

BOARD OF TRUSTEES

East Carolina University

April 25, 2014

The Board of Trustees met in regular session at the East Carolina Heart Institute on the Health Science Campus of East Carolina University. In compliance with the State Government Ethics Act, the chair of the Board, Robert Brinkley called the meeting to order and asked if anyone has a conflict of interest. No conflicts were identified.

Mr. Brinkley introduced Army ROTC Cadet Emily Smith, a sophomore from Brookfield, CT majoring in Elementary Education who aspires to be a military police officer, and Air Force Russell Hunnicut, a sophomore from Smithfield, NC, majoring in Business Management, who aspires to be a pilot. They will lead the Pledge of Allegiance.

Mr. Brinkley then called on secretary of the board, Edwin Clark, to call the roll:

Members Present

Robert Brinkley
Mark Copeland
Edwin Clark
Vern Davenport
Deborah Davis
Max Joyner
Carol Mabe
Bobby Owens (via phone)
Bob Plybon
Danny Scott
Tim Schwan
Terry Yeargan

Members Absent

Steve Jones

APPROVAL OF MINUTES

Mr. Brinkley asked for a motion to approve the minutes from the Board meeting on February 14, 2014. Mr. Joyner moved approval of the minutes. Ms. Mabe seconded the motion. The motion passed with no negative votes.

Mr. Brinkley recognized members of the Elite Pirates. The Elite Pirates program is a premiere recognition program designed to honor Elite student leaders at East Carolina University. The purpose of this advanced leadership program is to equip students who have extensive leadership experience with the tools necessary to recognize how to engage in the leadership process. Several members of the Elite Pirates were present at the meeting: Andrew Walsilick, Jessica Jewell and Alex Gajewski. Mr. Brinkley thanked them for their assistance over the past two days and said he looked forward to having them at future meetings.”

UNIVERSITY REPORTS

CHANCELLOR’S REPORT

Dr. Ballard gave his remarks to the board. A full text version of the Chancellor’s remarks is attached as “Attachment A.”

REPORT FROM THE BOARD OF GOVERNORS

Mr. Bob Rippy, a member of the UNC Board of Governors delivered remarks to the Board of Trustees. Mr. Rippy reports that the Board of Governors have started to truly appreciate ECU more and more. Rick Niswander and Chancellor Ballard are valued, trusted resources at the Board of Governors and General Administration. ECU gets significant praise for running an effective and efficient institution. Mr. Rippy says there is a lot of hard work ahead of ECU and the entire system. There will be many hard decisions that will need to be made. ECU has the support of the UNC System and is positioned as well as possible to make those decisions.

REPORT FROM THE CHAIR OF THE FACULTY

Dr. Mark Sprague delivered the report from the Faculty. Dr. Sprague gave an update on the Faculty Senate elections and introduced Dr. Andrew Morehead as the new Chair of the Faculty, beginning on July 1, 2014.

Dr. Sprague continued his remarks by saying that the country is falling behind in K-12 education, which is a dangerous trend. Public support for education and need based financial aid is on a decline. That is a significant problem, especially in Eastern North Carolina. The opportunity to attend college makes a difference in people's lives. Need based financial aid is not charity, it is an investment in society as a whole. ECU has lost a lot of good faculty over that past five years due to increased competition and decreased salaries. ECU must target young, talented faculty that brings a wealth of enthusiasm and knowledge to the institution. Dr. Sprague thanked the board for their support of ECU and the faculty.

REPORT FROM THE STUDENT GOVERNMENT ASSOCIATION

Tim Schwan, President of the Student Government Association provided a review of the accomplishments SGA has had the past year. Mr. Schwan noted that the Pirate Express Transportation System has now been implemented to use for the fall semester. This system will help ensure the safety of students who travel downtown. SGA is working with Student Affairs to develop a way for students who have left over meal plans to donate those to charity. Also, Mr. Schwan said he is proud of the \$100,000 appropriations that have gone to fund student organizations. He said he is also proud of the way the students have become more engaged in

the Greenville community. Finally, Mr. Schwan recognized the incoming SGA President, Michael King, who will join the board in July.

Mr. Brinkley presented a pewter plate to Tim Schwan as a token of appreciation for his service on the board and for his work as SGA President.

REPORT FROM THE BOARD OF VISITORS

Board of Visitors chair, Terry Yeargan began his remarks by presenting Mark Copeland and Vern Davenport with certificates of appreciation for their service on the Board of Visitors. Both Mr. Copeland and Mr. Davenport were members of the Board of Visitors prior to their appointment to the Board of Trustees.

Mr. Yeargan invited the Board of Trustees to attend the upcoming Board of Visitors meeting in Raleigh on May 2. The focus of this meeting will be state legislative relations with Jonathan Kappler and Drew Moretz from General Administration presenting. Mr. Yeargan also invited the board to attend a reception the evening before on May 1 that will target area legislators and Board of Governor members.

Mr. Yeargan talked about the new member nominations that are before the board today for approval. He is very excited about the new class, as they are each talented in their own field and will bring unique skill sets to the board. He also introduced the new leadership of the Board of Visitors – Chair – Angie Moss, Vice Chair – Reid Tyler, and Secretary – Mark Garner.

CLOSED SESSION

Carol Mabe read a motion to go into closed session. The motion was approved as read. Following the closed session, the board returned to open session

COMMITTEE REPORTS

ATHLETICS & ADVANCEMENT COMMITTEE

Edwin Clark, chair of the Athletics and Advancement Committee, gave the report. A full summary of the committee meeting is listed as “Attachment B.” There were several items that needed board attention.

Mr. Clark moved that the East Carolina University Board of Trustees delegates to the Athletics Hall of Fame Committee the authority to amend the committee bylaws as necessary to ensure the regular function and operation of the Athletics Hall of Fame. The board approved the motion with no negative votes.

Mr. Clark offered a motion to approve the nominees for the Board of Visitors Class of 2018 and the slate of officers for 2014-2015. The motion was unanimously approved. A summary of the nominations is listed as “Attachment C.”

Mr. Clark made a motion to approve the revisions to the ECU Naming Policy as presented in board materials. The motion was unanimously approved. A copy of the new policy is listed as “Attachment D.”

Mr. Clark moved that the board approve the non-salaried compensation for the Women’s Indoor Track and Field staff members as identified in board materials. The motion was approved unanimously.

Mr. Clark made a motion to approve the resolution regarding athletic sports camps owned and operated by head coaches as presented in board materials. The motion was approved unanimously.

AUDIT COMMITTEE

Mark Copeland, chair of the Audit Committee, gave the report. A full summary of the committee meeting is listed as “Attachment E.” There were no items that needed board attention.

FINANCE AND FACILITIES COMMITTEE

Terry Yeargan, chair of the Finance and Facilities Committee, gave the report. A full summary of the committee meeting is listed as “Attachment F.” There were several items that needed board attention.

Mr. Yeargan moved that the board approve the purchase of four residential properties: 404 S. Jarvis Street, 405, 407, and 409 S. Summit Street. The motion was approved with no negative votes. Information on this item is listed as “Attachment G.”

Mr. Yeargan moved that the Board approve a request to lease 3,680 square feet of clinical/office space at 604 Medical Drive. The motion was approved with no negative votes. Information on this item is listed as “Attachment H.”

Mr. Yeargan moved that the board approve the elevations for the Health Sciences Campus Student Services Building. The motion was approved with no negative votes. Information on this item is listed as “Attachment I.”

HEALTH SCIENCES

Deborah Davis gave the Health Sciences Committee report in Steve Jones’ absence. A full summary of the meeting is listed as “Attachment J”. There was one item that discussed in closed session that needed action by the board.

Ms. Davis moved that the board approve the initial appointment with tenure for Dr. Patricia Crain in the College of Nursing and the Health Sciences Division recommendations for promotion and tenure for faculty members in the Division as approved by the Chancellor and presented in the Board materials. The motion was unanimously approved.

UNIVERSITY AFFAIRS

Deborah Davis, chair of the University Affairs Committee, gave the report from the committee. A summary of the meeting is listed as “Attachment K.” There were two action items from that committee meeting.

Mr. Tim Schwan moved that the board approve the candidates for degrees, as approved by the Chancellor and Faculty Senate, be authorized for conferral at the annual Spring commencement on Friday, May 9, 2014. The motion was approved unanimously.

Ms. Davis moved that the board approve the revisions to the Faculty Serious Illness and Parental Leave Policy as presented in board materials. The revised policy is listed as “Attachment L.”

Ms. Davis moved that the board approve the conferral of tenure for those candidates presented in board materials. The motion was unanimously approved.

Ms. Davis moved that the board approve non-salaried compensation in the form of an annual automobile allowance of \$7,920 and an annual phone allowance of \$720 for Dr. Ronald L. Mitchelson, who has agreed to serve as Interim Provost and Senior Vice Chancellor for Academic Affairs beginning August 16, 2014. These amounts are approved by Chancellor Ballard and are consistent with current University and ECU policies regarding non-salary compensation. The motion was approved with no negative votes.

EXECUTIVE COMMITTEE

Chair Robert Brinkley gave a brief summary of the Executive Committee lunch discussion which focused on student's rights and responsibilities and the student disciplinary process.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Mr. Brinkley appointed a Vern Davenport, Bob Plybon and Mark Copeland to serve as the nominating committee for the upcoming officer elections. A report from the nominating committee will be due by June 30.

Mr. Brinkley also reminded the Board to complete the State Ethics Commission Statement of Economic Interest as soon as possible.

ADJOURNMENT

Mr. Brinkley adjourned the meeting at 11:50 a.m.

Respectfully Submitted,

Megan Ayers
Office of the ECU Board of Trustees

BOT APRIL 2014

Thank you chairman Brinkley.

Fiscal Sustainability

I won't dwell on the budget. However, it is important to note that we now expect a reduction of \$ 6 to 7 million next fiscal year, or about 2% of our state appropriation. We have always been "lean and mean", and now we will be "leaner and meaner."

As you know, two years ago, we prioritized all academic programs and have made resource allocation decisions based on these priorities. This year we formed the Committee on Fiscal Sustainability to identify immediate and long term ways to increase revenues and reduce costs. The draft report was distributed in early April and the final report is expected by May 1. I will respond to the report this summer.

While it is too early to identify specific changes to be implemented based on the committee's work, it is likely that our university will enact numerous policies to achieve the following goals:

- Centralization and consolidation will be continuous: Many services must be shared across divisions and colleges and staffing levels in every division can be reduced commensurately. We will do all we can to reduce staffing by attrition.
- Organizational consolidation will continue and we will minimize administrative costs at every opportunity: We will have fewer divisions, colleges, and departments.
- Academic programming and workload standardization will be completed. We will emphasize efficiency of the teaching and research missions and not invest in programs or projects that are not producing. We will eliminate low enrollment courses and low enrollment programs.
- All categories of revenue generation will be examined with the goal of increasing all major revenue sources...for example, more transfer students and better retention rates will both help our situation.

Needle-Movers

We continue to focus on programs that will enhance academic quality and help our students be successful. For example, on April 11, the Board of Governors approved our plans to build our engineering program by approving our Masters degree in bio-medical engineering and the renaming of our College to be “THE COLLEGE OF ENGINEERING AND TECHNOLOGY.” Our goal is to have a first class undergraduate engineering program and all four system universities have supported this goal. We plan to graduate 1000 engineers... virtually all of whom get jobs. In addition, the MS in bio-medical engineering will be equally successful at workforce preparation...this is one of the fastest growing engineering disciplines over at least the next ten years.

ECU: AN ENGAGED UNIVERSITY

In 2007, we successfully applied to the Carnegie Foundation for recognition as an engaged university. Carnegie does NOT award this designation easily... the application is extensive. The re-classification requires that we document how we have improved community engagement since 2007.

On April 15, we submitted our renewal application under the leadership of Dr. Beth Velde, Director Public Service and Community Relations and Professor, College of Allied Health Sciences. The Carnegie designation is especially important because engagement and service are at the heart of our mission. We have bold aspirations to be a national model for service and regional transformation, and recognition by our peers at the Association of Public and Land Grant universities and by the Carnegie Foundation help us to realize those aspirations. Our application also responds to one of the 5 goals of the UNC strategic plan, OURTIME, OUR FUTURE.

Personnel and Awards

Finally, we have some important news about people.

Professor Abbie Brown in the College of Education and the Department of Instructional Technology has been recognized by the Board of Governors as one of 17 outstanding teachers in the UNC system. Professor Brown was recognized for numerous achievements, including:

- Being the co-author of numerous text books on his subject and how to teach;

- He received the Presidential Service Award in 2012 for editing the journal, TECH TRENDS; and
- His excellence in on line education, which he now does exclusively.

After an extensive national search, we are very pleased that Dr. Bill Downs has accepted our offer to be the next Dean of the Harriott College of Arts and Sciences. Dr. Downs has his PHD from Emory University and he has held important administrative and leadership positions at Georgia State University since 2006.

Of course, one of his strongest credentials is training as a **political scientist!**

And, we are very pleased to announce that Dr. Ron Mitchelson has accepted our offer to be the Interim Vice Chancellor for Academic Affairs. Ron will begin his duties on July 1 of this year. He has proven himself as Department Chair, Associate Vice Chancellor, and recently Interim Vice Chancellor for Research. He has earned the respect of the faculty across campus and, most importantly, is known for his integrity and openness. We are very fortunate to have Ron to fill this vital leadership role.

We expect to begin a national search for this position in very early fall semester.

Thank you and happy to answer questions.

sb

Athletics & Advancement Committee

April 24, 2014

Talking Points

Committee members present were Vern Davenport, Max Joyner and Bob Plybon. Other board members present included Robert Brinkley, Terry Yeargan, Deborah Davis and Tim Schwan.

Athletics

Coach's Report

Head Football Coach Ruffin McNeill gave a report from ECU Football. Coach McNeill's remarks focused on his recruiting efforts, the impact of the bowl game on his players, staff and on the program as a whole. He said that ECU Football is getting noticed nationally. He spoke specifically about Justin Hardy and Shane Carden, who are both nominees for national awards. Coach McNeill also spoke about the move to the American Athletic Conference and what that will mean for ECU Football.

Athletic Course Audit Report

John Fletcher, Director of Enrollment Services, presented the Student-Athlete Course Audit Report for Spring/Summer 2013. As most of you are aware, there has been a significant amount of media attention around student athletes in North Carolina, their class attendance, and their course selection and grades. As a proactive measure, Dr. Ballard directed Dr. Fletcher, Stacie Tronto, University Auditor and Nita Boyce, Assistant Athletics Director for Student Development conducted an audit of student-athlete course enrollment. This audit took place in October 2013.

All course sections were reviewed for student-athlete grade distribution. Courses with a higher number of "A"s for student athletes than for the general student enrollment were examined in more detail, as was the courses with a student-athlete enrollment of 20% or higher. The reviewers determined there were no areas of concern in either grade distribution, course clustering or in independent study enrollment during the summer and spring 2013 terms. The team will repeat this process in spring 2014 for the fall 2013 semester.

Hall of Fame Bylaws

The committee approved delegating the Athletics Hall of Fame bylaw revision authority to the Hall of Fame committee. This delegation is consistent with how the University handles other policies that are similar in nature.

Athletics Update

Jeff Compher and Nick Floyd gave facility and sports updates. A comprehensive sport update is in your materials.

University Advancement

BOV Nominations

Terry Yeargan, Chair of the Board of Visitors, presented the slate of nominations for the Board of Visitors, Class of 2018. The nominations, which are in your meeting materials, are very impressive. Terry also presented the slate of officers for 2014-2015. The recommendation is Angie Moss, to serve as chair, Reid Tyler to serve as vice chair, and Mark Garner to serve as secretary.

Naming Policy

Max Joyner updated the committee on the work done to revise the Naming Policy. A summary of the changes were enclosed in your board materials. The revised policy abolishes the "Committee on Naming Facilities and Activities." This policy allocates those duties to the Athletics and Advancement Committee of the Board of Trustees. This former Committee on Naming Facilities and Activities as outlined in the existing policy has not met in over six years.

Naming Proposals

Mr. Chris Dyba presented 13 naming proposals that were included in your board material (12 were athletics and one was for the Project STEPP program).

Due to time constraints Chris Dyba's presentation on Advancement was tabled for the next meeting. However, he did share that Athletics and University Advancement are collaborating well together. Dyba did offer one quick update: monetary giving through March 31, 2014 has already exceeded all giving totals (through June 30, 2013) last year.

Motions:

Mr. Chairman, there are several motions coming from our committee that need Board approval:

I move that the East Carolina University Board of Trustees delegates to the Athletics Hall of Fame Committee the authority to amend the committee bylaws as necessary to ensure the regular function and operation of the Athletics Hall of Fame.

I move to approve the nominees for the Board of Visitors Class of 2018 and the slate of officers, as presented in board materials.

I move to approve the revisions to the East Carolina University Naming Policy as presented in board materials.

I move to approve the 13 naming proposals as presented in board materials.

I move to approve the non-salaried compensation for the Women's Indoor Track and Field staff members as identified in board materials.

I move to approve the resolution regarding athletic sports camps owned and operated by head coaches as presented in board materials.



ECU Board of Visitors Nominations

The following individuals are nominated for the **Class of 2018**:

1. **Walter Cates**, of Roxboro, NC. Eligible for reappointment
2. **David Fisher** of Charlotte, NC. Eligible for reappointment
3. **Julie Metz** of Goldsboro, NC. Eligible for reappointment
4. **Bob Parker**, of Winston Salem, NC. New member appointment
5. **Brian Brown**, of Greenville, NC. New member appointment
6. **Philip Rogers**, of Alexandria, VA. New member appointment
7. **Phil Dixon**, of Greenville, NC. New member appointment
8. **Linda Thomas** of Charlotte, NC. New member appointment
9. **Paul McArthur** of Charlotte, NC. New member appointment
10. **Jason Poole** of Fayetteville, NC. New member appointment
11. **Michael Aho** of New York, NY. New member appointment
12. **Lance Metzler** of Reidsville, NC. New member appointment
13. **Debbie Harris-Rollins** of Murfreesboro, NC. New member appointment
14. **Linda Hofler** of Greenville, NC. New member appointment
15. **Chris Johnson** of Smithfield, NC. New member appointment

Nominated to serve as **officers for 2014 – 2015**:

1. **Angie Moss**, Class of 2015 as Chair
2. **Reid Tyler**, Class of 2015 as Vice Chair
3. **Mark Garner**, Class of 2017 as Secretary

POLICY ON NAMING UNIVERSITY FACILITIES AND ACTIVITIES

Authority: East Carolina University Board of Trustees

History: Initially approved on July 25, 1997 with amendments in 2000, 2002, 2003, and 2009. A complete revision was mandated by the Board of Trustees in 2013 and this policy was subsequently approved on April 25, 2014.

**Contact for Info: Office of the Vice Chancellor for University Advancement – 252-328-9565
Assistant Secretary to the Board of Trustees – 252-328-6105**

1. Establishment and Source of Authority.

- 1.1 The Board of Governors of the University of North Carolina delegated the duty and authority to the Board of Trustees to approve the names of all individuals on whom "Honorary Distinction" is conferred by the university. As a means of guiding the development of recommendations to the Board of Trustees for naming university facilities and activities, the Trustees will follow this policy for honorary naming and monetary gift naming.

- 1.2 Since East Carolina University was founded, the University's physical spaces have been named to reflect its rich history and traditions. The act of naming a university facility or activity for a person, a family, or an organization is a conferral by the university of a high and conspicuous honor. It is intended to be a permanent act. The act enduringly recognizes the person, family, or organization so honored, and it perpetually exhibits to the world the judgment and standards of this university as to the qualities and actions that justify linking the name of the individual, family, or organization so honored with that of this institution. All who are involved in the act of naming a facility or activity must ever be aware that they are naming public property with the intent for it to be a perpetual recognition of the person, family, or organization being honored. It follows that the act of naming a facility or activity is to be taken discreetly, advisedly, soberly, and with concern for how that action will be viewed in retrospect.

A recommendation to change or alter in any way the name of a previously named facility or activity must be initiated by the Board of Trustees. Circumstances that may lead to consideration of a name change may include, but shall not be limited to such items as:

- (1) significant renovation or addition of space,
- (2) actions by an honored person that brings discredit to the institution,
- (3) failure by the honored person to fulfill agreed upon obligations, or
- (4) the demolition of a facility or the discontinuation of an activity.

2. Definitions

- 2.1 "Facility" is defined as every building, addition to a building, space in a building, outdoor spaces such as a garden, court or plaza, and other tangible and relatively permanent feature locations on any university property.
- 2.2 "Activity" is defined as every college, school, department, unit, center, program, or organization operating under the auspices of the university.
- 2.3 "Personal Service" is defined as substantial service that is sustained in character, and rendered to or on behalf of the university as a student, faculty member, administrator, staff member, alumnus, trustee, or friend of the university.
- 2.4 "Financial Contribution" is defined as a contribution of money or property that is substantial in relation to the facility or activity being named.

3. Review

- 3.1 The naming policy shall be reviewed periodically by the Board of Trustees, the Office of University Advancement and/or the Office of the Assistant Secretary to the Board of Trustees with all recommended changes requiring approval by the Chancellor and the Board of Trustees.

4. Responsibilities

4.1 Board of Trustees

4.1.1 The act of naming a facility or program shall be that of the Board of Trustees, acting after receiving the recommendation of the Chancellor. Benefactors or honorees should be informed throughout the naming discussions that final naming approval for all University facilities and programs rests with the Board of Trustees.

4.2 Chancellor

4.2.1 Subject to the responsibilities of the Board of Trustees, the Chancellor shall have responsibility and authority with respect to, and is an essential participant in, all naming actions.

4.2.2 No facility or program may be named without prior approval of the Chancellor. The Chancellor and/or designee shall ensure that the proposed action is consistent with the interests of the University, to assure that the amount of any contribution warrants the action proposed, and to maintain equity in the relationship of donations for similar naming actions.

4.2.3 The Chancellor may recommend exceptions to any of the following policies, subject to approval of the Board of Trustees.

4.3 Faculty

When a facility or activity to be named is closely related to a school, department, or other unit having its own administration and faculty, the members of the administration and faculty shall be consulted by the Chancellor or his designee before the Board of Trustees acts on the naming proposal. Recommendations from the unit shall be weighed as one factor, but shall not constitute approval or disapproval of the proposal.

5. Procedures

5.1 It shall be the policy of the university that any facility or activity of the university not previously named may be named in consideration of:

- (1) financial contributions made to the university, or
- (2) services rendered to the university or society at large.

5.2 Whenever a naming proposal originates, at the earliest feasible date it shall be routed through the responsible dean and/or vice chancellor to the Vice Chancellor for University Advancement. The Vice Chancellor for University Advancement will determine whether the proposal meets the requirements for either a financial contribution or honorary naming. It shall be the responsibility of the Vice Chancellor to assure that a form, developed and approved by the Board of Trustees ensuring uniform reporting of data to the Athletics and Advancement Committee of the Board of Trustees, is provided to individuals planning to submit proposals for naming, and that all pertinent information is collected and completed before forwarding the materials to the Committee.

5.3 **The Form**

The form developed by the Chancellor and approved by the Board of Trustees shall be completed and signed by the person responsible for originating the proposal for naming. If the proposal involves a financial commitment of \$25,000 or more, a copy of the signed Letter of Intent defining pertinent arrangements must also be included.

5.4 **Prior Approval**

As a benefit and guide to staff and potential donors, the Board of Trustees shall pre-approve a menu of possible facilities and/or activities that may be considered for naming. If not otherwise stated, facilities and activities which receive prior approval concerning levels of gifts required to attain naming privileges shall extend for seven (7) years from the date of approval. After seven (7) years, all classes or groups of prior approved items shall be reevaluated or deemed to have expired.

5.5 **Financial Contributions**

5.5.1 Proposals for naming facilities and activities shall be forwarded to the Vice Chancellor for University Advancement, who shall review the proposals.

5.5.2 Proposals for facilities namings shall be accompanied by sufficient documentation of the gift, along with a completed naming proposal form. Upon the receipt of at least 60% of the funds committed and with a written gift agreement in place for the remainder, the Vice Chancellor for University Advancement will forward the naming recommendation

to the Chancellor. (Gifts of irrevocable trusts may be considered case by case apart from this 60% receipt requirement).

- 5.5.3 The Vice Chancellor for University Advancement shall receive and review all recommendations prior to forwarding the naming proposals to the Chancellor.
- 5.5.4 Upon receipt of a naming proposal, the Chancellor will make recommendations to the Athletics and Advancement Committee of the Board of Trustees. If deemed appropriate by the Chancellor, the recommendations may be made in closed session.
- 5.5.5 The Athletics and Advancement Committee of the Board of Trustees shall review recommendations from the Chancellor and select those to be recommended to the Board of Trustees for final approval.
- 5.5.6 The Board of Trustees will review the recommendation from the Athletics and Advancement Committee and will act on the proposal. With approval of the Board chair, the board may act to accept naming proposals as a group under one action.
- 5.5.7 The naming proposal recommendations may be heard in closed session at the recommendation of the Chancellor, the Athletics and Advancement Committee and/or the Board of Trustees.
- 5.5.8 Transfer of Donations
 - 5.5.8.1 When a facility or activity is to be named in consideration of a financial contribution, the money or other property constituting the donation shall be transferred to the university or one of its related foundations, or its future transfer shall be assured through signed documentation before official action shall be taken.

(1) Non-cash gifts.

- a. Gifts of real estate. The valuation of real estate shall follow Internal Revenue Service (IRS) regulations and Council for Advancement and Support of Education (CASE) Management Reporting Standards for establishing value. The valuation for the gift shall be based on a qualified current Member of the Appraisal Institute (MAI) appraisal (less than six months of age).
- b. Gifts-in-Kind. In accordance with IRS regulations and CASE Management Reporting Standards, gifts of real and personal property are to be counted at full fair market value regardless of the value the donor

may be able to take as a charitable deduction. Gifts of \$5,000 or more shall be valued by qualified, independent appraisers.

- c. Additional requirements. When an opportunity to name a facility or service is expected in return for a non-cash gift, the Trustees may require additional agreements from a donor to assure the eventual net from the sale of real estate or other valuables is not less than the value required for naming. Some examples of potential requirements could include a delay in naming until the article of value is sold, the requirement of multiple appraisals, or the requirement of a make-up provision in which the donor commits to make up the difference between the net received from the sale of the asset and the minimum amount required for naming.

(2) Commitment periods may not extend more than five years.

(3) Once a designated level of giving has been established for naming, no portion of "annual gifts" or "membership fees" may be counted toward the total required for naming purposes.

5.5.9 Shared Funding for Naming Opportunities

5.5.9.1 Naming opportunities are intended to recognize individuals, organizations or families for their efforts on behalf of the university. Required gift levels may not be split into units among unrelated individuals, with recognition conferred in multiple or hyphenated name fashion, without prior permission of the Board of Trustees.

5.5.10 Buildings or Facilities Constructed By Public Funds

5.5.10.1 When a building or facility that is currently standing or one to be built is funded entirely from non-gift resources (state allocations, federal grants, or fees), the Board of Trustees may require the proceeds to be placed in unrestricted endowment funds within any one or multiples of its related foundations for the general benefit of an area or the entire university.

5.6 **Honorary Namings**

5.6.1 Naming a facility to honor individuals should be extraordinary, and made if:

1. the individual has had a University-wide influence, or the individual has made exceptional contributions to the nation or world;

2. the individual being honored has been separated from the university for at least two years.
- 5.6.2 Proposals for naming facilities and activities based on honorary service shall be forwarded to the Vice Chancellor for University Advancement who shall review the proposal.
- 5.6.3 Proposals for honorary facilities namings shall be accompanied by sufficient justification of the naming as well as the naming proposal form.
- 5.6.4 Upon receipt and review of all applicable materials, the Vice Chancellor for University Advancement will forward the official naming recommendation to the Chancellor.
- 5.6.5 Upon receiving a formal recommendation, the Chancellor will review the honorary naming proposal, and if approved, will make a recommendation to the Athletics and Advancement Committee of the Board of Trustees.
- 5.6.6 The Athletics and Advancement Committee of the Board of Trustees shall review recommendations from the Chancellor and select those to be recommended to the Board of Trustees for final approval.

6. List of Named Facilities

- 6.1 The Assistant Secretary to the Board of Trustees shall maintain a record of officially named facilities and activities.

PROPOSAL TO EAST CAROLINA UNIVERSITY BOARD OF TRUSTEES
TO NAME A FACILITY OR ACTIVITY

ROUTING SHEET

Office of Vice Chancellor for University Advancement:

Received _____
Action _____/_____

Date

Forwarded or returned _____

Vice Chancellor's Signature

Date

Comments _____

Chancellor's Office:

Received _____
Action _____/_____

Date

Forwarded or returned _____

Chancellor's Signature

Date

Comments _____

Athletics and Advancement Committee of the Board of Trustees:

Received _____
Action _____/_____

Date

Forwarded or returned _____

Chair's Signature

Date

Comments _____

Board of Trustees:

Received _____
Action _____/_____

Date

Forwarded or returned _____

Chair's Signature

Date

Comments _____

Action Item: Approval of March 5, 2014 minutes

Proposal from University Counsel – Ms. Donna Payne

- Ms. Payne introduced Dan Sweat as the recently hired Health Sciences transactional attorney.
- Ms. Payne asked the committee whether they desire periodic reports from the Office of University Counsel, or whether there is some other desirable channel by which the board wishes to provide feedback to her office, such as the Executive Committee. The committee agreed to pursue regular interaction between the Executive Committee and Ms. Payne.

Health Sciences Compliance Report – Dr. Nicholas Benson

- Dr. Benson introduced Dr. Ken DeVille as the interim Chief Institutional Integrity Officer (CIIO) for the Health Sciences Division, and the interim HIPAA Privacy Officer. Dr. Benson hopes to have the permanent CIIO in place by July 1, and believes this is likely. There are currently two well-qualified finalists for the position.
- Dr. Benson advised that there are also two well-qualified finalists for the Healthcare Regulatory Specialist position.
- Dr. Benson briefed the committee on the active shooter exercise that took place in January at one of the ECU Physicians clinic sites. This was the first time the Health Sciences Emergency Operations Center has been activated for such an event. With assistance from Environmental Health and Safety, and other agencies, the University continues to document lessons learned and fine-tune emergency plans.
- Dr. Benson advised the committee that the federal government has delayed the implementation of the ICD-10 medical coding system until October 2015. ECU is continuing with the first phase of training – an effort to raise the comprehensiveness and specificity of provider documentation. The second phase of training will be delayed so that it will occur close to the implementation date. “Dual coding” via both ICD-9 and ICD-10 nomenclatures, will begin in May 2014.
- Dr. DeVille provided an update on provider coding reviews and other day to day operations in the BSOM Compliance office. He stated that efficiency of these operations has improved. The volume of physician coding reviews has increased from 2012 levels, and should increase another 30-50%. The focus will then shift to specific targeted areas this fall.

ERM Report – Mr. Tim Wiseman

- Mr. Wiseman updated the committee on the activities of the ERM office, which included recent consultations such as working with Athletics, Audit, and others on the Athletics camp model which Chancellor Ballard recently approved.
- Mr. Wiseman has met one on one with Deans and Directors as part of the current risk identification efforts.
- Mr. Wiseman presented a proposal to change the ERM assessment model to a two-year cycle. The committee agreed that this revised approach makes sense.
- Mr. Wiseman noted that we are approaching the 5-year anniversary of ECU’s ERM program, and he will prepare a whitepaper / progress review document in the coming months.

Internal Audit Report – Ms. Stacie Tronto

- Ms. Tronto presented, and the committee approved, a change to the FY 2014 engagement plan. The ITCS Logging and Monitoring review was removed and will be completed in a subsequent year. IA has already made recommendations related to the logging and monitoring processes during other audits, and ITCS is in the process of securing funding for the implementation of an enterprise-level tool.
- Ms. Tronto reviewed the Internal Audit dashboard as of 3/31/14 (for year ending June 30, 2014)
 - Completed 53% of the audit plan, with another 41% in progress (target=80%)
 - Management implementation of agreed-upon corrective actions are 100% complete (target=90%; increasing to 95% on July 1)
- Ms. Tronto updated the committee on the UNC system’s Internal Audit shared services efforts.
 - The UNC BOG approved \$500K for use in acquiring and deploying specialized skill sets in each region of the state, to be used by small audit shops. To date, this money is still in the budget but will have to be funded by the General Assembly.
 - The IA Advisory Team is developing a best practices manual and key performance indicators which are to be in place by July 1. ECU IA already tracks the proposed KPIs. The committee and the Chancellor expressed appreciation for ECU IA providing leadership for the UNC system on these important initiatives, and encouraged IA to maintain the high level of service it has provided here at ECU.
- Ms. Tronto advised that the MOU to provide certain audit-related services to ECSU may need to be extended due to staffing changes at ECSU. It was also noted that ECU is seen as leader in the area of ERM.

**ECU Board of Trustees
Finance and Facilities Committee Minutes
April 25, 2014**

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

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

The Finance and Facilities Committee meeting was called to order at 10:50 a.m. by Chairman Yeargan, who read the conflict of interest statement. No conflicts were identified. The minutes of the February 14, 2014, Finance and Facilities Committee meeting were approved.

Property Purchase

The Committee reviewed a request to purchase Property at 404 S. Jarvis Street and 405, 407, & 409 S. Summit Street. Mr. Buck was available for questions. The Committee approved a motion to recommend that the full Board approve the request.

Leases

The Committee reviewed a request to Lease 3,680 SF of Clinical/Office Space located at 604 Medical Drive. Mr. Buck was available for questions. The Committee approved a motion to recommend that the full Board approve the request

Design/Elevations

The Committee reviewed the Building Design, Status Update, and Elevations for the Health Sciences Campus Student Services Building. The committee approved the Elevations for the building. Mr. Bagnell was available for questions. The Committee approved a motion to recommend that the full Board approve the request.

Information

Mr. Bagnell updated the Committee on Main Campus Student Union Building Design and Status. It is anticipated that the committee will review and approve elevations at the July meeting.

Dr. Niswander updated the Committee on the Employment of Related Persons.

Mr. Bagnell updated the Committee on Building Design and Status of the Dance Studio Building.

Mr. Bagnell updated the Committee on Designer Selections Approved Since February, 2013 Board Meeting.

Mr. Koch and Deb Garfi updated the Committee on Parking. A written report was provided in the board materials.

Mr. Bagnell updated the Committee on Capital Projects, in particular, the Repair and Renovation priorities which were submitted to the Board of Governors.

The meeting adjourned at 12:17pm.



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: April 9, 2014

SUBJECT: Request ECU Board of Trustees Approval to Purchase Four Residential Properties at 404 South Jarvis Street, 405 South Summit Street, 407 South Summit Street and 409 South Summit Street

Request ECU Board of Trustees approval to purchase four residential properties from the ECU Real Estate Foundation at a purchase price of \$1,160,000 plus closing and carrying costs as described below.

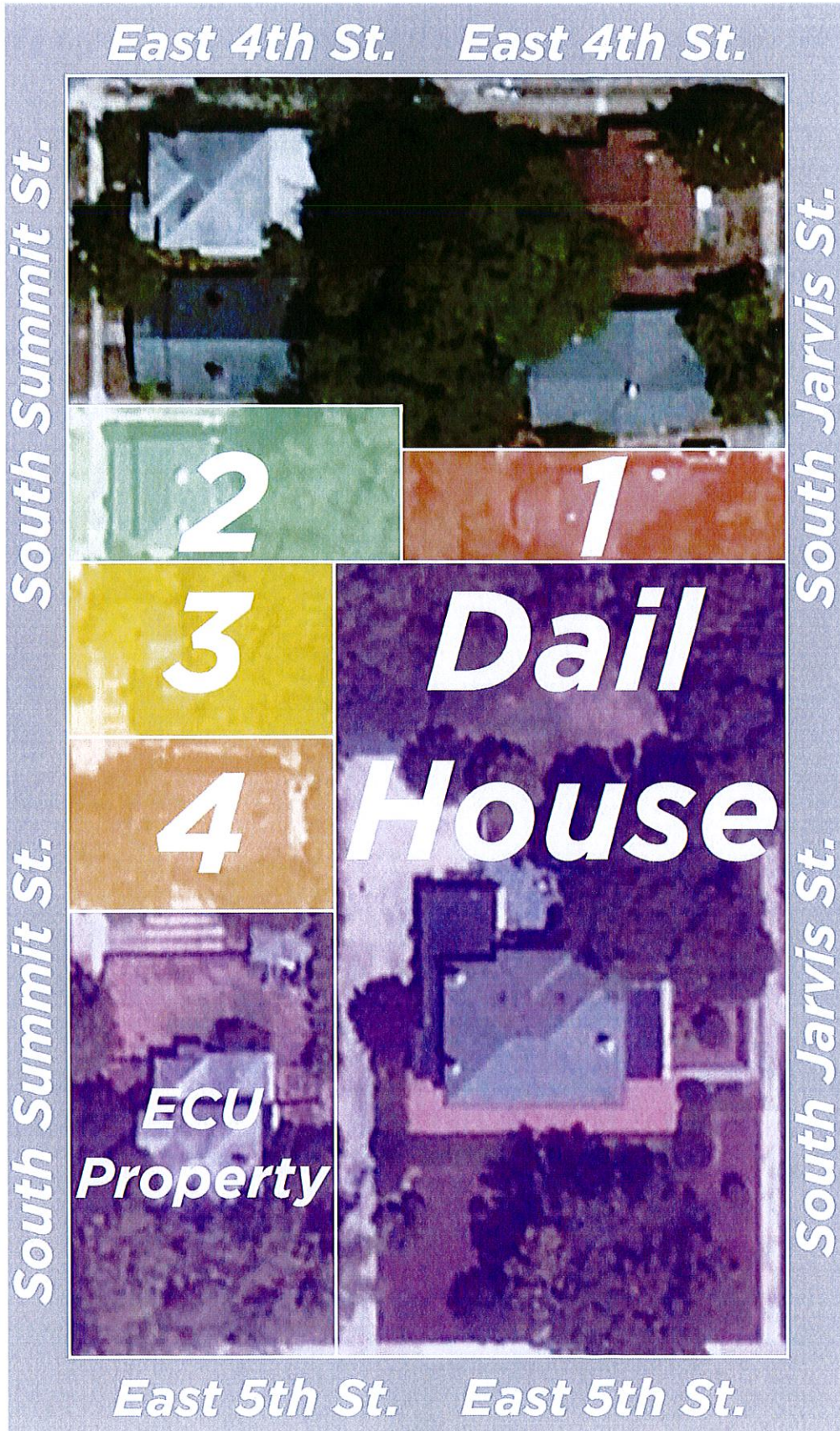
Address	Acres	Heated SF	Yr. Built	Purchase Price
404 South Jarvis Street	0.12 acres	1,544 SF house	1935	\$175,000
405 South Summit Street	0.13 acres	2,208 SF house	1923	\$290,000
407 South Summit Street	0.09 acres	2,169 SF house	1940	\$320,000
409 South Summit Street	0.09 acres	2,516 SF house	1913	\$375,000

These four properties are rental houses in fair condition and our plan is to sever the structures when deemed appropriate.

Purchase shall be from auxiliary overhead receipt funds. Purchase is contingent on approvals from the UNC Board of Governors, Joint Commission on Governmental Operations and Council of State.

Attachment (1)

cc: B. Clark
B. Bagnell
J. Womer
T. Walton



LEGEND

University Owned

- 605 East Fifth Street - Dail House
- 601 East Fifth Street - ECU Property

Seeking Approval to Purchase

- 1 404 South Jarvis Street
- 2 405 South Summit Street
- 3 407 South Summit Street
- 4 409 South Summit Street


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 

DATE: March 25, 2014

SUBJECT: Request ECU Board of Trustees Approval to Lease \pm 3,680 SF of Clinical/Office Space Located at 604 Medical Drive

The Department of Physical Medicine and Rehabilitation, ECU Physicians requests ECU Board of Trustees approval to lease \pm 3,680 SF of clinical/office space located at 604 Medical Drive from Vidant Medical Center.

The annual lease amount of \$69,478.40 (\$18.88/SF) includes utilities and excludes janitorial and interior maintenance. All routine exterior maintenance will be provided by Vidant. Lease term is one year, with three, one year renewal options subject to rate increases for 1st renewal \$70,876.80, 2nd renewal \$72,312.00, and 3rd renewal \$73,747.20.

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

Source of funds shall be ECU Physicians Practice Plan Funds.

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



**Facilities Engineering
and Architectural
Services**

Campus Operations
1001 East Fourth Street
East Carolina University
Greenville, NC 27858-4353

252-328-6858 office
252-328-4259 fax

MEMORANDUM

TO: Dr. Rick Niswander, Vice Chancellor *R. Niswander*
Administration and Finance

FROM: John G. Fields, PE, Director *John Fields*

DATE: February 26, 2014

SUBJ: Commissioning Consultant Selection Recommendation
Health Sciences Campus Student Services Building
Code: 41136 Item: 306

On February 24, 2014 the designer pre-selection committee for the above referenced project conducted interviews with three firms who were shortlisted based on a qualifications based selection criteria required by the State Building Commission.

The committee consisted of Ken Yarnell of the Health Sciences Campus Facilities Services, Bill Chatfield of Facilities Engineering & Architectural Services and Matt Harper and Ed Morgan of RDK Engineers, the mechanical design engineers.

Based on these interviews and the requirements of this project the committee recommends the following firms in prioritized order with Affiliated Engineers, Inc. being the committee's top recommended firm.

Affiliated Engineers, Inc.	Raleigh, NC
Facility Dynamics Engineering	Greensboro, NC
System WorCx	Charlotte, NC

To the best of our knowledge and belief, all steps in the selection process were conducted in accordance with requirements of the State Building Commission as they apply to the institutions of the University of North Carolina.

Approval of the recommended firm, Affiliated Engineers, Inc., is requested.

If you have any questions or need additional information, please do not hesitate to call.

JGF/bc

Enclosure: Designer Advertisement Memo

cc: William Bagnell
Commissioning Consultant Pre-selection Committee Members



**Facilities Engineering
and Architectural
Services**

Campus Operations
1001 East Fourth Street
East Carolina University
Greenville, NC 27858-4353

252-328-6858 office
252-328-4259 fax

MEMORANDUM

TO: Interested Designers

FROM: John G. Fields, PE 
Director

DATE: November 15, 2013

SUBJECT: Health Sciences Campus Student Services Building
Code: 41136 Item: 306

East Carolina University is seeking a Building Commissioning Agent (CxA) to evaluate the finished building and all supporting service systems planned for the New Student Union project on the campus of East Carolina University.

Project information is as follows:

Key features of the new Student Services Building that derived from the programming phase are:

- Multipurpose Marketplace Dining – seating for 100
- National brand coffee shop with internal and external seating
- Recreation Center – 6,000sf multipurpose gymnasium and fitness center
- Wellness Office
- Student Health Services Center
- Student Services Center for Career Services, One-Card, and Parking and Transportation
- Multipurpose meeting and event space with seating up to 200

In keeping with the University's policy for all new buildings, the New Student Union will have a minimum goal of LEED silver certification.

The CxA will initiate the commissioning with a review of the drawings, specifications, and construction documents. In addition, the CxA will be responsible for verifying the building's performance test results to insure that building systems are operating within normal limits of the design criteria and meets the owner's project requirements as well as evaluate building's envelope to ensure air and water tightness.

The Agent's scope of work will include, but not limited to, the following commissioning services:

- Commissioning Plan
- Design Review
- Performance testing of the building's service support systems to verify design performance.
- Review and approval of the building's service systems.
- Review equipment and services documentation and coordinate the training needed to bring the buildings to a fully functional state.

The selected CxA shall have demonstrated experience in providing commissioning services. The Letter of Interest should include a comprehensive listing of the CxA's previous experience, including work on university campuses and experience (if any) with The State of North Carolina. In addition, a current list of references with specific points of contact shall be provided. All members of the CxA's team should be indicated along with their individual experience and qualifications.

Interested firms should submit four ⁴~~3~~ copies of a letter of interest and current SF330 to ECU's project manager at the following address by November 27, 2013.

Gina Shoemaker, PE
East Carolina University
Facilities Engineering & Architectural Services
1001 E. Fourth St.
Greenville, North Carolina 27858

In accordance with our qualifications-based selection system designers are expected to make no contact with University staff, faculty or trustees during this this stage of the selection process.

The use of email is highly recommended. East Carolina University encourages participation by MWBE firms and supports UNC system's policy of promoting opportunities for Historically Underutilized Businesses.

Thanks in advance for your interest in working with East Carolina University.

Health Sciences Committee

April 24, 2014, 2:30 pm
ECHI Conference Room B

Members Present: Mr. Brinkley, Ms. Davis, Mr. Davenport, Ms. Mabe, Mr. Owens, Mr. Plybon, Mr. Yeargan, and Mr. Schwan

The meeting was called to order by Ms. Deborah Davis in the absence of Chair Steve Jones. Ms. Davis read the conflict of interest statement required by the State Ethics Act. No conflicts were identified.

The minutes of February 13, 2014 were approved as distributed.

BSOM Updates:

Dr. Elizabeth Baxley reported that the LCME voted to end the status of “warning” and continue accreditation of the medical educational program leading to the MD degree at the Brody School of Medicine at East Carolina University for the balance of the eight-year term. The next full survey will take place during the 2019-2020 academic year.

Mr. Brian Jowers gave a legislative update reporting that over the last several weeks he and Michelle Brooks have met with members of the NC House and Senate to discuss SODCA and UPL issues. New language has been proposed to clarify the legislative intent with respect to the UPL. The proposed language has been well received to date. More visits are planned and additional work is needed to address the SODCA issue. He also gave an update on the Hunter Partners report priorities. Among the top items being enacted from this report are:

- 1) a productivity-based clinical faculty compensation model that was approved recently by the BOG
- 2) reduce clinical staff in some areas
- 3) increase patient volume and flow through clinics
- 4) reduce expenses not directly related to clinical productivity
- 5) discontinue some financially challenged clinical services

Mr. Jowers also reported that revenues of ECU-P are behind budget due in part to NC Tracks delays in reimbursements for Medicaid, loss of SODCA funds and contract revenues below budget. ECU-P expenses are on budget.

Dr. Cunningham and Dr. Benson reported on Hospital Relations, specifically current discussions on integration of selected clinical services, i.e. Cancer, Neurosurgery, and CVS. Partnering with the hospital on development of an ACO is also being discussed.

Division Update:

- The SODM Clinical Service Learning Center ribbon cutting in Lillington was held March 24th. The announcement of the eighth SODM Clinical Service Learning Center in

Brunswick County will be announced in mid-May. Four Clinical Service Learning Centers are still under construction.

- The College of Allied Health Sciences Dean Search is underway. On campus interviews will occur in early June. Baker and Associates search firm has been engaged to assist with the search process. Dr. Greg Hassler will chair the search process.
- The Laupus Library Director search is underway with the first organizational meeting scheduled for May. Dr. Steve Thomas will chair the search process. Dr. Richard Eakin has assumed the position of Interim Associate Vice Chancellor for Alumni Relations. Dr. Gregg Hassler will assume the position of Interim Director of Laupus Library.
- Programs in the Health Sciences Divisions remain in high demand with more qualified applicants that we can accept. Student performance outcomes are excellent.

Closed session:

Action:

The committee reviewed and approved the initial appointment with tenure for Dr. Patricia Crain in the College of Nursing and the Health Sciences Division recommendations for promotion and tenure for faculty members in the Division as approved by the Chancellor and presented in the Board materials.

University Affairs Committee - April 24, 2014

- 30 minute closed session to start
- **Academic Affairs – Provost Marilyn Sheerer**
 - **Conferral of Degrees (Motion)**
 - **Faculty Serious Illness and Leave Policy (Motion)** - Melissa Bard (HR) proposed changes to this policy that permitted use of this leave beyond lump sum use to be more flexible for use by the employee. This is consistent with FMLA policy.
 - **Carnegie Classification** – Beth Velde presentation
 - She talked about the designation and approval process for ECU. The first designation was good for 5 years and if we receive designation again it would last for 10 years. ECU had to demonstrate the leadership supports a focus on community engagement and how the university values support the nature of public service and its embedded in the strategic plan for the university as well as colleges/schools. ECU is stronger due to the Office of Public Service & Community Relations partnerships with IPAR for measuring and monitoring, the Outreach Scholars, and commitment of internal and external resources to support engagement. Our application has focused on where we have increased sustained partnerships (60+), greater distribution of partnerships, competitive external funding and graduating educating faculty and students. Moving forward, we have factors such as changes in infrastructure, diminishing money, and a higher demand for impact that we must include as a factor for future planning.
 - **Student Financial Aid Discussion – Campus Initiated Tuition for Need-Based Aid** – (Sheerer, Fletcher, Coleman and Poorman presenters).
 - John Fletcher – The BOG has been considering a concept since 2000-01 for campus initiated tuition increases. In 2006, BOG approved the first four-year plan that required at least 25% for need-based aid. For 13-14 and 14-15, there was no mandate. ECU's need-based aid from campus-initiated tuition is about \$20 million.
 - Stephanie Coleman – Explained that ECU has about \$19.4 million for funding for financial aid and there won't be any increase to that this year. About \$537 of every undergraduate (resident) student's tuition goes to this fund. \$2,600 for non-resident UG; \$573 for graduate-resident; and \$2,245 for graduate - non-resident.
 - Julie Poorman – The estimated cost of attendance for in-state on campus is \$20,846 which includes medical insurance, transportation, personal expenses, a loan fee, books and supplies, room and board, and tuition and fees. Tuition and fees only accounts for about 30% of a student's cost of attendance. Julie walked through the Financial Aid Process at ECU: Student/Parents complete FAFSA; FAFSA is reviewed and determines the Expected Family Contribution; the Cost of Attendance minus Expected Family Contribution = Need; ECU packages aid based on need. (First is Pell Grant, Second is all known scholarships, and Third Gift and Self-Help).
 - Stephanie Coleman – Impact – if the need-based aid goes away or if we lose about 100 students that decide not to go here. The impact to the institution is immediate and would be about a \$1.6 million decrease.
 - Marilyn Sheerer – Next Steps – We need to have this discussion at the Board of Governors level to make sure they understand the impacts. The BOG task force will review this over the next year. Chancellor Ballard said about 12-15 out of 32 BOG members are asking for change of some type. In the last few years, there have been 6-8 members of the BOG that are ideologically opposed to this. The process has been slowed down, which is probably a very good thing. In the next several months, the decision about a new four-year plan should be made.



Policies, Regulations and Rules

Authority	Board of Trustees
Title	Faculty Serious Illness and Parental Leave
Classification	06.45.01
PRR Subject	Leaves
Contact Info	Director of Benefits, Human Resources (328-9825); Executive Director for Academic Affairs Personnel Administration or Associate Vice Chancellor for Personnel Administration, Division of Academic Affairs (328-1416 or 328-5442); or Associate Vice Chancellor for Health Sciences Human Resources (744-1910)

History: Policy on Serious Illness and Disability Leave for Faculty first approved by ECU Board of Trustees effective May 6, 2005; Last revised: July 22, 2010. THIS POLICY WAS GOVERNED BY THE ECU FACULTY MANUAL THROUGH JUNE 30, 2011; THE EFFECTIVE DATE OF THE AMENDED POLICY WAS JULY 1, 2011.

Related Policies: UNC Policy Manual 300.2.11 Policy on Serious Illness and Disability Leave for Faculty; ECU Faculty Manual, Part XI, Part VIII, Part IX federal Family and Medical Leave Act (FMLA); North Carolina Family Illness Leave Act UNC Policy Manual 300.2.11

Additional References:

ECU Human Resources Benefits

Contact Information: Director of Benefits, Human Resources (328-9825); Executive Director for Academic Affairs Personnel Administration or Associate Vice Chancellor for Personnel Administration, Division of Academic Affairs (328-1416 or 328-5442); or Associate Vice Chancellor for Health Sciences Human Resources (744-1910)

1. Purpose

This policy provides leave with pay for eligible faculty (defined in Section 2 below) for cases of a serious health condition and/or parental leave (defined as birth, adoption, and foster care placement of a child). For further explanation, see the federal Family and Medical Leave Act (“FMLA”) link under additional references above.

2. Eligibility

2.1 This policy applies only to faculty members who meet all of the following conditions:

2.1.1 have been continuously employed by East Carolina University for at least twelve (12) consecutive calendar months, and

2.1.2 have continuously held a permanent appointment of at least 75 percent of full-time, and

2.1.3 who participate in either the Teachers, and State Employees, Retirement System of North Carolina or the Optional Retirement Program, and

2.1.4 who do not accrue sick leave.

2.2 This policy does not apply to faculty members with temporary appointments or to faculty who are employed with less than 75 percent appointments.

2.3 A period of employment in a non-eligible status may not be used to partially meet the requirement for 12 consecutive months in an eligible capacity.

2.4 Leave benefits are available to faculty members who meet the eligibility requirements, and paid leave may be taken during the term of appointment.

2.4.1 For a twelve-month faculty member, the term of appointment is twelve calendar months (usually defined as July 1 through June 30).

2.4.2 For a nine-month faculty member, the term of appointment is the regular academic year that begins with Opening Day Convocation for Fall Semester in August and ends with Commencement at the end of Spring Semester in May.

2.4.2.1 An eligible nine-month faculty member may receive leave with pay for a documented qualifying event that begins during the regular academic term of appointment. If the documented qualifying event begins between Commencement in May and Opening Day Convocation in August, the faculty member may receive leave with pay after Opening Day Convocation up to a maximum of 12 calendar weeks from the date of the documented qualifying event.

2.4.2.2 Teaching duties in the summer terms by nine-month faculty members are covered under a separate contract, and paid leave under this policy is not provided for absence during a contracted summer term.

2.5 This policy applies only to faculty and not to other employment categories including, but not limited to, categories of Senior Academic and Administrative Officer (SAAO Tier I or Tier II), EPA Non-faculty (NF-EPA Instructional or Research), SPA/CSS, Postdoctoral Fellows, or student employees.

3. Description of Benefit

3.1 The total maximum leave benefit for an individual faculty member for all leave benefits (with or without pay) under this policy and in accordance with the FMLA is 12 calendar weeks within any consecutive 12 calendar month period regardless of the number of qualifying events that occur, except as stated in section 3.2.3.4 below. Note in section 3.3.1.2 below, under the North Carolina Family Illness Act, a faculty member is entitled to an extension of up to 52 weeks of leave without pay during a five-year period in cases of serious illness of a child, spouse, or parent.

3.1.1 The start date of the first leave sets the clock for the 12-month period for leave with or without pay under this policy. [See section 5.3 regarding use of any accrued leave balance prior to utilizing paid leave benefits under this policy.]

3.2 Leave with pay

3.2.1 For qualifying reasons as defined in the FMLA, leave with pay is available to a faculty member who meets the eligibility criteria defined in section 2 above.

3.2.2 Serious Health Conditions: For documented serious health conditions, as defined in the FMLA, a faculty member is eligible for leave with pay for a maximum of 12 calendar weeks in any consecutive 12-month period. See section 4.3.1 for certification requirements.

3.2.3 Birth, Adoption, or Foster Care Placement of a Child

3.2.3.1 Primary Caregiver: The primary caregiver is eligible for leave with pay for 12 calendar weeks beginning on the date of the documented qualifying event. See section 4.3.2 for documentation requirements.

3.2.3.2 Secondary Caregiver: Secondary caregiver is the term that applies in instances in which there are two (2) East Carolina University faculty members who are both eligible for leave pursuant to this policy (see section 2, above, for eligibility requirements) for the same birth, adoption, or foster care placement of a child (hereinafter referred to as two eligible employees for the purposes of this section 3.2.3). For such a documented qualifying event, the secondary caregiver is eligible for leave with pay for 21 calendar days (in addition to the leave with pay for the primary caregiver in section 3.2.3.1) any time within the 12 consecutive calendar month period immediately following the documented qualifying event.

3.2.3.3 Two eligible employees may choose to share the 12 consecutive calendar weeks of leave with pay for the same qualifying event, but in no case may two eligible employees each receive 12 calendar weeks of leave with pay for the same qualifying event. If two eligible employees choose to share the 12 consecutive calendar weeks of leave with pay for the same qualifying event, the secondary caregiver is eligible for the additional 21 calendar days of leave with pay as stated in section 3.2.3.2 above. Also see section 3.3 for maximum leave eligibility in a 12 calendar month period.

3.2.3.4 A faculty member shall not qualify as both primary and secondary caregiver for a single qualifying event. However, the secondary caregiver defined in 3.2.3.2 may be approved for a

leave with pay for up to 12 calendar weeks for a separate qualifying event within the same 12 calendar month period.

3.2.4 Health/medical complications arising due to pregnancy and childbirth will be treated as any other serious health condition [see section 3.2.2 above].

3.2.5 Dependent Care or Care for a Family Member: For required care of an FMLA-designated dependent or immediate family member who has an FMLA-qualified serious health condition, the faculty member is eligible for leave with pay for a maximum of 12 calendar weeks in any consecutive 12-month period. See section 3.3.1.2 for additional family illness provisions. See section 4.3.1 for certification requirements.

3.3 Leave without pay

3.3.1 For qualifying reasons defined in the FMLA, leave without pay is available to faculty members who meet the eligibility criteria defined in section 2 above.

3.3.1.1 For qualifying events defined in section 3.2.1 above, after a period of approved leave with pay is exhausted, additional leave (without pay) up to a total maximum of 12 calendar weeks (including leave with and without pay) may be approved within any consecutive 12-month period. In no case will leave with or without pay under the FMLA be approved beyond a total of 12 calendar weeks within any consecutive 12 calendar month period, except as provided in section 3.2.3.4 above. [See section 4.6.]

3.3.1.2 After exhausting 12 calendar weeks of leave with or without pay pursuant to this policy, a faculty member with twelve (12) months of eligible service is entitled, under the North Carolina Family Illness Act, to an extension of up to 52 weeks of leave without pay during a five-year period in cases of serious illness of a child, spouse, or parent.

3.4 Intermittent and Reduced Leave

3.4.1 Leave may be taken intermittently or on a reduced leave schedule if the qualifying event has created a documented medical need as allowable under FMLA that may be best accommodated through an intermittent or reduced leave schedule.

3.4.2 Intermittent leave is leave taken in blocks of time due to a single qualifying event rather than for one continuous period of time. This allows employees to engage in work between leave periods without exhausting the requested leave time in a continuous span.

3.4.3 Reduced leave is a reduced schedule (e.g., shifting from full to part time) where the documented medical need as allowable under FMLA is best addressed by partial return to work.

3.5 Short-term Disability Benefits

3.5.1 Employees are eligible for short-term disability benefits under the Disability Income Plan of North Carolina after both of the following conditions are met:

3.5.1.1 one year of contributing membership within the past 36 months in the Teachers' and State Employees' Retirement System of North Carolina or the Optional Retirement Program, and

3.5.1.2 a 60 (sixty) calendar-day waiting period from the date of disability onset. More information about disability benefits can be found on the Human Resources Benefits web site [see link in additional references above].

3.5.2 Employees may purchase supplemental disability insurance coverage offered by plans approved and available through the Human Resources Benefits Office. [See HR Benefits web link above]

4. Administration of Benefit

4.1 The faculty member's request for leave with pay must be made in writing to the Human Resources Benefits Office by completing the form entitled Request for Faculty Serious Illness and Parental Leave located on the Human Resources Benefits web site.

4.2 It is the faculty member's responsibility to inform the unit administrator in writing of the anticipated absence under this policy at least sixty (60) calendar days in advance of the leave or as soon as practicable after the need for leave is foreseeable so that qualified substitute personnel can be secured by the unit administrator as early as possible.

4.2.1 The unit administrator is responsible for securing, to the extent possible, substitute personnel for the duration of the faculty member's approved leave (with or without pay). Cost of substitute personnel will be supported by the academic unit when funds are available within the unit. When the academic unit is unable to provide the funds to support substitute personnel, the unit administrator will submit a written justification to request funding from the next higher administrator up to the appropriate vice chancellor. Any adjustments in work schedules within the unit are at the discretion of the unit administrator, with the approval of the next higher administrator, and are subject to unit and institutional needs and resources.

4.2.2 Upon the faculty member's return to work after a period of approved leave (with or without pay) under this policy, the unit administrator and the faculty member will jointly determine the completion of assigned responsibilities during the remainder of the academic term. Similarly, when a faculty member will begin a period of approved leave (with or without pay) after the academic term has begun, the unit administrator and the faculty member will jointly determine the faculty member's assigned responsibilities for the period of the academic term not covered by approved leave (with or without pay).

4.3 Certification and Documentation Requirements for Qualifying Events

4.3.1 Serious Health Conditions: Medical certification of the faculty member's serious health condition, including a statement from an eligible health care provider (as defined under the FMLA) about the probable length of absence from normal duties, is required. If the request is for the purpose of caring for a family member or dependent, the University also requires medical

certification of that person's illness or disability and documentation of the circumstances which make it impossible or difficult for the faculty member to carry on with normal duties.

4.3.2 Birth, Adoption, or Foster Care Placement of a Child, Documentation of the qualifying event is required. Note that a faculty member who meets the eligibility requirements in section 2 above and who is an expectant mother may take leave pursuant to this policy before the birth of a child for prenatal care or if her condition makes her unable to work or requires a reduced work schedule in accordance with section 3.2.2. Also, leave pursuant to this policy may be granted before the actual placement or adoption of a child if an absence from work is required for the placement for adoption or foster care to proceed.

4.3.3 Forms for certification and documentation of each category of qualifying event are located on the Human Resources Benefits web site and must be submitted by the faculty member within 15 calendar days after submitting the request for leave benefits.

4.4 The Human Resources Benefits Counselor will review the certification or documentation of the qualifying event and determine the eligibility of the faculty member for leave with pay under this policy. If the Human Resources Benefits Counselor determines that the employee is not eligible for leave with pay benefits under this policy, the Human Resources Benefits Counselor will notify the faculty member of the decision in writing, including the grounds for denial of the requested leave benefit. The faculty member may appeal this decision to the Director of Benefits. The decision of the Director of Benefits is final.

4.5 The Human Resources Benefits Counselor will provide the appropriate vice chancellor with written notification of the faculty member's eligibility for leave with pay under this policy. For approved leave with pay, the appropriate vice chancellor will issue a letter to the faculty member informing him or her of the beginning and ending dates of authorized leave with pay, with copies to appropriate unit administrators.

4.6 The FMLA entitlement of 12 weeks of leave without pay will run concurrently with any period of leave with pay under this policy. The period of leave with pay will also be designated as family medical leave under the FMLA.

4.7 Leave (with or without pay) applies to the faculty member's employment during a regular term of appointment as defined in section 2.4 above.

4.7.1 If the illness or disability requires an absence from faculty duties longer than 12 (twelve) calendar weeks within a 12 consecutive calendar month period, the faculty member may apply in writing to his or her unit administrator for a leave of absence without pay in accordance with provisions of the ECU Faculty Manual.

4.7.1.1 The faculty member may also apply to the Human Resources Benefits Office for salary continuation through the Disability Income Plan of North Carolina and through any other optional disability program(s) in which he or she may be enrolled.

4.8 In cases of serious illness of a child, spouse, or parent, the North Carolina Family Illness Act allows the faculty member to apply in writing for extension of up to 52 weeks of leave without pay during a five-year period. Application is made through the Department of Human Resources Benefits Office.

4.9 Any unused leave pursuant to this policy is not eligible for terminal leave payment when the faculty member leaves the employment of the University, and it may not be used to extend years of creditable state service for retirement benefits. However, it must be exhausted prior to participation in the Disability Income Plan of North Carolina available to eligible employees.

5. Use of Leave with Pay

5.1 Leave with pay provided under this policy may be used for serious health conditions, pregnancy, birth, adoption, or foster care placement of a child as defined in section 3.2 above. A faculty member who anticipates an absence from duties for longer than three (3) days for qualifying reasons as defined by the FMLA shall inform the unit administrator at least sixty (60) calendar days in advance of the leave or as soon as practicable after the need for leave is foreseeable. (See section 4.2 above.)

5.2 A faculty member will not be penalized because she requires time away from work caused by or contributed to by conditions such as pregnancy, miscarriage, childbirth, or recovery. Disabilities resulting from pregnancy shall be treated the same as any other covered disability. The type and nature of the faculty member's duties during pregnancy will be determined by the unit administrator in consultation with the faculty member and upon advice the faculty member receives from her eligible health care provider. Revisions to the faculty member's assignments will be documented in a written agreement signed by the unit administrator and the faculty member.

5.3 A faculty member who has an accrued balance of sick leave from a previous leave-earning employment status must exhaust this accumulated sick leave balance prior to utilizing the benefit of leave with pay provided by this policy. Sick leave that has accrued will be considered as part of the maximum 12 (twelve) calendar-week eligibility for leave with pay under this policy.

6. Record-Keeping

6.1 This policy provides an important financial benefit; therefore, accurate records must be maintained. The Human Resources Benefits Office and the appropriate vice chancellor will maintain all official records, and the vice chancellor will make an annual report on the use of leave under this policy to the Chancellor and to the Chair of the Faculty no later than August 1 each calendar year.

7. Coordination with Other Policies

7.1 When a faculty member takes intermittent or reduced leave in accordance with section 3.4 above, the relative weights among teaching, research, service, and clinical care may be revised

[see Part VIII of the Faculty Manual] so long as the reassignment of responsibilities is completed in a manner that minimizes the impact on academic program quality.

7.2 Consistent with Part IX of the Faculty Manual, an untenured, probationary term (tenure-track) faculty member who is granted leave under this policy may be eligible for an extension of the probationary term. If the faculty member wishes to request an extension of the probationary term on the basis of leave granted under this policy, he/she must submit a written request to the unit administrator, subject to approval by the Chancellor, at the time the paid leave is granted.

7.3 The leave with pay provided under this policy shall have no effect on the faculty member's other employment benefits.

7.4 Consistent with the Faculty Manual, Part XI and Part VIII, the faculty member may not engage in other employment or compensated arrangements during the period of leave with or without pay under this policy.

7.5 If a faculty member granted leave under this policy wishes to request that his or her five-year post-tenure review be delayed, he/she must submit a written request to the unit administrator. The terms of such an agreement will be stated in writing, signed by the faculty member, and approved by the unit administrator, dean (or other appropriate administrator), and the appropriate vice chancellor.

8. Confidentiality

Communications and documentation concerning leave requested or approved pursuant to this policy shall constitute confidential records in accordance with North Carolina law.

9. Effective Date

This policy is effective July 1, 2011, and shall supersede any previous policies granting leave to faculty members for qualifying events as defined by the FMLA. A faculty member who is absent on approved leave at the time this policy becomes effective will continue to receive the leave benefits approved for that absence until the period of approved leave expires.