

# DRAFT DRAFT DRAFT

## BOARD OF TRUSTEES

East Carolina University

December 18, 2014

5:00 p.m.

The Board of Trustees met for a special called board meeting in the Mendenhall Student Center on the campus of East Carolina University. Chair Robert Brinkley called the meeting to order at 5:15 p.m.

Mr. Brinkley distributed a revised agenda for this meeting. In compliance with the State Government Ethics Act, Mr. Brinkley asked if anyone has a conflict of interest. No conflicts were identified.

Mr. Brinkley called on Assistant Secretary Steve Duncan to call the roll:

### Members Present

Robert Brinkley  
Edwin Clark (phone)  
Mark Copeland  
Vern Davenport (phone)  
Deborah Davis (phone)  
Steve Jones (phone)  
Max Joyner (phone)  
Michael King (phone)  
Carol Mabe (phone)  
Bob Plybon (phone)  
Danny Scott (phone)  
Kieran Shanahan (phone)  
Terry Yeargan (phone)

### Members Absent

Mr. Brinkley noted that Mr. Kieran Shanahan has been recently appointed to the Board of Trustees by Governor McCrory to fill the vacancy left by Bobby Owens' resignation. This term will end on June 30 2015, at which point, Mr. Shanahan will be eligible for appointment to his first full term.

Mr. Brinkley said the first item of business was the committee designation for the Annual Ethics Report and Board of Trustees Conflicts of Interests. Mr. Brinkley assigned that task to the Audit Committee. This item doesn't need a board vote.

The next item of business was discussion of the Chancellor's recommendation regarding the un-naming of Aycock Residence Hall. Chancellor Ballard said the board has received his recommendation (Attachment A) which is to support the committee's recommendation and to recommend to the board to un-name Aycock Residence Hall.

Before discussion began, Mr. Scott asked to hear from the ad hoc committee appointed by the Chancellor regarding the process the committee took to get to their recommendation. Dr. Andrew Morehead, chair of the ad hoc committee, outlined the committee's work.

Following Dr. Morehead's review of the committee's work, Mr. Shanahan questioned Dr. Morehead regarding the open meetings notice for these meetings, the minutes kept at each meeting, the survey used by the committee, and the committee's interpretation of the newly revised naming policy (specifically regarding the language "benefactor's or honoree's reputation changes substantially...."). Mr. Shanahan also asked how the committee identified university stakeholders and how those stakeholders were utilized. Dr. Morehead said that the policy outlined who the stakeholders were, and that the website was used as the primary communication method with stakeholders. Several other trustees made comments and participated in the discussion about the committee's work, the process, the open meetings rules and the standard that should be set to remove a name from a building.

Mr. Brinkley initiated a conversation about the university policy and the standard that should be applied when making this decision. In addition, he opened the discussion about the intent of the administration and board members when they originally recommended and named Aycock Residence Hall in 1961. Mr. Jones asked if the committee defined the standard used. Dr. Morehead said that the committee looked at not only the words of Governor Aycock in his speeches, but also the actions taken by Governor Aycock against black people, and that the whole of his legacy dishonors the standards of

ECU now and is not in line with current values. Mr. Scott said that the standard to name a building should be high, and the standard to remove a building should be just as high. He said that he can't imagine a much higher bar needs to be set than when a man's actions disenfranchises a whole race of people. Mr. Brinkley asked the Chancellor if there was information about the original rationale or justification to name the building for Governor Aycock or if the board/administration was aware of Governor Aycock's reputation. Chancellor Ballard said that he hasn't seen any documentation that there was any discussion about white supremacy or disenfranchisement at the time of the original naming. He said that he doesn't think there is any way to judge, however, over time, history has judged those two things to be wrong. Mr. Copeland said that it is important to note that one pillar of ECU's strategic plan is diversity and inclusiveness, and that if Aycock's name remains on the residence hall, then the board and the university will have to alter the entire strategic plan. Mr. Scott said that in 1961, there were no black people on ECU's campus, therefore, there was no one on campus that would have been offended by the naming of Aycock Residence Hall. He said this decision was also made before the Civil Rights Act.

Mr. Brinkley asked the committee what options, solutions or combination of solutions could be used to address the committee's conclusion that leaving Governor Aycock's name on the building prevents the university from having a diverse and inclusive culture. Dr. Morehead said that the committee's charge was specifically to provide a "yes" or "no" recommendation about removing Governor Aycock's name from the residence hall. However, he said there were discussions and the committee felt very strongly about how the university should never lose sight of history and the committee thought that there could be a way to commemorate Aycock's contributions to education but not celebrate or honor his values.

Mr. Brinkley asked the Chancellor if he was aware of what other UNC institutions were doing in response to this issue. The Chancellor said that there were essentially four options that schools have: to un-name, to maintain the name, to use this as an educational opportunity or a combination of

these. There are three schools in the UNC system that are faced with this decision. They are considering all those options mentioned above but they will not make a decision until February or March 2015.

Mr. Joyner asked if the board could hear from University Historian John Tucker in terms of any history he knows of related to the board or the administration's intent with naming Aycock Residence Hall. Dr. Tucker provided a historical summary of ECU during this time period and Aycock's impact on education in North Carolina. Specifically, Dr. Tucker said that Governor Aycock's speeches were widely circulated around North Carolina during that time and he would be surprised if that book of speeches were not in the library in 1961. Dr. Tucker said that Governor Aycock had the support of the majority of North Carolinians. He was elected Governor by the largest popular vote in North Carolina history. He said that to vilify Governor Aycock would be to overlook the extent to which he was a part of his generation. Dr. Tucker said that Governor Aycock may have been chosen as the residence hall's namesake because of his declaration that education should be universal and that he was an outspoken advocate for education for the mentally disabled and the blind. In addition, Dr. Tucker said that he was the first governor of North Carolina to devote a large amount of state monies to public education. Mr. Scott said that in his opinion, Dr. Tucker's comments whitewashed over the character of Aycock and that it seemed as if Governor Aycock is being given a pass even though he supported and initiated laws and legislation that disenfranchised an entire race of people. He also said that to say that Governor Aycock supported universal education is not true – that the system he put into place was only for white people, not for black people.

Ms. Davis said that this has been a very healthy discussion and there are very strong feelings on both sides of the issue. She said that she feels the board is looking somewhat backwards. The board must be cognizant of the sensitivity of a portion of ECU's student body and alumni. Board members must take this issue to heart and think about how it translates to the students that are on campus every day. ECU cannot lose the lessons of history, but we have to learn from history. This discussion is

really about do we as a university want to continue to celebrate a person who has a diverse background. Ms. Davis said that the board must be thoughtful of all components of this decision, staying true to the past but also recognizing that the University's values and overall mission has evolved. Mr. Shanahan said that he agrees with Ms. Davis' comments, but is very concerned with the process that the university took. He said that the university will not only be judged by the decision made about this issue, but also the process taken to arrive at the decision.

Mr. Davenport asked questions about how this board's decision affects decisions going forward regarding future namings and un-namings. He said that the board needs to be able to articulate or define the standard or bar that was met for un-naming. Chancellor Ballard said that his bar or standard is that if a person's legacy is clearly contrary to the best interest of the university and different than the values of ECU, then ECU should not celebrate or honor that person. Mr. Copeland said that the decision the board makes should be in line with the mission and values of ECU.

Mr. Davenport said that based on the Chancellor's recommendation, he would like to know how the board would articulate the precedence this decision would have on the next similar situation and how the university plans to manage the policy going forward. Chancellor Ballard said that in this instance, the university has responded to what the board has asked and that future questions would have to be answered when they are asked. Mr. Davenport clarified that there is a certain level of judgment being applied to this policy. His question was how this board can communicate clearly how the standard was met to un-name Aycock Residence Hall. Chancellor Ballard said that the bar he used is that if a person's legacy is clearly contrary to the best interest of the university and different than the values the university possesses, then that person should not be celebrated. Chancellor Ballard said that if the board decides that the policy is not clear or strong enough, then the policy can be revised. Mr. Shanahan asked the Chancellor to identify what changed about Governor Aycock's reputation that would support un-naming the building. Chancellor Ballard said that what changed was the university's values and that it is contrary to the best interest of this university. Mr. Shanahan said that he thinks

that a change in values is different than the reputational change stipulated in the naming policy. Mr. Plybon agreed with Mr. Davenport that the board should define the bar. He said that there are a number of buildings on campus that were named during the same time in history, such as Wright and Jarvis. If in the future this board is faced with making decisions about those buildings, he wants the standard or criteria defined and established so that the board can be consistent in making these decisions. Mr. Scott said that he thought Mr. Plybon's question is a valid point. He said that when this particular issue arose a year ago, the board asked the administration to do research to determine if there other namesakes that were also in question. Mr. Scott said that the administration reported that there were none that rose to the same level as Aycock. Dr. Ballard said that the naming committee looked at this request and found no other names to be problematic. Mr. Brinkley said that he agreed that this standard needs to be defined and he wishes there were more alternatives that were presented to the board versus such a binary decision. Mr. Copeland said that the board has to be aware of the impact their decision will have on not only students and alumni, but also future employers. Mr. Scott agreed, saying that the board will be held accountable for the decision they make. He said that the board cannot separate the man from his work and his ideals.

Mr. Brinkley reviewed the policy in terms of what motions could be made and the ramifications of the motions. He then opened the floor for any motions from board members.

Mr. Scott moved to accept the Chancellor's recommendation to un-name Aycock Residence Hall. Mr. Copeland seconded the motion and Mr. Brinkley opened the floor for discussion on the specific motion. Mr. Davenport said that he would like the opportunity to understand the context of some of the things that have been said during this meeting, such as the comment about how Aycock's history has been "whitewashed" and the comment made by Mr. Scott about not being able to separate a man from his work. Mr. Yeargan said he would want this vote to take place in person. There was discussion about the option of postponing the vote to a later time. Mr. Scott said he would not be opposed to postponing this vote to allow his fellow board members the opportunity to gain clarification

and process the needed information as long as he can be assured that there will be a vote in February.

Ms. Mabe, Mr. Jones and Ms. Davis agreed. Mr. Copeland stressed to board members that each board member should conduct his or her own research and be prepared to vote at the February board meeting.

Mr. Copeland moved that the board postpone the vote on Mr. Scott's motion to accept the Chancellor's recommendation until the February board meeting (February 20, 2015). Ms. Davis seconded the motion. Mr. Brinkley asked for any discussion about the motion to postpone the vote. Mr. Shanahan asked for two things prior to the vote: 1. he asked that the minutes of the ad hoc committee be provided to all board members; and 2. he asked that the university legal counsel provide the board members an opinion on the ramifications of the ad hoc committee not following the open meetings process. After discussion, Mr. Brinkley called for a vote on the motion to postpone, which was approved unanimously by a roll call vote. Mr. Yeargan asked if it would be appropriate to coordinate with other UNC schools about what they are doing in response to this issue. The Chancellor stated that President Ross has been clear to all chancellors that this issue is a campus issue and that each campus will have to make this decision. There was no further discussion by the board.

**ADJOURNMENT**

Ms. Mabe made a motion to adjourn the meeting, which was seconded and unanimously approved. The meeting adjourned at 700 p.m.

Respectfully Submitted,

Megan Ayers  
Office of the ECU Board of Trustees

DRAFT