideration, or may seek clarifying information from the Committee (the "Chancellor's Decision"). Unless the Chancellor deems it necessary in the best interest of the University to adjust the deadline, within twenty (20) working days of the Chancellor's receipt of the Report, the Chancellor shall notify the Employee of the Chancellor's Decision by a method of delivery that requires a signature for delivery, which includes, but is not limited to the following: certified or registered mail, return receipt requested, Federal Express, or another commercial delivery service that obtains a signature. The Chancellor shall send copies of the Chancellor's Decision to the Respondent(s) and members of the Committee.

8. Appeal of the Chancellor's Decision

8.1 If the Chancellor's Decision is favorable to the Employee, his or her decision shall be final. If the Chancellor's Decision is unfavorable to the Employee in a case involving separation from

employment or suspension without pay, the Employee will not receive further pay, without regard to whether there is an appeal to the Board of Trustees or the Board of Governors. The Employee may appeal an unfavorable Chancellor's Decision to the Board of Trustees (the "Board"), for the reasons outlined in Section 611 (1) (b) of The Code of The University of North Carolina. The appeal shall be transmitted through the Chancellor and be addressed to the Chair of the Board. No provision of this Policy shall be interpreted to extend an employee's right to pay beyond the expiration of the employee's term of appointment while an appeal is pending under this Review Process and Procedure.

8.2 If the Employee wishes to appeal an unfavorable Decision by the Chancellor, the Employee shall file a notice of appeal with the Chancellor, by certified mail, return receipt requested, or by another means that provides proof of delivery within 10 working days of the Employee's receipt of the Chancellor's Decision. The notice of appeal shall include a brief statement of the basis for the appeal, and allegations that the discharge, discipline or policy interpretation or application was illegal and violated a policy of the University or Board of Governors, or that the applicable notice requirements set forth in the Policy were violated.

8.3 The appeal to the Board shall be decided by the Board. The OUC shall provide an attorney to advise the Board of Trustees on procedural matters. The Board may delegate the duty of conducting a review to a standing or ad hoc committee of at least three (3) members. The Board, or its committee, shall consider the appeal on the Official Record. In all cases, review shall be limited to the question of whether the Chancellor committed clear and material error in reaching his or her decision.

8.3.1 The Board or board committee chair shall provide, by certified mail, return receipt requested, a written schedule (the "Schedule") to the Employee and to the Chancellor for the filing of objections to the Official Record and position statements. The Schedule, which may be altered as the Board chooses, may provide as follows:

8.3.1.1 the Employee shall have 10 working days after receipt of the Schedule to file objections to the Official Record with the Board, with a copy to the Chancellor;

8.3.1.2. the Employee shall have 30 working days after receipt of the Schedule to file a position statement with the Board, with a copy to the Chancellor;

8.3.1.3. the Chancellor shall have 30 working days after receipt of the Employee's position statement to file the Chancellor's position statement and response to objections to the Official Record, with a copy to the Employee.

8.3.2 The decision of the Board shall be the final Agency decision.



Policies, Regulations and Rules

Authority	Board of Trustees
Title	Review Process and Procedure for EPA Non-Faculty Employees
Classification	06.35.01
PRR Subject	Dispute Resolution, GrievancesReviews, and Appeals
Contact Info	Assistant Vice Chancellor for Human Resources and Director of EPA Administration, (252) 328-9882

History: Chancellor: October 12, 2005; Board of Trustees: December 16, 2005; Amended: January 1, 2009; Revised December 2, 2013; Board of Trustees approved January 13, 2014.

Related Policies:

Section 611 of the Code of the University of North Carolina, "Review of Personnel Actions Affecting Specified Employees Exempt from the State Personnel Act (EPA)"

UNC Policy Manual 300.1.1, Senior Academic and Administrative Officers

UNC Policy Manual 300.2.1, Employees Exempt from the State Personnel Act

Additional References:

ECU Policy for Employees Exempt from the State Personnel Act

ECU Human Resources Benefits

Human Resources

Contact Information:

Assistant Vice Chancellor for Human Resources and Director of EPA Administration, (252) 328-9882

Review Process and Procedure for EPA Non-Faculty Employees¹

Introduction

East Carolina University is committed to fair and equitable treatment for all employees. The University administration is charged by law and University policy with managing and directing its human resources, including but not limited to workforce size, recruitment, training, work

¹ "EPA Employees" are "Employees Exempt from the State Personnel Act" which includes Senior Academic and Administrative Officers as defined in Section I.B and governed by Section III of the UNC policy 300.1.1, and employees designated within the non-teaching EPA Instructional or Research category under G.S. 126-5, and as defined in UNC Policy 300.2.1.

assignments, hours of employment, promotion, demotion, transfer, or dismissal. Where there are concerns or problems related to employment, employees, their co-workers and their supervisors are strongly encouraged to find informal means of resolving them. Employees may pursue formal requests in accordance with the Review Procedure outlined in section 4 below.

1. General Considerations

1.1. The University has established this Review Process and Procedure for those actions stated in Section 3 below.

1.2. EPA Non-Faculty Employees (hereinafter "Employees") have the right to use this Review Process & Procedure ("Review Process & Procedure") free from threats or acts of retaliation, interference, coercion, restraint, discrimination, or reprisal. Employees and students may not be retaliated against for participating in a review as an employee, a witness, an employee assistant, or as a Review Committee member. Any person who retaliates against another person for exercising rights in good faith under this Review Process & Procedure will be subject to appropriate and prompt administrative action by the University.

2. The EPA Non-Faculty Employee Review Committee (the "Committee")

2.1. Roles and Responsibilities of the Committee

The Committee hears requests for reviews brought by Employees covered by the Review Process & Procedure.

2.2. Composition of the Committee

The Chancellor² shall appoint five (5) EPA Non-Faculty employees to serve as regular committee members representing EPA non-faculty employees across the divisions of the University. Additionally, the Chancellor shall appoint three (3) EPA Non-Faculty employees to serve as alternate Committee members. The Chancellor shall endeavor to have each division have representation on the Committee. All regular and alternate members of the Committee must be subject to the Review Process & Procedure.

The three (3) alternates will be appointed to: fill the unexpired terms of regular members who may leave the Committee; or, to serve in the event that a regular member is not available to serve or must recuse him/herself because of a conflict of interest; or, if the Employee is a member of the regular member's division. If an alternate is appointed to fill the unexpired term of a regular member, the Chancellor shall appoint a new alternate member to represent the division previously served by the replaced regular member.

Upon expiration of a regular member's term, a new member of the Committee will be appointed from among the three alternates and a new alternate will be appointed to represent the division

² [The Chancellor may designate an individual to fulfill any responsibility of the Chancellor under this Review Process & Procedure if he or she chooses to delegate any assignment.](#)

previously served by the regular member whose term has expired.

The Committee's membership year is July 1 through June 30. New appointees assume membership on July 1 and expiring terms end on June 30 of each year. Membership may continue in the event that the Committee is actively hearing a case, or there is a currently pending [grievancereview](#).

A Committee member may not participate in a review he or she brings on his or her own behalf, in any case in which he or she has been materially involved or in any case that arose within that Committee member's department or division in instances where a Vice Chancellor or division head is the respondent.

2.3. Appointments to the Committee

The Assistant Vice Chancellor for Human Resources is responsible for facilitating the work of the Committee, including orienting new members and managing this appointment process. For initial appointments, and subsequently on an annual basis in May or as soon thereafter as practicable, the Chancellor may send a memorandum to the Vice Chancellors requesting nominees. The Chancellor will send a letter of appointment to the selected individuals to fill the expired terms of regular and alternate members. When a vacancy occurs during a regular or alternate member's term due to inability to continue through the remainder of the unexpired term, the Chancellor² will solicit a nomination from the head of the division represented by that regular or the alternate member, or another unrepresented division. The Chancellor² will send a letter of appointment to the individual(s) selected to fill the unexpired term of the regular or alternate member(s).

The regular members of the committee will elect the Chair of the Committee ("Committee Chair" or the "Chair") annually in July or as soon thereafter as practicable. The Committee will also elect a vice chair, who will preside in the event that the Chair is unable to fulfill the requirements of this position. The Chair and Vice Chair are permitted to serve multiple terms.

3. Committee Jurisdiction and Request for Review Statement.

3.1 Requests for review are subject to the standards set out below, which define matters which may or may not be reviewed under this Review Process & Procedure. A University official may choose to offer a proposed resolution to a dispute without such offer conferring jurisdiction under this Review Process & Procedure where such jurisdiction is not otherwise present. Matters that can be reviewed shall be limited to claims that:

3.1.1 Discharge for cause or other disciplinary action violated the interpretation and application of any provision of The University of North Carolina Policy Manual Section 300.2.1.

3.1.2 Discontinuation, expiration of term appointments, or terminations with notice upon allegations of violations of the notice requirements, or the Equal Employment Opportunity and

Protected Activity provisions of the University of North Carolina Policy Manual Section 300.2.1

3.2 Matters outside the Committee's jurisdiction. Absent a demonstration by the employee that the decision was based on a factor reviewable under the University of North Carolina Policy Manual Section 300.2.1, the Committee has no jurisdiction to review pursuant to the Review Policy and Procedure:

3.2.1. Dissatisfaction by an Employee with the general application of a University, School/College or Department policy, regulation, or practice or with a University official's decision-making on the grounds it is undesirable or inadvisable.

3.2.2. Complaints, [grievances-reviews](#) or appeals that are exclusively subject to another University procedure or are exclusively within the scope of another University committee such as, but not limited to, intellectual property determinations, research ethics, Campus Police trespass appeals, parking appeals or assignments, and health and safety concerns. The outcome of such matters may be presented to and considered by the Committee when they have a direct relevance to a matter which otherwise is within the scope of the process subject to the specific disclosure and confidentiality rules of the other University procedure or Committee.

3.3 Written Request for Review Statement Required

3.3.1 An Employee must file a written request review statement ("Statement") using the form available on the ECU HR website (link provided above) with the Chair of the Committee.

3.3.2 Absent exceptional circumstances, the signed, written Statement shall be submitted within 20 working days of the decision cited in the Statement. The deadline for submitting the Statement may be extended only if, in the judgment of the Chair, there are significant extenuating circumstances. The act of filing a Statement does not extend employment.

3.4 Referral to the Office for Equity and Diversity

If the Statement submitted by the employee includes an allegation of prohibited discrimination and/or harassment based on a protected class as set forth in the University's Equal Opportunity, Harassment, and Non-Discrimination Policies, the Statement is first referred to the University's Office of Equity and Diversity ("OED") for assessment. The Statement is held in abeyance during any preliminary review and/or investigation by the OED. The OED will conduct a preliminary review to determine if part or all of the concerns outlined in the Statement are in the purview of the OED. The OED shall endeavor to complete its preliminary review within 10 working days but may, depending upon the specifics of the issues involved, request the Chair of the Review Committee (the "Chair") to provide additional time, if/as necessary. If the preliminary review determines that part or all of the concerns outlined in the Statement are found to be within the purview of the OED, the OED will investigate those concerns in accordance with the [grievance-review](#) procedures outlined in the Equal Employment Opportunity Plan. If there are no findings by the OED that result in a violation of the University's Equal Opportunity, Harassment and Non-Discrimination Policies, the OED will issue a notice of outcome to the Chair.

4. Review Procedures

4.1. Convening the Committee

Not later than 10 working days after receipt of the Statement, the Chair shall convene the Committee for its initial meeting. At this meeting or before, the Chair will provide the members of the Committee with an orientation covering the role and responsibilities of the Committee and a review of the process. At this meeting, the Committee shall review the Statement and determine whether the matter as stated falls within the jurisdiction of the Committee or not. Relevant considerations include, but are not limited to, the employment status of the Employee and the subject matter of the concerns in the Statement.

If the matter is not eligible for review, the Committee may:

4.1.1 Allow the Employee to amend the Statement in writing within five working days of Employee's receipt of notice of an opportunity to amend his/her Statement. The Committee will review the amended Statement pursuant to Section 4.1 above; or

4.1.2 Dismiss the Statement, in writing, for failure to state a concern that is eligible for review under this Review Process and Procedure.

If the matter is eligible for review under the Policy, the Committee Chair shall, within 10 working days, forward a copy of the Statement to those named by the Employee as responsible ("Respondent(s)"), together with notice that a written response to the Statement concerns must be provided to the Committee Chair and the Employee within 10 working days. A copy of the Statement must also be submitted to the University Counsel and the appropriate Vice Chancellor.

4.2. Challenges to a Committee Member

4.2.1. Challenge by the Committee. If, in the opinion of the Committee, the membership of the Committee is for any reason inappropriate, then the Chair shall submit a written recommendation to the Chancellor that changes in membership are necessary to ensure objective and timely review in that case. Upon such request, the Chancellor shall have the discretion to make any changes to the Committee necessary for the Committee to function effectively including, but not limited to, replacement of the Chair. The decision of the Chancellor regarding the disposition of such a request must be in writing and shall be included in the Official Record.

4.2.2 Challenge by a party. Any party may request that a member of the Committee be removed. The party shall submit the request for removal of a Committee Member to the Chair in writing no later than five (5) working days after receipt of the Notice described at Section 4.5 request to remove a committee. The Chair shall forward the request to the Chancellor. The decision of the Chancellor regarding the disposition of the request is final, must be in writing, and shall be included in the Official Record.

4.3 Assistants

This Grievance-Review Process is not intended to be a formal legal process nor do the formal rules of evidence apply. Neither the Employee nor the Respondent(s) may have an attorney actively participate at the Review Hearing (the "Hearing"). (Attorney is defined as anyone with a Juris Doctorate, or other recognized law degree, regardless of whether or not that person is licensed to practice law in the State of North Carolina and/or whether or not that person is "representing" the employee.) However, the Employee and the Respondent(s) is/are entitled to have one assistant (the "Assistant") of the party's choice present at all meetings and at the Hearing to aid the party in developing their case. The Assistant may not be a witness or speak at the Hearing or otherwise actively participate in the Hearing. An attorney may serve as an Assistant. Information shared by a party with their Assistant is considered confidential and shall not be divulged except as required by law.

Each party shall confirm the identity of any Assistant who will attend the hearing to the Chair in writing no later than five (5) working days after receipt of the Notice described at Section 4.5.

Upon request of the Chair, the Office of the University Counsel ("OUC") may designate an attorney to provide procedural advice to the Committee.

4.4 Confidentiality. Members of the Committee, parties, Assistants and witnesses shall maintain strict confidence concerning all aspects of the review process. This is required by state law as well as University policy.

4.5 Notices of Meetings. The Chair shall send notices of the scheduled meetings to all Committee members, the Employee, and the Respondent(s). The Notice will

4.5.1 set the date for the Hearing not later than four weeks from the date that the Respondent(s) submitted the response to the Statement;

4.5.2 identify the grievance-review the Committee will be hearing, and the parties and the Committee members;

4.5.3 instruct the parties to exchange one copy of their proposed exhibits and witness lists at least five (5) working days in advance of the Hearing, and a sealed copy to the Chair for the Record, but in no case shall information be provided to the Committee prior to the Hearing. References to the documents during the Hearing shall be by exhibit number with page references as applicable;

4.5.4 inform the parties that, at least two (2) working days prior to the hearing, they must list whether or not there are any factual or other items that can be agreed upon and reduced to written stipulations signed by the parties prior to the Hearing. The parties shall present the stipulations to the Chair;

4.5.5 remind parties of any other applicable deadlines in accordance with this Review Process and Procedure (e.g., challenges to a Committee member at Section 4.2.2, identification of Assistants at Section 4.3); and

4.5.6 instruct the parties to bring to the Hearing at least one copy of each exhibit for each Committee member, one copy for the court reporter and one copy for each party.

The Chair of the Committee may consider and grant a reasonable extension of any deadlines established in this Review Process and Procedure at the request of one of the parties based on extenuating circumstances and/or at the recommendation of the Committee.

4.6 The Hearing

4.6.1 Court Reporter. The Chair shall arrange a court reporter to record all Hearings and maintain the exhibits presented by the parties at the Hearing. The University shall bear the expense of the court reporter. No other recordings of the Hearing shall be allowed.

4.6.2 Amendment of Statement. Once the Hearing begins, the Employee shall not have the right to amend the Statement without the unanimous vote of the Committee. If any amendment to the Statement is allowed, the Chair shall promptly notify the Respondent(s) of this action and defer subsequent proceedings until the Respondent(s) have had the opportunity to respond to this revision. A respondent shall have 10 working days to respond to any amended Statement.

4.6.3 Attendance at the Hearing. The only persons allowed to attend the Hearing are the Committee, the Assistant Vice Chancellor for EPA Administration; counsel from the OUC, to advise the Committee; the court reporter, the Employee and the Employee's Assistant and the Respondent(s) and the Respondent(s)' Assistant. Any other persons who are witnesses shall only attend the Hearing while they are testifying.

4.7 Guidelines for the Conduct of the Hearing

4.7.1 Committee Participation. Hearings shall be conducted with the Chair and all five (5) Committee members present.

4.7.2 Control of Hearings. The Chair shall preside over the Hearing. Consistent with the principles of impartiality and equity, the Chair shall determine, in consultation with the Committee, among other things, the following:

4.7.2.1. The order of testimony presentation, if it deviates from the standard order described below;

4.7.2.2 Whether a party has provided adequate justification for accepting evidence into the record at the Hearing;

4.7.2.3. The order and procedure for questioning the parties and witnesses;

4.7.2.4. Compliance with all procedures; and

4.7.2.5. The admissibility of all evidence

4.7.2.5.1 Whether evidence is relevant to the issues involved in the review and may rule that evidence not be considered.

4.7.2.5.2 If evidence is excluded, the Chair shall state the reasons for the exclusion on the record and the materials shall be included in the Official Record; and

4.7.2.6 The appropriateness of all questions and the method of questioning. The Chair should not allow any questions that are irrelevant, immaterial, unduly repetitious, or abusive.

The Committee shall keep a copy of all exhibits, whether admitted or not, for inclusion in the Official Record.

4.7.3 Testimony. Parties shall have the right to testify, to present testimony of witnesses and other evidence, to hear and question witnesses offered by the other party, and to examine all documents and other information considered by the Committee. If a witness cannot or will not appear, and the Chair determines that testimony of the witness should be admitted into evidence, the Chair shall identify the witness, disclose the statement of the witness and, if possible, provide for questions. So long as it does not substantially delay the Hearing process, the Chair may, at his or her discretion, call a recess so that reasonable time is provided for the examination of all evidence and for the preparation of appropriate responses. The Committee will carefully consider the weight and credibility of any written witness statements, taking into account whether it is sworn and that the witness is not subject to cross-examination, either of which may reduce its credibility.

4.7.4 Order of presentation. The standard order of presentation is as follows :

4.7.4.1 The Employee may make an opening statement that does not exceed 10 minutes;

4.7.4.2 The Respondent may make an opening that does not exceed 10 minutes;

4.7.4.3 The Employee presents the Employee's case through the Employee's own testimony, exhibits and witnesses. The Respondent(s) may question the Employee and the Employee's witnesses after the Employee finishes testifying/examining each of the witnesses. The Committee members may ask questions of the Employee/each of the Employee's witnesses after the Employee and the Respondent(s) finish their questioning. The Employee's case shall not exceed two (2) hours, excluding cross-examination of the Employee's witnesses by Respondent(s) or questions by the Committee;

4.7.4.4 At the conclusion of the Employee's presentation, the Committee will recess to consider if the Employee has met the Employee's burden of demonstrating that, using the standard of preponderance of the evidence (which is the same as the "greater weight of the evidence.") the Employee has experienced an injury that would entitle the Employee to relief and that such

injury is remediable. If the Committee decides that the Employee's evidence is insufficient to meet the preponderance of the evidence standard, then the Committee shall adjourn the Hearing and prepare a report as outlined below.

4.7.4.5 If the Committee does not adjourn the Hearing at the conclusion of Employee's presentation of evidence, then the Respondent(s) may present evidence through the testimony of parties, exhibits, and witnesses. The Employee may question the Respondent and the Respondent's witnesses after the Respondent(s) finishes testifying/examining each of the witnesses. The Committee members may ask questions of the Respondent and each of the Respondent's witnesses after the Respondent(s) and Employee finish their questioning. Each Respondent shall have two (2) hours to present their case excluding cross examination of Respondent(s)' witnesses by Employee or questions by the Committee.

4.7.4.6 At the conclusion of the Respondent(s)' presentation, the Chair may allow the Employee and the Respondent(s) to present rebuttal evidence following the same format as set out above. Each party shall have an additional 30 minutes to present rebuttal evidence case, excluding cross examination by the other party(ies).

4.7.4.7 Once all of the evidence has been presented, the Employee may make a closing statement. The closing statement shall not include a discussion of information not presented in the Hearing and shall not exceed 20 minutes.

4.7.4.8 The Respondent(s) may make a closing statement. The closing statement shall not include a discussion of information not presented at the Hearing and each Respondent's closing statement shall not exceed 20 minutes.

4.7.4.9 The Chair shall adjourn the Hearing.

5. Deliberations and Report of the Review Committee

Upon the conclusion of the Hearing, the Committee shall deliberate and decide based solely on material presented in the Statement, the evidence presented at the Hearing, and such written or oral arguments as the Committee, in its discretion, may allow. The Committee should be careful not to simply substitute its judgment for that of the Respondent(s). The Employee has the burden of proof and must show, using the standard of preponderance of the evidence (which is the same as the "greater weight of the evidence") that the Employee has experienced an injury that would entitle the Employee to relief and that such injury is remediable. The Chair will prepare a brief written report of the Committee's findings and recommendations for the Chancellor (the "Report").

6. Official Record.

The Chair shall prepare the record (the "Official Record") of the review as outlined here:

6.1 The Official Record of the review process shall consist of all correspondence between the Committee or the Chair and the Employee and/or Respondent(s) pertaining to the review, and

every document and exhibit that was either submitted to or given consideration by the Committee, along with the court reporter's transcript of the Hearing and the Committee's Report. Documents offered but not admitted in evidence shall be clearly labeled to that effect and placed in a separate file for record-keeping purposes and possible reference in the event a point on appeal relates to failure to admit evidence offered. All documentation relevant to the Committee's procedural rulings, factual findings, recommendations, and any other aspects of its final report shall be included in the Official Record.

6.2 The Official Record should be forwarded to the Chancellor along with the Committee's final report.

6.3 Once the Official Record has been delivered to the Office of the Chancellor, or a review is terminated, Committee members shall destroy in a confidential manner any extra copies of documents, and any personal notes taken during the Hearing process, consistent with the University's records retention schedule. Any original or unique records must be forwarded to the Chair for maintenance in accordance with the records retention schedule.

6.4 Delivery of Committee's Report.

6.4.1 The Chair shall send the Committee's Report, along with the Official Record of the review to the Chancellor. A copy of the Report shall be sent to the parties.

6.4.2 The Report should describe any recommendation in favor of the employee, as appropriate. Separate from issuing the Report, the Committee, through its Chair, may communicate to the Chancellor changes to the process the Committee deems reasonable.

6.4.3 The Committee shall attempt to complete this task within six (6) weeks after the Hearing.

6.5 Withdrawal of Request for Review. The Employee may withdraw the request for review at any time during the review process.

6.5.1 If the Committee has been appointed, the Employee shall provide the written withdrawal to the Chair. The Chair shall notify the Committee and the Respondent(s), with a copy to the Employee, and the review process will be closed.

6.5.2 If the Committee has provided its Report to the Chancellor at the time of the Employee's decision to withdraw the request for review, then the Employee shall provide with written withdrawal to the Chancellor. The Chancellor shall notify the Respondent(s) and the review process will be closed.

7. Chancellor's Decision

Upon receipt of the Committee's Report of the Hearing, the Chancellor may accept or reject any or all findings and recommendations of the Committee, may remand the matter to the Committee for further consideration, or may seek clarifying information from the Committee (the "Chancellor's Decision"). Unless the Chancellor deems it necessary in the best interest of the

University to adjust the deadline, within twenty (20) working days of the Chancellor's receipt of the Report, the Chancellor shall notify the Employee of the Chancellor's Decision by a method of delivery that requires a signature for delivery, which includes, but is not limited to certified or registered mail, return receipt requested Federal Express, or another commercial delivery service that obtains a signature. The Chancellor shall send copies of the Chancellor's Decision to the Respondent(s) and members of the Committee.

8. Appeal of the Chancellor's Decision

8.1 If the Chancellor's Decision is favorable to the Employee, his or her decision shall be final. If the Chancellor's Decision is unfavorable to the Employee in a case involving separation from employment or suspension without pay, the Employee will not receive further pay, without regard to whether there is an appeal to the Board of Trustees or the Board of Governors. The Employee may appeal an unfavorable Chancellor's Decision to the Board of Trustees (the "Board"), for the reasons outlined in Section 611 (1) (b) of The Code of The University of North Carolina. The appeal shall be transmitted through the Chancellor and be addressed to the Chair of the Board. No provision of this Policy shall be interpreted to extend an employee's right to pay beyond the expiration of the employee's term of appointment while an appeal is pending under this Review Process and Procedure.

8.2 If the Employee wishes to appeal an unfavorable Decision by the Chancellor, the Employee shall file a notice of appeal with the Chancellor, by certified mail, return receipt requested, or by another means that provides proof of delivery within 10 working days of the Employee's receipt of the Chancellor's Decision. The notice of appeal shall include a brief statement of the basis for the appeal, and allegations that the discharge, discipline or policy interpretation or application was illegal and violated a policy of the University or Board of Governors, or that the applicable notice requirements set forth in the Policy were violated.

8.3 The appeal to the Board shall be decided by the Board. The OUC shall provide an attorney to advise the Board of Trustees on procedural matters. The Board may delegate the duty of conducting a review to a standing or ad hoc committee of at least three (3) members. The Board, or its committee, shall consider the appeal on the Official Record. In all cases, review shall be limited to the question of whether the Chancellor committed clear and material error in reaching his or her decision.

8.3.1 The Board or board committee chair shall provide, by certified mail, return receipt requested, a written schedule (the "Schedule") to the Employee and to the Chancellor for the filing of objections to the Official Record and position statements. The Schedule, which may be altered as the Board chooses, may provide as follows:

8.3.1.1 the Employee shall have 10 working days after receipt of the Schedule to file objections to the Official Record with the Board, with a copy to the Chancellor;

8.3.1.2. the Employee shall have 30 working days after receipt of the Schedule to file a position statement with the Board, with a copy to the Chancellor;

8.3.1.3. the Chancellor shall have 30 working days after receipt of the Employee's position statement to file the Chancellor's position statement and response to objections to the Official Record, with a copy to the Employee.

8.3.2 The decision of the Board shall be the final Agency decision.

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East Carolina University
Board of Trustees
Finance and Facilities Committee
September 18, 2014

Session	Finance and Facilities Committee
Responsible Person	Vice Chancellor for Administration and Finance Frederick Niswander
Agenda Item	II.E.
Item Description	ITCS - Year in Review
Comments	N/A
Action Requested	Information
Disposition	
Notes	

Information Technology
and Computing Services

The Year in Review
2013-2014

A Message to the ECU Community

Information and Technology Services (ITCS) provides the majority of the university's technology-based infrastructure and services needed by all areas within the university. We provide the campus community with an annual report describing the high-impact projects in process and how each relates to the strategic goals of the university and the productive impact upon constituents. These projects require assistance and guidance from other units across the university to make each project a success. Ultimately, our collective efforts improve the ECU experience for everyone.



This past year, ITCS has partnered with Health Sciences in merging the Multimedia Technology Services (MTS) unit into ITCS. This will enable greater efficiencies by avoiding duplication of existing services, providing a very high level of backup support to the Division of Health Sciences, thereby creating even stronger IT services to that division.

This past fiscal year, our Information Security Officer and our Director of Infrastructure Services retired. This gives us the opportunity to restructure and realign our existing senior-level staff to provide greater dedicated support and service to our ECU customers as well as within ITCS itself. This was accomplished without adding additional staff.

This edition of "The Year in Review" was produced with the intent to share what is happening within ITCS affecting the campus community in an easily-understood manner. It is intended to not only provide you additional insight as to what is happening within ITCS but also to provide you an informative document explaining the technologies ITCS offers. We would appreciate your feedback so that we can continually fine-tune these annual reviews to ensure that they meet their intended goals.

About Us

ITCS exists to develop and deploy a stellar information technology environment at East Carolina University. Individual members work together to care for the university's technology systems and services, and ensure quality support is communicated through their area's work. Who are we?



Sue Stox
Executive Assistant



Wendy Creasey, EdD.
Director, Academic
Technologies



Ray Drake
Director, Systems and
Applications Support



Martin Jackson
Director, Network
Services



Skip Kirby
Director, Strategic
Information Services



Zach Loch
Director, Enterprise
Information Systems



Jack McCoy, EdD.
Chief Information
Security Officer



Hector M. Molina
Director, Central Project
Office



Wanda Sandeford
Business Officer,
Finance and Personnel
Administration

ITCS Vision

We aspire to build an organization with committed and skilled people accountable to and serving faculty, staff and students; simple processes making it easy to work with us, do our jobs and deliver results; and innovative technology that is the right technology for the right reasons.

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A Message to the ECU Community

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IT Governance and Assessment

IT Governance and Assessment

The Information Resources Coordinating Council (IRCC) is the campus-wide group that advises the Chief Information Officer on information technology matters. The IRCC has representatives from every division and college across campus and provides input on information technology policy, projects, roadmaps, tool adoption, and IT changes. A few highlights this year from the committee include:

- reviewed the major projects, approved changes to the classroom standards and approved the rooms selected for technology refreshes;
- reviewed technology fee rate and the allocation of the fee was discussed
- supported a recommendation to conclude the Blackboard Collaborate pilot since many of the features are available within the existing tool;
- reviewed and recommended the new proposed Web regulation that requires web pages to be ADA compliant;
- supported the acquisition of a Data Loss Prevention (DLP) tool that will automatically encrypt certain types of sensitive data within e-mails leaving campus;
- approved the change in PirateID construction which will make all ID's unique and never recycled from user to user;
- reviewed the spring 2013 technology survey results and proposed action where there were patterns seen within the data;
- provided guidance on issues, such as the Blackboard

hardware upgrade, the end of life of Moodle, and the changing of persona; and

- supported a recommendation to move forward with the adoption of lynda.com (a training tool for students) and the adoption of Blackboard Portfolio and Outcomes.

This year, a survey was administered to all Saba Meeting faculty, staff, and student users to determine the aspects of the program users struggle with the most. The results of the survey indicated that a user's difficulty with audio, difficulty logging in, and generally how to use the program impacted the satisfaction of the user with the tool. Based on these survey results, an action plan was proposed to focus efforts where they are needed the most. User education on how to manage these items and troubleshoot audio and program issues will be implemented this year.

Based on feedback from several users of "clickers" used in instruction, a survey was also administered to faculty using clickers to determine whether the current clickers recommendation is meeting their needs. The results of the survey were presented to the IRCC and a recommendation was made to continue supporting Turning Technologies as our campus clickers solution.

Last year, the Web Oversight Committee (a sub-committee of the IRCC) worked on several initiatives. The Web Policy was updated to require that all Web sites used for the purpose of conducting university business, including academic work, must meet ADA requirements. Approval of this policy is pending. The ecu.edu homepage was refreshed with a new look and layout to allow visitors easier access to the most searched-for information. New templates for the university-wide content

management system were developed to meet ADA requirements and to implement a responsive framework that will allow a single Web site to work on all devices from desktop to mobile. Resources have been provided to help departments redesign their Web sites and to move their Web site content into the new templates. In addition, with the growth of available public Web sites, the decision was made to eliminate offering a service for individuals to host personal Web sites. This will allow more resources to be made available to host individual Web sites for academic work.

The annual technology surveys focus on (1) satisfaction with ITCS services, systems, and applications; (2) use of technology tools and systems; and (3) technology and training needs. We incorporate this feedback into future planning and implementation of technologies to support academic, research, and business needs. See Table 1 below for selected satisfaction rates on core technologies.

Table 1. Overall percentage of satisfaction with selected core services

	Faculty / Staff	Students
Overall satisfaction with IT services and resources	89%	88%
Respondents who think ECU's technology services and resources are important	97%	92%
Respondents who think technology used in courses is effective		92%
Satisfied with e-mail	93%	82%
Satisfied with Piratedrive	84%	78%
Satisfied with computer labs	78%	85%
Satisfied with wireless networking*	74%	60%
Satisfied with IT Help Desk support	83%	80%
Satisfied with desktop technologies support	84%	

* We will continue to invest in the wireless technology in academic areas to support student de-vices. We did not see a significant difference in student wireless satisfaction in 2014 (60%) compared to 2013 (69%); however, problems with the new wireless network security service and new wireless access points being installed at the end of the year may indicate there has not been enough time for students to see a positive difference prior to the survey. We will continue to evaluate satisfaction with the wireless networking in 2014-2015.

By the Numbers

In the Global Classroom, 557 presentations were recorded and 46 partner universities in 28 countries were connected via video conferencing.

Our multimedia and technology services team managed more than 500 video teleconferencing events.

Over 1,100 posters were printed in the Laupus Library Computer Lab; 936 posters were printed in the Walk-in Help Desk in Austin Building.

The MTS video services team captured and edited video from more than 75 university events.

We updated more than 1,000 Web pages for departments in Health Sciences.

More than 24,000 OpScan sheets were scanned on the Health Sciences campus; 7279 sheet packets were scanned on Main Campus.

The Software Download Center processed approximately 7,227 software downloads. In addition, Microsoft downloads totaled 13,922.

Last year, 681 faculty and staff and 607 student users created 3,840 Qualtrics surveys with 243,443 responses.

ITCS supports WordPress blog servers with 5,179 sites and 7,055 users.

ECU staff and faculty have created nearly 40,000 CommonSpot Web pages, and uploaded over 50,000 documents and 85,000 images in over 800 department Web sites.

1,621 students and 1,297 faculty and staff have MyWeb space.

14,965 instructional video presentations were recorded using lecture capture technologies. These presentations were viewed 254,113 times by students, faculty, and staff in multiple colleges across campus.

Using seven Pirate Print kiosks, students printed approximately 11,902 files and 51,655 pages.

Since its inception in 2004, the ACE Student Computing Support Center has received nearly 56,000 requests for service or support for student computers. In 2013-2014, ACE resolved 7,348 service requests from students.

We refreshed over 1,100 computers in campus computer labs.

The Virtual Computing Lab (VCL) served over 5,400 reservations and over 83,600 hours.

Online service requests increased 25% from 12,746 to 15,883.

As part of the technology training sessions for freshman orientation, 4,314 incoming freshman were educated on the use of OneStop, Banner registration, Blackboard, security and the e-mail system. 1,032 parents were informed of the technology needs for their students and advised on making decisions related to purchasing computers.

In 2002, there were 6 servers to a rack. Today there are 42 servers to a rack. We also now have a Blade Chassis, which has 56 Blade servers.

ECU has 13,227 desktop computers supported by ITCS.

The campus has 110 student computer labs with 2,930 computers.

ITCS' Business Intelligence/analytics environment, ecuBIC, now hosts over 8,000 reports and supports well over 5,000 users. Attendance at ecuBIC training courses was just under 800 last year.

There are 1,800 wireless access points throughout the Main and Health Sciences Campus, including residence halls, classrooms, and offices, which can accommodate 15,000 wireless users concurrently.

ITCS continues to install data ports in multiple locations, bringing ECU's total data ports to 55,000.

Last year, more than 400 faculty and staff attended ITCS-led training sessions on Tegrity, Blackboard, Saba Meeting (formerly Centra), WordPress, and other classroom technologies.



Behind the Scenes

“

Our data centers have 700 servers that store 1,709 terabytes of data. That's almost 752 BILLION sheets of paper!

Upgrades to the University Infrastructure

Applications like Banner, Blackboard, the ECU Web site, and OneStop are the lifeblood of the university. To ensure continued secure, rapid, and reliable delivery of all ECU critical applications, several projects this past year focused on strengthening our network infrastructure, including:

- Upgrading network load-balancing hardware to provide greater versatility for disaster recovery and application testing. The upgrade provides a more secure front-end and firewall functionality for various Web applications.
- Implementing a firewall management platform that enables our network team to ensure continuous compliance across the network, thus increasing network security and performance.
- Implementing the university's new network security system to protect ECU applications from unauthorized access and to ensure computers connecting to the university networks – both wired and wireless – meet minimum security standards. We will continue to implement additional features of this network security system.
- Purchasing, installing, and configuring the university's next generation network core. The new core has been built in parallel to the current network and is being prepared for integration and migration in the near future. The new network core will provide greater flexibility, performance, and security compared to the current network design.

Because we are a growing university community and equipment becomes outdated over shorter timeframes, our data network technology is upgraded to ensure it remains top-of-the-line. This past year, the network services team installed and upgraded equipment – i.e., network switches and copper and fiber optic cabling – in more than 20 locations across campus. These upgrades will provide expanded network capacity for faculty, staff, and students; monitoring of HVAC (heating, ventilation, and air conditioning) and electrical systems; and new technology-enhanced classrooms, IP cameras, network access points, fire alarms, and burglar alarms. Additionally, several rooms containing equipment that deliver connectivity to

localized areas of campus buildings were completely overhauled.

On the Health Sciences Campus, Voice-over-Internet Protocol (VoIP) phone lines increased by more than 780. VoIP lets users make phone calls over the Internet by converting analog audio signals into digital data. By converting the Brody School of Medicine's legacy phone system to VoIP, the university will benefit from significant reduction in costs for voice services.

This past year, we improved the university's data storage environment by:

- Installing new computer network technology in both the primary and secondary data center that enables traffic to be consolidated using a single network, thus reducing cabling, power, and cooling costs;
- Implementing management software for monitoring, configuring, and troubleshooting devices connected to the data storage environment – this software speeds the configuration of devices by at least 20%;
- Applying a new configuration that enables higher availability (uptime) of the data storage environment;
- Expanding capacity of the data storage environment to allow for growth over the upcoming year; and
- Offering faculty and staff an additional hosted data storage and backup option, CrashPlan. Licensed by ECU, this application is available to ECU departments through an annual license fee of \$83 per user. Users can install CrashPlan on up to four ECU-owned computers.

We have an ongoing project to provide thin clients (computers that depend on some other computer to fulfill computational processing) to users in administrative and clinical areas with an emphasis at the Brody School of Medicine. To provide full disaster recovery capabilities between our primary and secondary data centers, we have upgraded the thin client environment. To manage the increase in usage, we have doubled

our licenses to 500 concurrent users for this environment. We purchased over 350 new thin-client technology systems for use in clinical and administrative areas on both the Main and Health Sciences Campuses. This new disaster recovery environment and the increase in thin client systems will enable ECU to avoid purchasing higher priced workstations and to increase the length of usage for these devices compared to a traditional desktop system.

Virtualized application delivery decreases the downtime for users experiencing individual workstation issues since these system are centrally managed. Systems are more securely managed so that configuration changes are minimized thus giving us added layer of security protection.

Physical space continues to be a priority at the Cotanche data center location. To meet the continued rack and floor space requirements we are working toward the redesign of the Enterprise Server Room. The new design will mirror other redesigned spaces and help achieve maximum space efficiency. We have completed the initial floor design and have begun moving equipment in anticipation of receiving funding for this project.

An important component to managing enterprise systems is the monitoring capability. This year, we upgraded to new and improved versions of Argent and vSphere. These software packages help us monitor the size of your disk, and input and output, CPU, and memory performance. New features of Argent include the ability to monitor whether web page content is available, as well as file security.

This year, many teams across ITCS have been working on improving the firewalls to ECU servers. Firewalls are equipment that reside on the network and manage the flow of traffic to our servers. Work this year has focused on improving the security of our firewalls. This process includes the evaluation of existing firewall rules, identification of who or what needs access and why.

Tripwire software is enterprise level file integrity monitoring software that provides strict file change monitoring. It provides a high level of security monitoring and file change notification and tracking. This past fiscal year, our Systems unit deployed this software to 35 of our most critical servers. In part, this expansion of the broader monitoring environment is driven by changes to Payment Card Industry (PCI) requirements which have expanded the reach of what is "in PCI scope."

Windows 2003 Server is approaching the end of software support in July 2015. In preparation for this, ITCS has been working to systematically migrate systems to more recent versions of Windows Server. Considering the broad implications of migrating 40+ systems this is a huge endeavor that requires a lot of planning and accurate execution to limit negative impact to the customer. We have made significant progress this year and will continue the work in this area.

For long term provisioning efficiencies and to meet other automation needs, ITCS is building an environment for testing, script development and server provisioning. This new automation environment will allow ITCS to automate repetitive tasks, quickly deploy critical applications, and proactively manage infrastructure systems and services. The new environment will play a pivotal role in provisioning and maintaining the new Blackboard application Infrastructure.

ECU's voice environment runs on a Cisco hardware system. New features were tested this past year and implemented across campus in November 2013.

Oracle continues to be an extremely important component of our database platforms and an area where we enhanced our ability to support our databases using Oracle's advanced database monitoring and system patching software. We are adding their database appliances as a standard choice for housing ECU data.



Operations staff monitor critical applications and systems to ensure the delivery of services. Additionally, they monitor the building perimeter to ensure employee safety.



Efficiencies



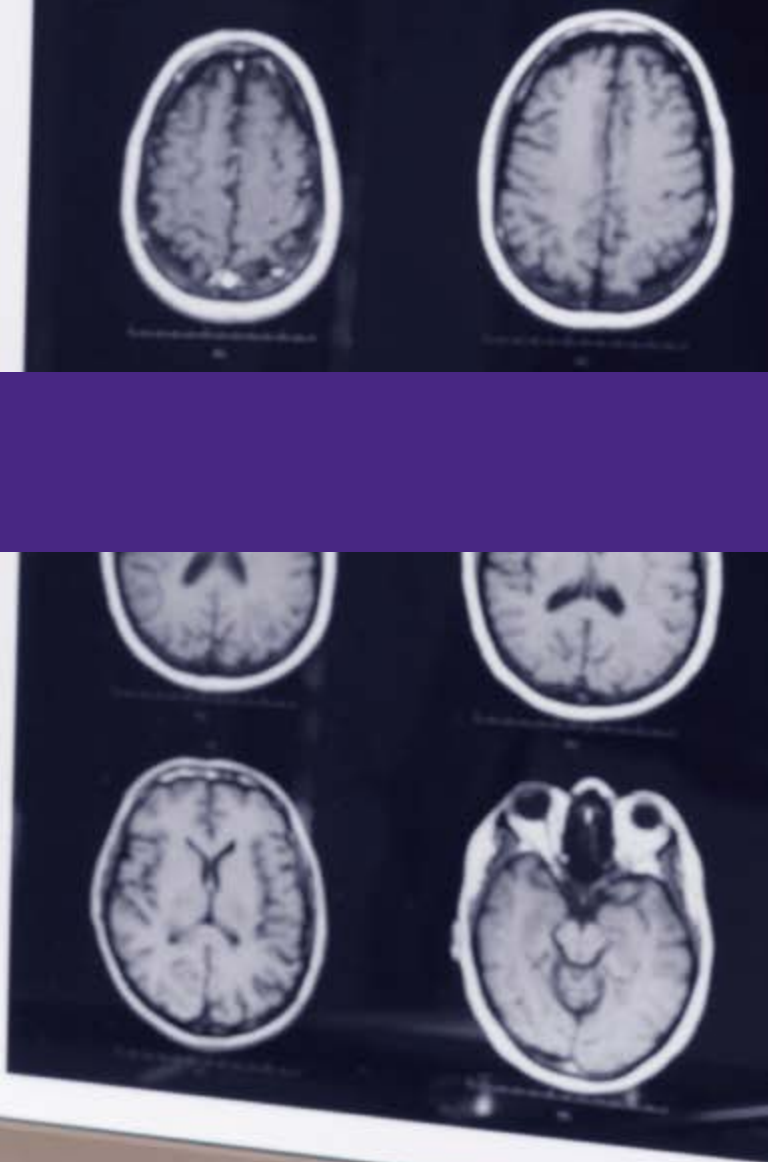
Medical Records
Patient
History
Lab Results

Labs

Type	Result	Normal Range
WBC	12	4,000-11,000
RBC	150	4.0-5.5
Hemoglobin	12	12-16

WBC	12	4,000-11,000
RBC	150	4.0-5.5
Hemoglobin	12	12-16
Hematocrit	35	37-47

Type	Result	Normal Range
WBC	12	4,000-11,000
RBC	150	4.0-5.5
Hemoglobin	12	12-16
Hematocrit	35	37-47
Platelets	150,000	150,000-400,000
PT	12	11-14
PTT	35	25-35



Efficiency and Effectiveness in Development

Earlier this year, ITCS completed the first in a series of planned projects involving the migration of patient information to the Medical Data Warehouse (MDW), which provides a HIPAA-compliant repository for secure storage and retrieval of electronic health records (EHR) and associated documentation that result from the decommissioning of legacy medical record systems. By law, this information must be maintained in an accessible environment for a period of time that may extend beyond two decades. These efforts included the development of an ecuBIC lookup/retrieval and reporting solution, resulting in the successful retirement of the Centricity medical record system at an estimated cost savings of over \$500,000.

Enterprise Data Management (EDM; formerly Knowledge Management) is a comprehensive program designed to engage the campus community in the formal administration of the University's information assets. This initiative was born out of the recognition that data plays an increasingly-important role in the university's decision-making processes. Through EDM, the university will leverage investments in human and information resources to enhance the quality, accuracy and value of data, and to increase the efficiency and effectiveness of information flow processes. An initial, primary goal of EDM is to establish a governance structure and set of standard operating practices that will enable the identification, definition, and cataloging of Institutional Data. This will also involve the development of a set of university-wide standards that provide for consistency in both the handling of Institutional Data, and the interpretation of policies, regulations, rules and procedures governing the practice of data management at East Carolina University.

We implemented a system to track students' physical entry and exit from various locations - Pirate Tutoring Center (tracks the amount of time students are tutored), an athletics location, and Austin Math Lab - using their 1 Card. Veterans services will be completed later this year. This system serves as a quick, easy way to run customized time-tracking reports for departments.

The Honors College needed a seamless application process that was user-friendly, integrated with existing technologies, and would help streamline the Honors admissions process. The

Honors Application is housed in Pirate Port and gives incoming students an honors admissions process that is integrated in real-time with Banner.

ECU embarked on an exciting new project this year - Pirate Introduction to ECU Registration (PIER). PIER introduces newly-admitted Pirates to the academic steps needed to begin their journey at ECU. The program facilitates student transition from high school to college by offering information about ECU, its programs, and available student resources. Students review the information on the PIER Web site, register for summer orientation, test their knowledge about the information on the site, and register for fall courses. ITCS developed the PIER Web site (www.ecu.edu/cs-acad/PIER) and quiz that was added to Pirate Port.

'Recruiter' is ECU's new recruiting and admissions solution for campus admissions departments. The system is a robust portal for prospective students that allows students to track their admissions checklist and be aware of important information related to their admission to the university. Admissions departments can take advantage of the Recruiter Console, which allows admissions personnel to track prospective students as they work through the admissions process. Recruiter is fully integrated with Banner. Last year, Phase I was successfully completed. It was comprised of implementing the prospective student portal, communication campaign management by the undergraduate admissions staff, undergraduate event management for tours and open house, and integration with Banner. Phase II this year will include ECU's own admissions application and deeper integration with Banner.



Thanks so much to you and your team for your exceptional work in making the Honors College online application a reality. We are all very impressed ...

— E-mail received from Honors College

Efficiency and Effectiveness in Operational Delivery of Services

As we make progress toward a mobile-friendly environment for our faculty, staff, and students, we must adapt our security practices, support strategies, and technology infrastructure. This past year, several projects focused on meeting these challenges:

- The ECU homepage received a refresh that included a new layout design and site infrastructure, as well as a new backend framework that offers a responsive design so Web pages will automatically rearrange content based on the visitor's screen size. This past year, we received funding for student support to assist departments redesigning their Web sites. Over 60 sites are either in process or have been completed. Both RAVE, ECU's alert system, and the university's calendaring system, Localist, were integrated into the new ECU homepage.
- We now require faculty and staff to use a passcode on all mobile devices that access ECU e-mail. Implementing a passcode is extremely critical to protect sensitive university information, as well as protect users' personal information.
- Our upgrade to Lync 2013 includes a Mobile Lync app for Windows, Android, and iOS users to stay connected on the go. Lync integrates seamlessly with e-mail, the calendar and the ECU address book to allow instant text messages, video conferences, online presentations and even group conferencing.
- In partnership with ECU Campus Living, we invested over \$350,000 to install wireless networking in Aycock, Scott, and Tyler residence halls. With this installation, all of ECU's existing residence halls are now wireless. We annually invest \$150,000 to upgrade wireless in academic areas to provide for growth, greater speeds, and redundancy. Our network services staff continually monitor traffic to identify peak areas, then add, move or adjust the range of access points to ensure appropriate coverage.

We implemented an Enterprise Video Conference Management system that provides an address book for campus video conference units and enables private addressing for those units.

Users can initiate a video conference without having to know a specific number, while private addressing protects users from external access.

This year, we deployed four additional Pirate Print kiosks, bringing our total to seven kiosks across ECU. These units enable students to upload documents from any location and then access the documents to print from the seven kiosks. Additional kiosks will be added in the upcoming year.

We replaced over 1,100 lab computers with new and updated technology. Many of these replacements are "thin clients". Thin clients are less expensive, have a lower energy emission, and enable improved centralized software management.

We have implemented full virtual desktops for students to access software for class assignments. This new method will replace the Virtual Computing Lab. This new technology implementation provides a consistent interface to students and increases access to resources by all students.

Distance education students and faculty, or those who frequently travel and are not tied to campus, need to have access to Piratedrive online file storage through a Web-based interface. The Piratedrive application, now in Pirate Port, has quickly become the most used application in Pirate Port and gives university employees and students quick access to their documents in a safe, secure, and convenient way.

The Orientation Registration system received a major upgrade this year and was converted to Pirate Port. The Orientation Registration system is frequently the first system an admitted student will use at ECU. The system is responsible for registering thousands of incoming students so reliability is important. In addition to a major facelift, several new features were added to allow First Year Center staff to configure the system from year to year with little ITCS involvement. This year, over 4,000 newly-admitted students registered using the Orientation Registration System.

Several new recurring original programs were developed for



My compliments to all on the website changes! I think the appearance has improved and is very user friendly.

— ECU end user on the redesigned university homepage

ECU-TV, including Rebuilding Together, Health Discoveries, and a Nutrition Services program.

ITCS provided various hardware and software upgrades and installations across campus this past year:

- We replaced aging systems with new workstations and thin clients (approximately 648 replacements in Academic Affairs, Administration and Finance, and the Brody School of Medicine); replaced 76 ITCS systems with higher-end computers to better fit the enhanced technology required by IT staff; and migrated 445 computer and associated network printer endpoints located on the Vidant Medical Center (VMC) network to the ECU network.
- We worked closely with the Department of Chemistry and multiple hardware vendors to propose appropriate hardware replacement options for the High Performance Cluster (HPC), which is at the end of its life. The original cluster was funded by a \$400,000+ National Science Foundation grant. The new environment will include approximately 40% more computational cores. The projected replacement will be completed in fall 2014.
- In May, ITCS began working closely with Joyner Library IT staff to replace the hardware that runs the library's card catalogue servers for the ECU campus and Elizabeth City State University.
- We retired the Centricity Electronic Health Record (EHR) system and implemented a new ECU Physicians EHR system in five remaining clinics.
- We upgraded Symantec Endpoint anti-malware software on faculty and staff computers; transitioned users from Windows XP to Windows 7, which included migrating over 1,100 clinical systems in the Brody School of Medicine (an additional 1,170 systems will be migrated by the end of summer); and deployed



The new responsive ECU home page has been well received by viewers.

Alertus software, an integral part of the ECU RAVE Alert system, which sends ECU Alert notifications to university-owned computers and displays them on screen.

Several changes were instituted for PirateIDs this past year:

- The structure of faculty and staff PirateIDs now model student PirateIDs, thus eliminating the possibility of a faculty or staff PirateID ever being assigned to someone else.
- In collaboration with Human Resources, the time in which a faculty or staff PirateID is deactivated was shortened from 120 days to 5 days after termination date. This change decreases the amount of time that former employees can still access university computing resources based on PirateID authentication, better protecting ECU resources. In a similar effort, we devised a method that allows new university retirees to keep their ECU e-mail address while eliminating potential access to ECU resources.

We implemented a new system that requires ECU Alumni to register in ECU's password reset system after activating their ECU Alumni e-mail account. This allows our alumni to easily reset a forgotten password, and has dramatically reduced password reset calls to our IT Help Desk.

Efficiency and Effectiveness in the Delivery of Learning Technologies

We upgraded various learning technologies, including Saba Meeting, the primary method for web conferencing in distance learning instruction. Blackboard was also upgraded. Feature enhancements include inline grading, a group management tool, test exceptions, global navigation, and a new calendar. An addition to Blackboard included installing the Mediasite Building Block, which allows any Mediasite-recorded lecture or presentation to be published as learning content in Blackboard. In addition, we consolidated Mediasite content to one site; now ECU colleges and departments are managed by directory structure and permissions, which provides for easier content sharing and quicker addition of new colleges and departments as adoption increases.

We piloted and implemented the new Mediasite Desktop Recorder that enables faculty, trainers, staff, and students to use a laptop or computer camera and microphone to easily record high-quality video and rich media.

The 9th annual Think-In was a great success! This year, in addition to posters, we offered two excellent panel discussions. One of these panels was also presented at the UNC General Administration sponsored webinars during North Carolina Distance Learning Week.

As part of the College STAR (Supporting Transition, Access, and Retention) project: A UNC System Project Supporting Students with Learning Differences, we collaborated with ECU CREWS (Collaborating for Retention and Engagement With ongoing Support)) on research involving lecture capture in instruction using Tegrity. We also collaborated on the development of training modules that students who are less adept at technology can use to better prepare for how to effectively participate in an online class. The Tegrity Lecture Capture Faculty Learning Community will present at the 3rd annual College STAR Shared Learning Conference, a nationwide conference designed to provide an opportunity for members of different educational communities to come together to share ideas, resources, and learning about the school environments we create for our students.

ITCS partnered with Human Resources to consolidate professional development delivery and training registration systems and implement a single-source system, Cornerstone. Using Captivate and Articulate software, we built and packaged twenty-one online courses for use within Cornerstone. This consolidation will give the university a standardized platform for years to come.

Read&Write GOLD was upgraded. Read&Write GOLD is assistive technology software that reads electronic text from e-books, Web sites, and documents created in word-processing programs. This software also helps writers with predictive spelling, word choice, dictionary, and thesaurus features.

Throughout the year, we completed many technology-enhanced space refreshes, which involves audio and video installations and upgrades across campus (including 34 classrooms on the Health Sciences Campus) for the Brody School of Medicine, College of Fine Arts, College of Arts and Sciences, College of Technology and Computer Sciences, Dowdy-Ficklen Stadium, Joyner Library, and the East Carolina Heart Institute, among others. This work included:

- design, consulting, and project management services for audio/video installations and upgrades, which provided a significant cost saving to the university since these services would normally be contracted out;
- reconfiguring spaces to accommodate growth; and
- installing equipment such as projectors, flat-screen monitors, video conferencing units, Mediasite recorders, and phone-charging stations.

We redesigned several instructional spaces to enable more interactive learning, flexible seating, bring your own device collaboration stations, and the ability to share imaging at multiple stations. Rooms were added in the College of Business, the Writing Program, Joyner Library, and Biology.

“

The higher education sector has reached a critical point where it must address the innovations that have changed the way its learners, and the rest of society, seek and engage with knowledge.

— NMC Horizon Report: 2014 Higher Education Edition



Lecture capture devices in centrally scheduled classrooms enable video to be widely distributed to students, and faculty can easily view analytics on student viewing time.



Read&Write Gold Software was highlighted as a presentation at the 2014 Think-In. This software is offered to all ECU students free of charge.

Efficiency and Effectiveness in Compliance

East Carolina University is dedicated to providing technology access for students, faculty, and staff with disabilities. This year, ITCS partnered with the Office for Disability Support Services (DSS) to promote and integrate IT accessibility in the development and delivery of campus resources. A few of the highlights of this work include:

- Web sites supporting the business of the university – including department, faculty, and staff Web sites – are required to be ADA compliant. Accessible CommonSpot templates are now available for departmental use. Developer Guidelines and ADA in Web Development training courses are offered.
- The new Accessibility Gateway site provided by DSS is now available to assist students, faculty, staff, patients and

visitors. Several tutorials and resources are available to assist faculty and staff to create various types of accessible media.

- An Accessible Content module is now included in the 2014-2015 Distance Education Faculty Modules (completed by all faculty teaching DE) and is also available as a separate module within Cornerstone. Module content includes accessible learning platforms, best practices for developing accessible content, and a reference checklist.
- The Online Tools Guide is another resource for faculty that advises them of accessibility requirements when choosing non-ECU hosted tools to include in their course work.
- Purchasing language is integrated into bid requirements. Vendors must assure all features, components and sub-systems

of enterprise level instructional software fully comply with Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d), (www.section508.gov). Vendors must detail why any feature, component or sub-system contained in an RFQ does not fully comply with Section 508, and the way in which the proposed product is out of compliance. Products are subject to an accessibility evaluation by the university. Exceptions will require approval.

IT Security completed the annual IT Risk Assessment for reporting to university's leadership. An IT Risk Assessment identifies IT threats that can prevent the university from accomplishing its strategic goals, as well as opportunities to enable the university to achieve operational efficiencies and compliance benefits from new information technologies and information management practices. The results of the Risk Assessment are provided for use in strategic IT and information security management decisions that impact teaching, research, and patient treatment.

IT Security is developing a multi-tiered approach to awareness and education as part of the Security Management Program project, which will span several years. This past year, this effort included:

- Developing a comprehensive promotional campaign to enhance campus awareness of information security requirements and best practices. This campaign will take advantage of many existing communication channels and a few new channels that are emerging to provide more effective security awareness and education.
- Providing targeted Security Awareness Training Presentations to a) New Faculty Orientation, b) HIPAA Researchers, and c) Financial Services Workshop.
- Integrating SANS Secure the Human (STH) integrated into Cornerstone and making it available to campus. IT Security is working on the core training components of STH that will become the basic security awareness training for the campus.

- Deployed the annual HIPAA Security Training Course in Cornerstone for all identified HIPAA Security Administrators. Three hundred forty-eight employees completed the training.
- Purchasing and collaborating on the content of the HIPAA Research Training Course for those participating in human research studies involving protected health information (PHI). The Research and Graduate Division offers this "required" training through Cornerstone.
- Developing a HIPAA Systems Database to document the university's HIPAA systems (over 120) as a federal HIPAA compliance requirement. Previously, the inventory and administrative and departmental information were maintained manually across several spreadsheets and files, negatively impacting the ability to monitor, track, update and report HIPAA inventory. The database is being updated with the HIPAA inventory and approximately one-third of the inventory has been placed into the database.



We are documenting over 120 HIPAA systems to ensure ECU meets federal HIPAA compliance requirements.

Cloud Computing at ECU

Everyone has undoubtedly heard about “the cloud.” Just what is “the cloud?” Well, think of it as a data center located somewhere else that provides its customers, via an internet connection, the capability to store data or to use services (applications) from their servers as if they were sitting in the university’s central data center in the Cotanche Building.

There are several different types of cloud computing:

- Infrastructure-as-a-service (IaaS): instead of purchasing hardware and software for a data center, the vendor provides these services and invoices the customer based upon the amount of resources used.
- Platform-as-a-service (PaaS): The vendor provides the networks, servers, storage, and other services that are required to host the customer’s application (such as Banner, Blackboard, etc.). The customer remotely controls and maintains the application(s).
- Software-as-a-service (SaaS): the vendor provides/purchases the license, maintains and manages the software applications (such as Banner) including the implementation of new releases.

Some positives using “the cloud” include:

- Reduces need to purchase servers or applications and maintain them in-house thereby reducing the physical footprint needed for an on-site data center
- Scalability: grow and expand storage and services (hopefully) on demand
- Data backup and disaster recovery services
- Reduced on-site support staff vis-à-vis shifting same to cloud vendor(s)

Some negatives using “the cloud” include:

- Ensuring data security and privacy (especially related to FERPA, HIPPA and other sensitive data)
- Dependency upon a third-party and loss of direct control to

a third-party vendor.

- Although reduced costs are the initial selling point, many adopters are finding the actual costs are higher using the cloud. Cost reduction should not be cited as the main goal to use cloud computing.
- Being tied to the financial health of another company providing cloud services.

ECU and ITCS currently use public cloud computing platforms including: TouchNet for e-commerce activities; PORT (SciQuest) for e-procurement; PeopleAdmin for personnel-related functions; Starfish for our early alert student retention tool; Student e-mail with Microsoft; and the Electronic Patient Medical Record System (formerly known as HealthSpan) hosted by Vidant Medical Group.

So, what’s our future in the use of (public) cloud computing? ITCS will evaluate cloud computing on a case-by-case basis, which means we will assess the security of the data with each vendor. We will examine the security of the data, data backup methods for each vendor, the integration with ECU’s existing infrastructure and application, ensure the vendor is financially sound, and put in place customer-centric service level agreements and contracts. As we move forward and seek funding to replace end-of-life servers and storage mediums for our Banner and associated systems, we will perform a cost and benefit analysis on purchasing and installing new hardware in-house versus using a platform-as-a-service model offered by Ellucian, the Banner vendor.

According to Gartner, private cloud computing is a major IT trend. A private cloud offers the same features and benefits of a public cloud system, but leaves control over the data and data security in our hands. This provides ECU with the inner security of knowing that our data is residing safely within our firewall, in our data center, and controlled by our staff. Previously, Blackboard was hosted by Blackboard, Inc. and we found this arrangement did not meet the needs of ECU. As a result, ECU brought Blackboard in-house where it is managed by ITCS in the ECU data center. This was a highly successful change.

Community Outreach: Engaging Generation Z

Middle School Innovators Academy (MSIA)

ITCS participated in the Middle School Innovators Academy (MSIA), an after-school/summer program that engages Generation Z tech-savvy students immersed in social media and the Internet, for whom traditional learning environments are unchallenging. New technology uses can enable rural Gen Z students to collaborate and realize educational growth in art and design through informal educational channels based on the Academy's deep-dive style process. The academy is a national winner of the University Economic Developer Association award for Talent Development in 2011. The 2013 program was an exciting collaboration between East Carolina University, Pitt County Schools, and DSM Dyneema.

Bring Your Child to Work Day

The ITCS Staff Council coordinated our first Bring Your Child to Work Day on August 1, 2014. This event presented an opportunity for ITCS staff to introduce their children to the exciting things that go on here at ITCS and at other areas of technology. Attendees participated in hands-on activities and toured the operations area to see servers and the ways ITCS staff monitor the network and primary data center. In all, we hosted approximately 35 guests ranging in ages from 4 to 18 years old. Hopefully, these children will attend ECU and, perhaps, one day be employed by ITCS.



The innagural ITCS Bring Your Child to Work Day was a success.

ITCS: The Year Ahead

Fiscal Year 2015

Current Major Projects Underway

We have many major high-impact projects underway from a total of nearly 200 projects that are in our queue. Highlights from the major projects are listed below.

Information Security Framework (ISO 27002)

ITCS is collaborating with academic and administrative representatives throughout campus to develop a policy suite for Information Security Management, Data Governance, and Acceptable Use. These policies will establish frameworks and define responsibilities for managing University information and IT systems in an effective and secure manner.

In support of the policy framework, ITCS is leading the development of IT Security Standards for ECU. These Standards are based on an international code of practice (ISO 27002), tailored to the higher education environment. To ensure the Standards adapt to frequent changes in today's digital environment, ITCS embraced a continuous improvement approach. This approach facilitates active dialogue and collaboration with representatives throughout the University and the UNC System. Such collaboration yields many improvements to the Standards, ensuring their long term viability and a high level of assurance that University information will be managed securely in the future.

To assist with the rollout of the new ECU Standards, ITCS is developing Best Practices for Information Security. The purpose of the Best Practices Guide is to provide practical guidance to the University community for implementing the Standards campus wide.

Managing Mobile Devices

With the proliferation of mobile devices, the need to manage those devices is critical, especially those that seek to access sensitive data. AirWatch software allows for the management

of mobile devices including smartphones and tablet devices. AirWatch also will allow the compartmentalization of personal and university data on a mobile device allowing for greater protection of important and critical information.

Automatic E-mail Encryption

Currently we have no way to prevent inadvertent or willful sending of unencrypted sensitive data through e-mail. Education is one of the primary means to raise awareness but until now we have not had the ability to implement a technical solution for this problem. Once implemented, the Data Loss Prevention (DLP) tool will automatically encrypt an e-mail containing sensitive data thus providing a safe transport of sensitive data to the recipient. It will also alert the sender that sensitive data was detected in order to raise the awareness of the need to send such information securely.

Blackboard Hardware Replacement

Several teams within ITCS are engaged in a major initiative to replace aging Blackboard hardware with a newly designed system that will meet the growing needs for our Distant Education delivery for the next 5 years. The new innovative design provides ECU its own Internal Private Cloud for Blackboard Services. The infrastructure comprises Oracle's Real Application Clustering on highly-tuned Oracle Database Appliances for the Database Tier, while the Application Tier is built on large memory servers that takes advantage of both virtualization and automation technologies. This initiative will save energy and create operational efficiencies. The primary goals are to provide a robust, highly available, highly scalable and very flexible application environment in a cost-conscious manner. The new design allows for quick provisioning of application servers to accommodate usage spikes and it significantly simplifies future application upgrades as well as improves our disaster recovery capabilities. The project comprised of two distinct phases. The

replacement of the Application Tier was phase 1 and went live in May 2014. The second phase targets the replacement of the Database Tier and will be completed in late fall 2014.

Cisco Identity Services Engine (ISE)

Implementing the university's new network security system, ISE, to protect ECU applications from unauthorized access and ensure computers connecting to the university networks – both wired and wireless – meet the minimum security standards. We will continue to implement additional features of this network security system.

Enterprise Data Management

Continuing to fine-tune Enterprise Data Management (EDM; formerly Knowledge Management) - a comprehensive program designed to engage the campus community in the formal administration of the University's information assets. This initiative, was born out of the recognition that data continues to play an increasingly important role in the university's decision-making processes. Through EDM, the university will leverage investments in human and information resources to enhance the quality, accuracy and value of data, and increase the efficiency and effectiveness of information flow processes. To this end, an initial, primary goal of EDM is to establish a governance structure and set of standard operating practices that will enable the identification, definition, and cataloging of Institutional Data. This will also involve the development of a set of university-wide standards that provide for consistency in both the handling of Institutional Data, and the interpretation of policies, regulations, rules and procedures governing the practice of data management at East Carolina University.

Network Refresh

Purchasing, installing, and configuring the university's next generation network core. The new core has been built in parallel to the current network and is being prepared for integration and migration to the new network core in the near future. The new network core will provide greater flexibility, performance, and security compared to the current network design. Planned completion is late 2015.

DAS (Distributed Antenna System) Cell Coverage Increase

ECU is working with a vendor to bring DAS to campus to

maximize cell phone signal strength. Currently, the project is starting at Dowdy-Ficklen Stadium with Verizon. AT&T will follow in the next year along with T-Mobile and Sprint. The vendor will continue to deploy the antenna system throughout campus in a long term contract with ECU to give the ECU faculty, staff, and students the best possible cell phone coverage throughout campus and in all buildings.

Classroom Technology Refresh

We will continue to upgrade classrooms and refresh technology-enhanced spaces with equipment such as projectors, document cameras, touch-screen control panels, flat-screen monitors, video conferencing units, annotation devices for writing on presentation material, and Mediasite recorders.

Information Security & Education Awareness Program

IT Security is developing a multi-tiered approach to information security awareness and education as part of the Security Management Program project, which will span several years.

Kronos

With an increase in state and federal legislation and compliance demands related to wage and hour rules, the university will standardize and automate time- and leave-keeping functions. To assist in this standardization and automation, ECU has purchased Workforce Timekeeper from Kronos, Incorporated. This software package has been adopted by the university as the time, attendance and leave keeping system of record for employees who track time, as well as employees who are granted or earn leave.

Oracle IDM

Oracle Identity Management is a complete and integrated next-generation identity management platform that provides scalability, enables organizations to achieve rapid compliance with regulatory mandates, secures sensitive applications and data regardless of whether they are hosted on-premises or in a cloud, reduces operational costs, and simplifies end-user account administration. Phase one of the implementation of IDM will encompass: system design; building interfaces to our current systems, and provisioning rules to create and remove accounts as well as account request/approval system.



Throughout the year, ITCS completes many technology-enhanced space refreshes across both campuses.

Service Learning Centers for School of Dental Medicine

We will continue to work with contractors to identify the needed technology - high-speed network connections, circuits, outside phone lines - for ECU’s dental community service learning centers. We provide and configure the networking and telephony equipment for the buildings and establish connectivity back to the Cotanche building. We contract with CenturyLink to install the equipment and provide maintenance on the equipment if we are unable to do it remotely.

Current Overall State of ITCS

The reliance on infrastructure and services from ITCS by virtually every unit throughout the campus to perform their functions is at an all-time high... and growing. We are proud to share that ITCS provides an extremely high level of customer service for our constituents; this is demonstrated by the positive results of the feedback we receive from our campus community.

Our largest project presently is the replacement of our end-of-life network infrastructure with a completely new and modern hardware and software platform. This is a multi-million dollar investment, projected to be completed by the end of 2015, which will position ECU well into the next decade. This network refresh will provide ten times the current speed to the desktop.

We are constantly evaluating the methods we use to deliver services. For example, we performed an assessment of providing faculty and staff e-mail (Outlook) support in-house by ITCS versus outsourcing it to “the cloud.” The recommendation at that time was to maintain faculty and staff e-mail in-house until costs and other variables (privacy and legal issues) are more mature. After that recommendation, we decided to initiate another full assessment in early 2015. Student e-mail has been



ECU expects to have approximately 8,500 employees using Kronos for time, attendance, and/or leave keeping.

outsourced to Microsoft for several years now with significant monetary savings.

We will be continuing to create efficiencies in these challenging budgetary times. In addition, we are responding to the recommendation from the May 2014 University Committee on Fiscal Sustainability Report which stated: “Review the appropriate levels of central and distributed IT positions and workload with goals of staffing at levels appropriate to fulfilling university priorities and maintaining service levels.” ITCS will provide the leadership this fiscal year to assess this recommendation and we will work very closely with affected parties in the development of a model to reduce duplication of services, enforce standards and best practices, and generate improved efficiencies. Our primary goal will be “to create strong partnerships, align existing and emerging technologies, increase knowledge and aware of IT security issues, and reduce duplication of services to create efficiencies.”

With 225 central IT (ITCS) staff and approximately 150 decentralized IT staff at varying levels and units across campus, it would be advantageous to develop a model whereby the collective brain trust can be utilized more comprehensively to meet the ever growing needs and demands placed upon the use of technology.

In conclusion, we are very proud to be a part of ITCS and to work with the people that make IT work seamlessly for this institution. I trust that this year’s publication has provided you with an in-depth look at the major projects underway within ITCS as well as some of the existing initiatives scheduled for the upcoming fiscal year.



Information Technology and Computing Services

252.328.9000 www.ecu.edu/itcs

East Carolina University
Board of Trustees
Finance and Facilities Committee
September 18, 2014

Session	Finance and Facilities Committee
Responsible Person	Vice Chancellor for Administration and Finance Frederick Niswander
Agenda Item	II.F.
Item Description	Capital Projects Update
Comments	N/A
Action Requested	Information
Disposition	
Notes	

East Carolina University
Board of Trustees
Finance and Facilities Committee
September 18, 2014

Session	Finance and Facilities Committee
Responsible Person	Vice Chancellor for Administration and Finance Frederick Niswander
Agenda Item	II.G.
Item Description	Reimbursement Resolution for Student Centers
Comments	N/A
Action Requested	Information
Disposition	
Notes	

**RESOLUTION OF THE BOARD OF GOVERNORS OF THE UNIVERSITY OF
NORTH CAROLINA DECLARING ITS INTENT TO CAUSE EAST
CAROLINA UNIVERSITY TO BE REIMBURSED FOR CAPITAL
EXPENDITURES INCURRED IN CONNECTION WITH NEW STUDENT
UNION, PARKING STRUCTURE, & HEALTH SCIENCES CAMPUS
STUDENT SERVICES BUILDING FROM THE PROCEEDS OF CERTAIN
TAX-EXEMPT OBLIGATIONS TO BE ISSUED.**

WHEREAS, the Board of Governors (the “*Board*”) of The University of North Carolina (the “*University*”) by resolution adopted on April 14, 2000 has authorized the Vice President-Finance of the University to take such action as may be required to declare the intent of the Board to cause the constituent institutions of the University to be reimbursed for capital expenditures made in anticipation of the issuance of tax-exempt obligations and the Chief Operating Officer of the University has succeeded to the functions of the Vice President-Finance of the University;

WHEREAS, it is in the best interests of East Carolina University (“*ECU*”) to build a new Student Union with parking structure and Health Sciences Campus Student Services building on the ECU campus as authorized by Chapter 60 of the 2014 Session Laws of the North Carolina General Assembly (the “*Project*”);

WHEREAS, the Board presently intends, at one time or from time to time, to finance a portion of the costs of the Project with proceeds of tax-exempt bonds and reasonably expects to issue its tax-exempt bonds or other evidence of indebtedness as tax-exempt obligations (the “*Bonds*”) to finance, or to cause ECU to be reimbursed for, a portion of the costs of the Project in calendar year 2015; and

WHEREAS, the Board desires to proceed with the Project and ECU will incur and pay certain expenditures in connection with the Project prior to the date of issuance of the Bonds (the “*Original Expenditures*”), such Original Expenditures to be paid for originally from a source other than the proceeds of the Bonds, and the Board intends, and reasonably expects, to cause ECU to be reimbursed for such Original Expenditures from a portion of the proceeds of the Bonds to be issued at a date occurring after the dates of such Original Expenditures;

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

Section 1. ***Official Declaration of Intent.*** The Board presently intends, and reasonably expects, to cause ECU to be reimbursed for the Original Expenditures incurred and paid by ECU on or after the date occurring 60 days prior to the date of adoption of this Resolution from a portion of the proceeds of the Bonds. The Board reasonably expects to issue the Bonds to finance a portion of the costs of the Project and the maximum principal amount of Bonds expected to be issued by the Board to pay for such portion of the costs of the Project is \$156,300,000.

Section 2. ***Compliance with Regulations.*** This Resolution as a declaration of official intent of the Board under Section 1.150-2 of the Treasury Regulations promulgated under Section 103 of the Internal Revenue Code of 1986, as amended, to evidence the Board’s intent to cause ECU to be reimbursed for the Original Expenditures from proceeds of the Bonds.

Section 3. ***Itemization of Capital Expenditures.*** The Vice Chancellor for Administration and Finance of ECU or his designee, with advice from bond counsel, is hereby authorized, directed and designated to act on behalf of the Board in determining and itemizing all of the Original Expenditures incurred and paid by ECU in connection with the Project during the period commencing on the date

occurring 60 days prior to the date of adoption of this Resolution and ending on the date of issuance of the Bonds.

Section 4. *Effective Date.* This Resolution is effective immediately on the date of its adoption.

ADOPTED AND APPROVED this ___ day of August, 2014

**BOARD OF GOVERNORS OF THE UNIVERSITY OF
NORTH CAROLINA**

By: _____

Charles E. Perusse
Chief Operating Officer of the
University of North Carolina

East Carolina University
Board of Trustees
Finance and Facilities Committee
September 18, 2014

Session	Finance and Facilities Committee
Responsible Person	Vice Chancellor for Administration and Finance Frederick Niswander
Agenda Item	II.H.
Item Description	Other
Comments	N/A
Action Requested	Information
Disposition	
Notes	