

**ECU Board of Trustees
February 18, 2019**

MINUTES

The Board of Trustees met in special session on February 18, 2019 in Spilman 105.

Chair Kieran Shanahan called the meeting to order and read the conflict of interest statement. Chair Shanahan called on Asst. Secretary Megan Ayers to call the roll. A quorum was established.

Chair Shanahan asked for a motion to go into closed session. Jordan Koonts made the motion and it was seconded and approved unanimously.

Following closed session, the board moved back into open session. Chairman Shanahan called for any motions originating in closed session.

Mr. Jordan Koonts moved that the board approve the recommendation from Chancellor Staton and Provost Mitchelson to appoint Dr. Paul Schwager as the next Dean of the College of Business, at a 12 month salary of \$270,000, and as the W. Howard Rooks Distinguished professor, with an associated salary supplement of \$20,000, effective July 1, 2019, contingent upon UNC President approval and the UNC Board of Governors review and consultation. In addition, Mr. Koonts moved that the board approve an annual phone allowance at the rate of \$720 per year in non-salary compensation as presented in board materials. The motion was seconded and unanimously approved. This item is listed as "Attachment A."

Mr. Jordan Koonts moved that the board approve the petition of Mr. Riddick (Rick) Smiley to participate in political activities as presented in board materials. The motion was seconded and unanimously approved. This item is listed as "Attachment B."

Mr. Jordan Koonts moved that the board approve the request for non-salary compensation payments to the eligible faculty members in the School of Dental Medicine as presented in board materials. These payments cover the period of July 1 – December 31, 2018. The motion was seconded and unanimously approved. This item is listed as "Attachment C."

I move that the board approve the request for non-salary compensation for new and existing staff in ECU Athletics as presented in board materials. The motion was seconded and unanimously approved. This item is listed as "Attachment D."

Hearing no further business, the meeting was adjourned.

ADJOURN

####

Respectfully Submitted,

Megan Ayers

Office of the Assistant Secretary to the Board of Trustees



Office of the Provost and Senior Vice Chancellor for Academic Affairs
210 Spilman Building | Mail Stop 501 | East Carolina University | Greenville, NC 27858-4353
252-328-5419 office | 252-328-4010 fax

MEMORANDUM

TO: Kieran Shanahan
Chair, ECU Board of Trustees

FROM: Dr. Ronald Mitchelson
Provost

A handwritten signature in black ink, appearing to read "RM", is placed to the right of the "FROM:" line.

DATE: February 4, 2019

RE: Dean, College of Business

I respectfully request the Board of Trustees approve the recommendation from Chancellor Staton and me to appoint Dr. Paul Schwager as Dean of the College of Business based on the following terms and conditions:

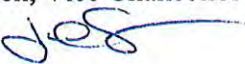
- 1) Appointment effective July 1, 2019, at a twelve-month annual salary of \$270,000. This salary rate is also contingent upon UNC President approval and the UNC Board of Governors review and consultation.
- 2) Appointment as the W. Howard Rooks Distinguished Professor, effective July 1, 2019, with an associated salary supplement of \$10,000 per year. This salary supplement is also contingent upon UNC President approval and the UNC Board of Governors review and consultation.
- 3) An annual phone allowance at the rate of \$720 per year in non-salary compensation.

Attachment: CV for Dr. Paul Schwager



MEMORANDUM

To: Dr. Cecil P. Staton, Chancellor

From: Dr. Jay Golden, Vice Chancellor for Research, Economic Development and Engagement 

Date: February 14, 2019

Re: Petition Regarding Political Activity – Riddick (Rick) Smiley

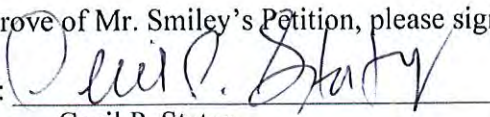
Rick Smiley, Professional Education Officer in the Office of Research Administration, currently serves on the City of Greenville City Council and intends to file for reelection to that office later this year in anticipation of the November election. According to UNC System Policy 300.5.2, Candidacy for Elective Office; Officeholding (Elective and Appointive Public Office), EHRA personnel must submit a petition prior to becoming a candidate for or accepting an elective office.

The UNC System policy draws a distinction between “minor public office” and “major public office” based on “more than nominal compensation” (defined as over \$10,000). Members of City Council earn a salary of \$8,400, but also receive health insurance benefits valued at \$17,423, which the UNC System policy potentially considers to be additional compensation.

Mr. Smiley has prepared the attached Petition Regarding Political Activity in order to rebut the presumption of a conflict of commitment in the event the compensation for his public service was ever deemed to be “more than nominal.” I recommend approval of Mr. Smiley’s Petition and do not believe that his political activities will interfere with his University duties.

The UNC System policy requires this Petition to be addressed and resolved by the Board of Trustees and transmitted through the Chancellor. By way of this memorandum, I am seeking your review and execution of Mr. Smiley’s Petition and request that you transmit the signed Petition to the Board of Trustees for final approval.

If you approve of Mr. Smiley’s Petition, please sign below. Thank you for your consideration.

Approved: 
 Cecil P. Staton
 Chancellor

Date: 2/15/19



THE UNIVERSITY OF NORTH CAROLINA SYSTEM

UNC System Human Resources
Petition Regarding Political Activity

UNC System Policy & Procedure
Effective Date: 03-20-2018

SECTION A: INTRODUCTION, DEFINITIONS, AND INSTRUCTIONS

1. Introduction

Under Section 300.5.2 of the UNC Policy Manual, an employee who is exempt from the State Human Resources Act (an "EHRA employee") must submit this petition for review before becoming a candidate for or accepting an appointive or elective public office.

Pursuant to the North Carolina Human Resources Act and the North Carolina Public Records Act, this petition and associated approvals are public records and will be released upon request

2. Relevant Definitions¹

- a. "Appointive public office" means a public office that is filled or obtained by means other than an election.
- b. "Conflict of commitment" relates to an individual's distribution of time and effort between obligations to University employment and participation in other activities outside of University employment. A conflict of commitment occurs when the pursuit of such outside activities involves an inordinate investment of time or is conducted at a time that interferes with the employee's fulfillment of University employment responsibilities.
- c. "Conflict of interest" means situations in which financial or other personal considerations, circumstances, or relationships may compromise, may involve the potential for compromising, or may have the appearance of compromising, an employee's objectivity in fulfilling their University duties or responsibilities, including research, service, teaching activities, and administrative duties.
- d. "Elective public office" means a public office that is filled or obtained through the results of an election.
- e. "Full-time employee" means an individual who is employed by the University at least three-quarter (3/4) time, including faculty who are employed on a nine-month per calendar year basis.
- f. "Major public office" means (1) any public office requiring full-time service, regardless of the amount of compensation; (2) any public office requiring service on a part-time basis for which compensation is more than nominal²; or (3) membership in the North Carolina General Assembly.
- g. "Minor public office" means any public office that is not a major public office.
- h. "Part-time employee" means an individual who is employed but who is not a full-time employee.
- i. "Public office" means any national, state, or local governmental position of public trust and responsibility, whether elective or appointive, which is created, prescribed, or recognized by constitution, statute or ordinance (other than within the University of North Carolina).

3. Instructions for Completing Section B of the Petition

The table on the following page specifies which portions of Section B the petitioner must complete. Petitioners also should read Section 300.5.2 in its entirety to ensure they are aware of all applicable requirements and deadlines.

¹ The definitions in Sections 300.5.1 and 300.5.2 of the UNC Policy Manual are incorporated herein by reference.

² In this context, "compensation which is more than nominal" means actual annual compensation or expected annual compensation, whichever is greater, in excess of \$10,000, excluding direct reimbursements for expenses incurred by the officeholder incident to holding office, whether such expenses are calculated on a per diem basis or an actual expense basis.

University of North Carolina System
 Petition Regarding Political Activity

TYPE OF EMPLOYEE AND PROPOSED ACTIVITY	IN SECTION B, COMPLETE:	POLICY NOTES
<p>Any EHRA employee seeking authorization to:</p> <p><input type="checkbox"/> Become a candidate for any minor public office</p> <p><input type="checkbox"/> Occupy any minor public office</p>	<p><input type="checkbox"/> Parts 1 and 5</p> <p><input type="checkbox"/> Part 3 required only if requesting leave</p> <p><input type="checkbox"/> Part 4 required only if directed by president or chancellor</p>	<p><input type="checkbox"/> Promptly file with your supervisor a written statement of the amount of any payments to which you would be entitled as a candidate or officeholder and</p> <p><input type="checkbox"/> If directed by the president or chancellor, submit a petition demonstrating that holding this public office will not create a conflict of commitment</p>
<p>Any EHRA employee seeking authorization to:</p> <p><input checked="" type="checkbox"/> Become a candidate for any major public office</p>	<p><input type="checkbox"/> Parts 1, 2, 3, and 4</p>	<p><input type="checkbox"/> Submit a petition for a full or partial leave of absence during period of candidacy and/or</p> <p><input checked="" type="checkbox"/> Submit a petition demonstrating that becoming a candidate for this public office will not create a conflict of commitment</p>
<p>A full-time EHRA employee seeking authorization to:</p> <p><input type="checkbox"/> Occupy a full-time public office</p>	<p><input type="checkbox"/> Parts 1 and 3</p>	<p><input type="checkbox"/> Submit a petition for a full leave of absence (for up to two years) for the time during which you will hold public office</p>
<p>A full-time EHRA employee seeking authorization to:</p> <p><input type="checkbox"/> Occupy a part-time public office for which compensation is more than nominal</p> <p><input type="checkbox"/> Occupy a seat in the NC General Assembly</p>	<p><input type="checkbox"/> Parts 1, 2, 3, and 4</p>	<p><input type="checkbox"/> Submit a petition for a full or partial leave of absence during time in office and/or</p> <p><input type="checkbox"/> Submit a petition demonstrating that holding this public office will not create a conflict of commitment</p>
<p>A part-time EHRA employee seeking authorization to:</p> <p><input type="checkbox"/> Occupy a full-time public office</p> <p><input type="checkbox"/> Occupy a seat in the NC General Assembly</p>	<p><input type="checkbox"/> Parts 1, 2, 3, and 4</p>	<p><input type="checkbox"/> Submit a petition for a full or partial leave of absence during time in office and/or</p> <p><input type="checkbox"/> Submit a petition demonstrating that holding this public office will not create a conflict of commitment</p>
<p>A part-time EHRA employee seeking authorization to:</p> <p><input type="checkbox"/> Occupy a part-time public office for which compensation is more than nominal</p>	<p><input type="checkbox"/> Parts 1 and 5</p> <p><input type="checkbox"/> Part 3 required only if requesting leave</p> <p><input type="checkbox"/> Part 4 required only if directed by president or chancellor</p>	<p><input type="checkbox"/> Promptly file with your supervisor a written statement of the amount of any payments to which you would be entitled as a candidate or officeholder and</p> <p><input type="checkbox"/> If directed by the president or chancellor, submit a petition demonstrating that holding this public office will not create a conflict of commitment</p>

SECTION B: PETITION INFORMATION

Petitioner's Name: Riddick Smiley	
Petitioner's Institution: East Carolina University	

1. NATURE OF PETITION

<input checked="" type="checkbox"/> New Petition	<input type="checkbox"/> Supplement/Amendment to a previously submitted Petition
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UNC Position Title	Research Administration Professional Education & Outreach Officer
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Petitioner's UNC Appointment Type	Petitioner's Full/Part Time Status
<input type="checkbox"/> 9-Month Faculty	<input checked="" type="checkbox"/> Full-Time (at least ¾ time or 9 months)
<input type="checkbox"/> 12-Month Faculty	<input type="checkbox"/> Part-Time (less than ¾ time or 30 hrs/wk)
<input type="checkbox"/> Senior Academic and Administrative Officer, Tier I	
<input type="checkbox"/> Senior Academic and Administrative Officer, Tier II	
<input checked="" type="checkbox"/> Other EPA Non-faculty appointment	

Public Office Title	Council Member – City of Greenville, NC
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Public Office Type (as defined in Section A)	Activity Type (check all that apply)
<input type="checkbox"/> Full-Time Public Office	<input checked="" type="checkbox"/> Campaign for Public Office
<input type="checkbox"/> Member of General Assembly	<input checked="" type="checkbox"/> Occupy a Public Office
<input checked="" type="checkbox"/> Part-time public office with compensation exceeding \$10,000	
<input type="checkbox"/> Part-time public office with compensation not exceeding \$10,000	

2. DESCRIPTION OF DUTIES AND WORK SCHEDULE (Supplemental information may be attached to this Petition.)

Petitioner's University Duties (Provide a breakdown of the percent of time dedicated to assigned work duties assuming a 40-hour work week unless regularly schedule to work fewer hours per week. Examples of categories include teaching and grading, instructional preparation, mentoring/advising students, supervision of staff, research and writing, University committees or service, external committees or service, fundraising, or other project/program management.)

Create and manage training and communication initiatives on behalf of the Office of Research Administration. Please see attached position description for additional information.

University of North Carolina System
Petition Regarding Political Activity

Petitioner's Name:	Riddick Smiley
Petitioner's Institution:	East Carolina University

Petitioner's Assigned Work Schedule (Even if not regularly defined, indicate all key obligations that are on a set schedule.)

M-F 8-5

Campaign Activities (Provide a description of campaign activities, including types of campaign events, meetings with constituents and campaign staff, travel time for such meetings, or other expected activities.)

Serving on the Greenville City Council requires running for election every 2 years (on odd numbered years). Between July and November of 2019, this will involve approximately 15-20 hours per week meeting voters, sending mail and e-mail, attending candidate forums. All of this activity happens outside of business hours – in the evenings and on weekends. All of this activity takes place in Greenville, NC.

Expected Time Commitments for Campaigning (Include beginning and end dates for campaign, dates/times of all key obligations known or anticipated, expected average hours per work week, particularly hours that would fall within the petitioner's assigned work schedule.)

Between July and November, approximately 15-20 hours per week meeting voters, sending mail and e-mail, attending candidate forums. All of this activity happens outside of business hours – in the evenings and on weekends.

Public Office Duties (Provide a description of the duty requirements for the public office, including meetings with constituents, travel time, standing committee obligations, or other expected service requirements.)

Year round, approximately 30 hours per month attending public meetings, meeting with City staff, and responding to constituent requests. In addition to twice a month Council meetings, most members serve as liaisons to 2-5 citizen commissions which generally meet once a month. The vast majority of these activities take place outside of business hours – in the evenings and on weekends.

Expected Time Commitments for Holding Office (Include beginning and end dates of term, dates/times of all key obligations known or anticipated, expected average hours per work week, particularly hours that would fall within the petitioner's assigned work schedule.)

Year round, approximately 30 hours per month attending public meetings, meeting with City staff, and responding to constituent requests. The vast majority of these activities take place outside of business hours – in the evenings and on weekends. There are occasional activities which take place during the business day which are managed either over lunch or as vacation leave (~4 hours per month).

Petitioner's Name:	Riddick Smiley
Petitioner's Institution:	East Carolina University

3. LEAVE REQUEST

- No leave requested.
- Full leave of absence (Required if full-time employee occupying a full-time public office, not to exceed two years.)
- Partial leave of absence (Approval of scope and duration are at the discretion of the Petitioner's institution.)

Describe the proposed work schedule, including total hours per work week. Provide the time frame for the absence, using specific dates as often as practicable. Clarify if this leave or reduced schedule is being requested intermittently or continuously.

No leave of absence requested.

4. ATTESTATION OF NO CONFLICT OF COMMITMENT

Explain why the proposed campaigning and/or office-holding does not create a conflict of commitment with your University duties. If requesting a partial leave of absence, clarify what duties you propose to eliminate or reduce, if any, during this period. Please note that the Board of Governors do not permit partial leave of absence or full leave of absence for a portion of a semester that adversely would affect the instructional services available to students, (for example, substituting another instructor for the petitioner to teach a course for a portion of the academic term.)

All campaigning and office-holding duties are done outside of the business day or using personal vacation leave in amounts not significantly beyond what would normally be used by other employees.

5. PAYMENT FOR PUBLIC OFFICE

Indicate the amount of any payments you would be or are entitled to as a candidate for or officeholder of this public office.

\$8,400 annually plus health insurance benefits valued at \$17,423 (potentially considered compensation under UNC System Office policies) would total \$25,823.

**University of North Carolina System
Petition Regarding Political Activity**

Petitioner's Name:	Riddick Smiley
Petitioner's Institution:	East Carolina University

SECTION C: SIGNATURE OF PETITIONER

I hereby certify that all information submitted on this Petition and any supporting documentation provided is true, complete to the best of my knowledge and belief, and filed in good faith.

Riddick Smiley *1/15/19*

 Petitioner's Signature Date

SECTION D: REVIEW AND DECISION

This petition will be reviewed and a decision will be made pursuant to Section 300.5.2 of the UNC Policy Manual.

If the Petition is in regard to a minor public office (or, for a part-time employee, for a part-time public office with compensation less than \$10,000), then only supervisory receipt is required and no further action is necessary. However, if the president (with respect to senior academic and administrative officers (SAAO) and employees of the UNC System Office) or the chancellor (with respect to other employees of the constituent institution, other than SAAOs) believes that a material conflict of commitment may exist in a particular case, the president or the chancellor may direct this petitioner to complete the attestation of no conflict of commitment, and the chancellor (or president) would submit the petition either to the Board of Governors or the appropriate board of trustees for resolution.

Petitions by SAAOs, and by any other employee if the petition concerns candidacy and office-holding in the General Assembly, shall be addressed to and resolved by the Board of Governors, shall be transmitted through the president, and shall be accompanied by a recommendation from the Petitioner's chancellor, if applicable. If the petition pertains to a chancellor, it shall be accompanied by a recommendation of the board of trustees of the chancellor's institution.

Petitions by University employees other than SAAOs, with the exception of petitions concerning candidacy and office-holding for the General Assembly, shall be addressed to and resolved by the appropriate board of trustees and shall be transmitted through the chancellor. With respect to each such decision rendered by a board of trustees, the chancellor shall transmit to the Committee on University Governance of the Board of Governors a report, containing such information as the committee may specify, concerning the action of the board of trustees.

SIGNATURES (if required)

<i>Quinn B. Cole</i> <i>1/28/2019</i> _____ Petitioner's Supervisor Date	_____ Board of Trustees Date
<i>David D. Johnson</i> <i>2/15/19</i> _____ Chancellor Date	_____ Board of Governors Date
_____ President Date	



MEMORANDUM

To: Jay Golden, Ph.D.

From: Rick Smiley

Date: 13 February 2019

Re: Petition Regarding Political Activity

According to UNC System policy, EHRA personnel must submit a petition prior to becoming a candidate for or accepting an elective office. As you may know, I currently serve on the City of Greenville City Council and intend to file for reelection to that office later this year in anticipation of the November election.

The UNC System policy draws a distinction between “minor public office” and “major public office” on the basis of “more than nominal compensation” (defined as over \$10,000). Members of City Council earn a salary of \$8,400, but also receive health insurance benefits which the UNC System policy potentially considers to be additional compensation.

At the advice of Toni Grace, Associate University Attorney, I have prepared the attached petition, and reviewed it with Julie Cole, in order to rebut the presumption of a conflict of commitment in the event the compensation for my public service was ever deemed to be “more than nominal.”

Ms. Grace further suggested I request that you forward this petition to the Chancellor for review and presentation to the Board of Trustees. I understand Ms. Grace intends to contact you directly to further clarify.

cc: Julie B. Cole




MEMORANDUM

TO: Mr. Kieran Shanahan, Chair
ECU Board of Trustees

Cecil P. Staton, D.Phil.
Chancellor

Mark Stacy, MD
Vice Chancellor for Health Sciences Division

FROM: D. Gregory Chadwick, DDS, MS
Dean 

SUBJECT: Request for Approval to pay SoDM Faculty Practice Incentive Payments

DATE: January 28, 2019

In accordance with the East Carolina University Policy on Non-Salary and Deferred Compensation for Employees Exempt from the State Personnel Act, the School of Dental Medicine would like to request approval for the attached list of non-salary compensation payments to eligible faculty members. These payments are in recognition of the individuals' clinical productivity in faculty practice as stipulated in their employment contracts. These payments cover the period July 1, 2018 through December 31, 2018.

Attached are the details of this request, as well as a spreadsheet indicating participating faculty member's individual compensation.

Thank you in advance for your consideration of this request.

Attachments (2)

1. Request to Board of Trustees for Approval to pay Faculty Practice Bonus Payments
2. July 1 – December 31, 2018 Table with Faculty Names and Incentive/Bonus Amounts

c: Ms. Lisa Hudson, Associate Vice Chancellor, Health Sciences Human Resources
Ms. Anne Jenkins, Executive Director for Business and Financial Affairs, SoDM
Ms. Paula Daughtry

ECU School of Dental Medicine Incentive Information for BOT

July 1, 2018 - December 31, 2018

Faculty	Incentive Payment Sal Qtr 1 & 2
Dr. Daune Humphrey	\$2,341.49
Dr. Maggie Pafford	\$2,687.13
Dr. Loren Alves	\$7,415.86
Dr. Alex Gillone	\$12,110.39
Dr. Alex Kordis	\$8,166.07
Dr. Acela Martinez-Luna	\$22,327.50
Dr. Van McCarlie	\$7,186.47
Dr. Nikki Tucker	\$9,865.85
Dr. Robert Keim	\$8,005.82
Dr. Mahmoud Serag	\$15,300.65
Dr. Stevan Thompson	\$8,343.70
Dr. Jason Buschman	\$3,281.46
Dr. Michael Webb	\$1,912.15
Dr. Paul Lindauer	\$437.10
Dr. Alison Yeung	\$663.87
Dr. David Paquette	\$1,777.98

Request to Board of Trustees for Approval of Faculty Practice Incentive Payments (Non-Salary and Deferred Compensation Plan in School of Dental Medicine)

The Board of Trustees is asked to approve Faculty Practice Incentive Payments to eligible faculty in the School of Dental Medicine (SoDM). UNC Policy Manual 300.2.14, "Non-Salary and Deferred Compensation", and ECU Policy on Non-Salary and Deferred Compensation for Employees Exempt from the State Personnel Act authorize the Board of Trustees to approve non-salary compensation for EHRA employees.

In accordance with The UNC Policy Manual 300.2.14, "Non-Salary and Deferred Compensation", this document delineates the SoDM Faculty Practice Incentive Payment criteria and the process for generating the proposed payments to faculty in the ECU School of Dental Medicine.

School of Dental Medicine faculty in Ross Hall are encouraged to develop a Faculty Practice (FP) to hone and maintain their skill set and to further meet the needs of the patient community. The services performed in the FP are exclusively provided by the faculty as opposed to students and residents under the supervision of faculty. These proposed incentives are designed to encourage activity that provides care to more complex patients in our communities as well as patients from the School of Dental Medicine student clinic whose treatment plans require certain procedures too complex for our students or residents to provide. In addition, these incentive payments are a critical tool in the recruiting package necessary to attract high quality faculty. Students and patients clearly benefit from instruction by faculty who are experienced and committed to caring for the more complex patients.

As the emerging Faculty Practice gains momentum, conventional wisdom is that we develop an incentive model to encourage faculty to increase clinical productivity in the FP. To incentivize the achievement of these clinical productivity targets, the School of Dental Medicine is developing a formal Incentive Payment Plan. Until this plan is developed and approved, we would like to pay 30% of collected net revenue to all faculty participating in Faculty Practice and thus, we seek the Board of Trustees' approval to make the specific payments proposed.

With the exception of three, they reflect an amount equal to 30% of collected revenue from the patient care each provider directly performed in the FP.

- The School of Dental Medicine proposes an amount equal to 45% of collected revenue from the patient care performed by two periodontists within the school. Drs. Guillone and Martinez-Luna are both periodontists who came to us in mid-2017 as a result of a search for a periodontist that had begun in March, 2016. We were able to attract both spouses with lower base salaries by offering the 60% incentive plan for their first year. This went to 45% in this, their second year, and will be 30% thereafter.
- The third proposed exception is for Dr. Buschman, an oral and maxillofacial surgeon. Dr. Buschman came to us in mid-2018 as the result of a search that began in August, 2017. We were able to attract Dr. Buschman by offering a 40% incentive plan for his first and second year and 30% thereafter.

All incentives will be paid from non-state clinical funds generated from the Faculty Practice.

**Request to
East Carolina University Board of Trustees
February 18, 2019**

**2018-19 ECU Athletics Department Staff
Non-Salary Compensation – New and Existing Employees**

In accordance with UNC Policy 300.2.14 and the *ECU Policy on Non-Salary and Deferred Compensation for Employees Exempt from the State Personnel Act*, this non-salary compensation plan for East Carolina University Athletics staff is endorsed by the Chancellor and submitted for consideration by the East Carolina University Board of Trustees.

To the extent allowed by applicable law and the policies of ECU and the University of North Carolina and subject to the approval of such entities as may be required by law and of any said policies, employees in the positions identified below would be eligible for the specified non-salary compensation based upon completion and/or achievement of the benchmark(s) established for said bonus. Payment of any such non-salary compensation is contingent upon the availability of non-State appropriated funds. These non-salary compensation items cover the 2018-19 budget year and are or will be stipulated in each eligible employee's employment agreement. Use of the words "you" and "your" refer to each employee identified below as eligible for the non-salary compensation described. Decisions concerning non-salary compensation shall not be based in whole or in part upon discriminatory factors of the employee's race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, genetic information, or veteran status. Employees may be eligible for additional non-salary compensation not listed below, but only to the extent allowed by applicable law and policies and expressly approved by the East Carolina University Board of Trustees and such entities as may be required by law and said policies.

2018-19 Non-Salary Compensation

Housing

Housing: Temporary housing will be made available for you up to 30 days.

Assistant Coach, Inside Linebackers – Byron Thweatt
Director of Football Operations – Nina Baloun
Director of Player Development - Tarron Williams
Director of Recruiting/Player Development - John Gunter

Housing: Temporary housing will be made available for you up to 6 days.

Assistant Coach, Strength and Conditioning-Ashton Farmer

Buyout Payment

To the extent permitted by applicable law and University of North Carolina and ECU policy, ECU agrees to pay Assistant Coach's obligation under his previous employment agreement with Marshal University

to pay a “Buyout” payment to Marshal University in an amount not to exceed \$17,500 by January 15, 2019.

Assistant Coach, Inside Linebackers – Byron Thweatt

Potential Non-Salary Bonus Compensation:

Payment of all non-salary bonus compensation is contingent upon the availability of non-State appropriated funds, the varsity sport program being in compliance with all NCAA, Conference, UNC and ECU policies, regulations, bylaws, and constitutional provisions including, but not limited to, those relating to academic matters and achieving all minimum Academic Progress Rate (“APR”) standards; the employee being actively employed in the position, and there being no pending or active NCAA, Conference, UNC or ECU investigations of violations relating to the sport program, or relating to academic matters or conduct of any person who is a part of the varsity sport program. The amount of such bonuses, if any, shall be recommended by the Director after consultation with the Head Coach. If the above-referenced contingencies are satisfied (including any and all necessary approvals), the employee may be eligible for non-salary bonus compensation.

1. Football Assistant Coaches and Football Staff

Academic Bonus

A one-time bonus of up to \$5,000 per year for the academic year ending May 2019, if calculated according to NCAA requirements, the ECU varsity intercollegiate football team (“Team”) has, with regard to single-year Academic Progress Rate (“APR”) for the Team, achieved an APR of 950 or more. The employee will be eligible to receive this bonus when the APR is reported publicly. Further, in order to receive payment of this bonus, you must be employed by and performing substantial services for ECU on the date the APR is reported publicly.

Employees who may be eligible for this bonus:

Assistant Coach, Inside Linebackers – Byron Thweatt
Director of Football Operations – Nina Baloun
Director of Player Development - Tarron Williams
Director of Recruiting/Player Development - John Gunter
Assistant Coach, Cornerbacks - Brandon Lynch

2. Olympic Sport Head Coaches (all varsity, NCAA-recognized sports other than FB, MBB, WBB, Baseball)

Competitive Bonus

In the event that the team wins the American Athletic Conference Championship or the team is selected for NCAA (post season) Championship Tournament appearance, you may be eligible for one bonus of up to 1/12 of your annual salary. The amount of such bonuses shall be determined by the Director of Athletics after consultation with the Sport Administrator. Payment of any such bonuses shall be further contingent upon the availability of non-State appropriated funds, the varsity sport

program being in compliance with all NCAA, Conference, and ECU policies, regulations, bylaws, and constitutional provisions including, but not limited to, those relating to academic matters and achieving all minimum APR standards; and there being no pending or active NCAA, Conference, or ECU investigations of significant, intentional, or repetitive violations and conduct of any person who is a part of the varsity sport program.

Head coaches who may be eligible for this bonus:

Head Soccer Coach – Jason Hamilton
Head Men's Golf Coach - Andrew Sapp
Head Women's Golf Coach - Kevin Williams
Head Lacrosse Coach - Amanda Barnes
Head Softball Coach - Courtney Oliver
Head Swimming & Diving Coach - Matt Jabs
Head Men's Tennis Coach - Shawn Heinchon
Head Women's Tennis Coach - Tom Morris
Director of Men's and Women's Track and Field/Cross Country - Curt Kraft
Head Volleyball Coach - Julie Torbett

Academic Bonus

In the event that the team earns the American Athletic Conference academic award as determined by the American Athletic Conference office, you may be eligible for an academic bonus of up to 1/12 of your annual salary. The amount of such bonus shall be determined by the Director of Athletics after consultation with the Sport Administrator. Payment of any such bonuses shall be further contingent upon the availability of non-State appropriated funds, the varsity sport program being in compliance with all NCAA, Conference, and ECU policies, regulations, bylaws, and constitutional provisions including, but not limited to, those relating to academic matters and achieving all minimum APR standards; and there being no pending or active NCAA, Conference, or ECU investigations of significant, intentional, or repetitive violations involving or relating to academic matters or conduct of any person who is a part of the varsity sport program.

Head coaches who may be eligible for this bonus:

Head Soccer Coach – Jason Hamilton
Head Men's Golf Coach - Andrew Sapp
Head Women's Golf Coach - Kevin Williams
Head Lacrosse Coach - Amanda Barnes
Head Softball Coach - Courtney Oliver
Head Swimming & Diving Coach - Matt Jabs
Head Men's Tennis Coach - Shawn Heinchon
Head Women's Tennis Coach - Tom Morris
Director of Men's and Women's Track and Field/Cross Country - Curt Kraft
Head Volleyball Coach - Julie Torbett

The maximum cumulative bonus amount (bonus payments of all types combined) that may be earned in any fiscal year (July-June) shall not exceed 25% of your annual salary.

3. Olympic Sport Assistant Coaches and Directors of Operations (sports other than FB, MBB, WBB, Baseball)

Competitive Bonus

In the event that the team wins the Conference Championship or the team is selected for NCAA (post season) Championship Tournament appearance, you may be eligible for one bonus of up to 1/12 of your annual salary. The amount of such bonuses shall be determined by the Director of Athletics after consultation with the Sport Administrator and Head Coach. Payment of any such bonuses shall be further contingent upon the availability of non-State appropriated funds, the varsity sport program being in compliance with all NCAA, Conference, and ECU policies, regulations, bylaws, and constitutional provisions including, but not limited to, those relating to academic matters and achieving all minimum APR standards; and there being no pending or active NCAA, Conference, or ECU investigations of significant, intentional, or repetitive violations and conduct of any person who is a part of the varsity sport program.

Employees who may be eligible for this bonus:

- Assistant Soccer Coach – Emily Buccilla
- Assistant Softball Coach - Ellie Cooper
- Assistant Volleyball Coach – Moneshia Simmons
- Director of Softball Operations - Maggie Hawkins
- Assistant Men's Golf Coach - Dan Ruyle
- Assistant Lacrosse Coach - Alexis Cross
- Assistant Lacrosse Coach - Emily Parros
- Assistant Soccer Coach – Brad Keller
- Assistant Softball Coach - Molly Fichtner
- Assistant Softball Coach - Jess Hirschbuhl
- Assistant Swim Coach - Jesse Lyman
- Assistant Swim Coach - Kate Moore
- Assistant Swim Coach - John Newell
- Assistant Swim Coach - Kevin Woodhull-Smith
- Assistant Men's Tennis Coach - Ian Van Cott
- Assistant Women's Tennis Coach - Kirstin Burgess
- Assistant Track Coach - Brie Berkowitz
- Assistant Track Coach - Udon Cheek
- Assistant Track Coach - Jeffrey Gray
- Assistant Track Coach - David Price
- Assistant Track Coach - Josey Weaver

Academic Bonus

In the event that the team earns the American Athletic Conference academic award as determined by the American Athletic Conference office, you may be eligible for an academic bonus of up to 1/12 of your annual salary. The amount of such bonus shall be determined by the Director of Athletics after consultation with the Sport Administrator and Head Coach. Payment of any such bonuses shall be further contingent upon the availability of non-State appropriated funds, the varsity sport program being in compliance with all NCAA, Conference, and ECU policies, regulations, bylaws, and

constitutional provisions including, but not limited to, those relating to academic matters and achieving all minimum APR standards; and there being no pending or active NCAA, Conference, or ECU investigations of significant, intentional, or repetitive violations involving or relating to academic matters or conduct of any person who is a part of the varsity sport program.

Employees who may be eligible for this bonus:

Assistant Soccer Coach – Emily Buccilla
Assistant Softball Coach - Ellie Cooper
Assistant Volleyball Coach – Moneshia Simmons
Director of Softball Operations - Maggie Hawkins
Assistant Men's Golf Coach - Dan Ruyle
Assistant Lacrosse Coach - Alexis Cross
Assistant Lacrosse Coach - Emily Parros
Assistant Soccer Coach – Brad Keller
Assistant Softball Coach - Molly Fichtner
Assistant Softball Coach - Jess Hirschbuhl
Assistant Swim Coach, Diving - Jesse Lyman
Assistant Swim Coach - Kate Moore
Assistant Swim Coach - John Newell
Assistant Swim Coach - Kevin Woodhull-Smith
Assistant Men's Tennis Coach - Ian Van Cott
Assistant Women's Tennis Coach - Kirstin Burgess
Assistant Track Coach - Brie Berkowitz
Assistant Track Coach - Udon Cheek
Assistant Track Coach - Jeffrey Gray
Assistant Track Coach - David Price
Assistant Track Coach - Josey Weaver

The maximum cumulative bonus amount (bonus payments of all types combined) that may be earned in any fiscal year (July-June) shall not exceed 25% of your annual salary.

4. Men's Basketball Assistant Coaches and Director of Operations

Retention Bonus

If you are employed continuously during the immediate preceding twelve months in the position of Assistant Basketball Coach or Director of Basketball Operations at ECU on October 1, 2018, you shall be eligible to receive a one-time retention bonus of up to one-twelfth (1/12) of your annual base salary in effect on the immediately preceding March 31 in such amount as the Director of Athletics will establish prior to the Retention Date after consultation with the Head Coach. The factors to be considered by the Director in making this determination will include competitive performance and team achievement consistent with the goals of university's department of athletics.

Employees who may be eligible for this bonus:

Assistant Coach - Ken Potosnak
Director of Basketball Operations - Kyle Robinson

5. Women's Basketball Assistant Coaches and Director of Operations

Retention Bonus

If you are employed continuously during the immediate preceding twelve months in the position of Assistant Basketball Coach or Director of Basketball Operations at ECU on October 1, 2018, you shall be eligible to receive a one-time retention bonus of up to one-twelfth (1/12) of your annual base salary in effect on the immediately preceding April 30 in such amount as the Director of Athletics will establish prior to the Retention Date after consultation with the Head Coach. The factors to be considered by the Director in making this determination will include competitive performance and team achievement consistent with the goals of university's department of athletics.

Employees who may be eligible for this bonus:

Acting Head Coach - Nicole Mealing
Assistant Coach - Chad Killinger
Assistant Coach - Celeste Stewart
Director of Basketball Operations - Hayley Hollis

6. Baseball Assistant Coaches and Director of Operations

Retention Bonus

If you are employed continuously during the immediate preceding twelve months in the position of Assistant Baseball Coach or Director of Baseball Operations at ECU on October 1, 2018, you shall be eligible to receive a one-time retention bonus of up to one-twelfth (1/12) of your annual base salary in effect on the immediately preceding June 15 in such amount as the Director of Athletics will establish prior to the Retention Date after consultation with the Head Coach. The factors to be considered by the Director in making this determination will include competitive performance and team achievement consistent with the goals of university's department of athletics. Payment of any such bonuses shall be further contingent upon the availability of non-State appropriated funds, the varsity Baseball program being in compliance with all NCAA, Conference, and ECU policies, regulations, bylaws, and constitutional provisions including, but not limited to, those relating to academic matters and achieving all minimum APR standards; and there being no pending or active NCAA, Conference, or ECU investigations of significant, intentional or repetitive violations and conduct of any person who is a part of the varsity Baseball program.

Competitive Bonus

You shall be eligible to receive a competitive Bonus in the amounts as specified in conjunction with the team's achievement below:

Conference Champion (either Regular Season or Tournament)	\$2,500
NCAA Regional Participation	\$2,500
NCAA Super Regional Participation	\$5,000

NCAA College World Series (CWS) Participation	\$10,000
National Champion (Win NCAA CWS)	\$10,000

These bonuses are cumulative.

Employees who may be eligible for this bonus:

Assistant Coach - Jeff Palumbo
Assistant Coach - Dan Roszel
Director of Baseball Operations - Pete Buscaino

Country Club Memberships

Subject to approval by the Director of Athletics, designated individuals may receive Club memberships if the membership is deemed useful to the university and is job related and the club has a policy prohibiting discrimination against groups protected by federal and North Carolina law.

Employees who may be eligible to receive membership:

Sr. Associate Athletics Director/Executive Director Pirate Club - Phillip Wood
Associate Athletics Director/Associate Executive Director Pirate Club - Mark Hessert
Assistant Athletics Director/Major Gifts Officer Pirate Club- Will Chriscoe
Assistant Athletics Director/Major Gifts Pirate Club - Matt Maloney
Sr. Associate Athletics Director Internal Operations - JJ McLamb
Assistant Athletics Director Strength and Conditioning - Jeff Connors
Director of Football Administration-Dale Steele
Head Football Coach- Mike Houston
Head Women's Golf Coach - Kevin Williams
Head Men's Golf Coach - Andrew Sapp

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