#### East Carolina University Board of Trustees July 22, 2021

#### MINUTES

The ECU Board of Trustees met for an orientation session as part of their regular scheduled meeting on July 22, 2021. The meeting originated from room 249 in the Main Campus Student Center, on the campus of East Carolina University in Greenville, NC. Acting Chair Vince Smith called the meeting to order.

#### **ROLL CALL**

Mr. Smith called on Megan Ayers, Assistant Secretary to the Board of Trustees, to call the roll.

Present	<u>Absent</u>
Cassandra Burt	Fielding Miller
Leigh Fanning	
Dave Fussell	
Tom Furr	
Van Isley	
Angela Moss	
Jason Poole	
Jeffery Roberts	
Jim Segrave	
Scott Shook	
Vince Smith	
Chandler Ward	

#### **READING OF ETHICS STATEMENT**

In compliance with the State Government Ethics Act, Mr. Smith read the conflict-of-

interest statement and asked if anyone had a conflict to disclose. No conflicts were identified.

#### INTRODUCTIONS

Mr. Smith led the trustees in a round of introductions, each sharing where they reside and their affiliation with the university.

#### **MISSION REVIEW**

Mr. Smith called on Chancellor Philip Rogers to begin the first session of the day, which was a review of East Carolina University's mission.

Chancellor Rogers called on Grant Hayes, Interim Provost and Senior Vice Chancellor for Academic Affairs, to present the ECU Mission Statement and to provide additional information on the related SACSCOC standards as it relates to the mission. There was discussion by the board about whether the current mission statement is still relevant, whether it aligns with the university's direction, and whether it adequately addresses teaching, learning, research and public service. There was also discussion about what might trigger an additional review of the mission. Following substantive discussion, the board formed unanimous consensus around reaffirming the current mission statement and will vote on the reaffirmation at the full board meeting on Friday. The mission statement and related SACSCOC standards are listed as "Attachment A."

#### **ROLES AND RESPONSIBILITIES / DELEGATIONS OF AUTHORITY**

Mr. Smith called on Paul Zigas, Interim General Counsel, to lead the trustees in a discussion about trustee roles and responsibilities and their specific delegations of authority.

A copy of the presentation is listed as "Attachment X."

#### FINANCIAL OVERVIEW

Mr. Smith called on Stephanie Coleman, Interim Vice Chancellor for Administration and

Finance, to provide an overview on university finance and budgets.

A copy of the presentation is listed as "Attachment X."

#### UNDERGRADUATE STUDENT RECRUITMENT

Mr. Smith called on Ms. Stephanie Whaley, Associate Vice Chancellor for Admissions, to

introduce the trustees to student recruitment and admissions.

A copy of the presentation is listed as "Attachment X."

#### ADJOURNMENT

Before adjourning the orientation session, Mr. Smith reminded the trustees of the tour they will take with Rob Olewine, Assistant Director for Campus Visits, followed by a social at the Chancellor's Residence.

Hearing no further business to come before the board, Mr. Smith adjourned the meeting.

#### Respectfully submitted,

Megan Ayers Assistant Secretary to the Board of Trustees

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#### **ECU Mission**

To be a national model for student success, public service and regional transformation, East Carolina University:

- Uses innovative learning strategies and delivery methods to maximize access;
- Prepares students with the knowledge, skills and values to succeed in a global, multicultural society;
- Develops tomorrow's leaders to serve and inspire positive change;
- Discovers new knowledge and innovations to support a thriving future for eastern North Carolina and beyond;
- Transforms health care, promotes wellness, and reduces health disparities; and
- Improves quality of life through cultural enrichment, academics, the arts, and athletics.

We accomplish our mission through education, research, creative activities, and service while being good stewards of the resources entrusted to us.

Approved by the Board of Trustees in July, 2013 Approved by the Board of Governors in February 2014 Reviewed and reaffirmed by the Board of Trustees in September, 2020

#### **Related SACSCOC Standards**

2.1 Institutional Mission

The institution has a clearly defined, comprehensive, and published mission specific to the institution and appropriate for higher education. The mission addresses teaching and learning and, where applicable, research and public service.

#### 4.2a Mission Review

The governing board ensures the regular review of the institution's mission.

#### **Discussion Questions**

It would be necessary to have the minutes from both EC and BOT meetings outlining the following:

- Reaffirmation of the mission statement unless a change is proposed
- Discussion on why the current mission is still appropriate to ECU under the leadership of Chancellor Rogers
  - o Does the statement adequately address teaching, learning, research, and public service?
  - o Does the statement adequately describe the distinctiveness of ECU and its values?
  - How does the mission apply to our direction in the next 5 years?
- When might ECU/BOT consider any changes to the mission? Or what event(s) will trigger a review? (Note: both UNC and ECU's strategic plans expire in 2022)





## Board of Trustees Orientation Meeting

## II. BOG Delegations of Authority & Trustee Roles and Responsibilities

July 22, 2021



## Welcome and appreciation for your public service on behalf of East Carolina University.



## Why are we here today?



The Board of Trustees is vital to the success of our University. The advice you provide to the Chancellor and the Board of Governors is essential. The University cannot function without the exercise of your authority as delegated by the Board by the Governors.



### University of North Carolina Legal Structure

The University of North Carolina is a <u>single</u>, "public, multicampus university dedicated to the service of North Carolina and its people."

UNC's mission "is to discover, create, transmit, and apply knowledge to address the needs of individuals and society." The mission is accomplished through:

- a. Instruction;
- b. Research, scholarship and creative activities; and
- c. Public Service

Teaching, or instruction, is the primary responsibility of each of the constituent institutions; the relative importance of research and public service varies among the constituent institutions, depending on their overall missions.



## What is the Board of Trustees?

- Each constituent institution shall have a board of trustees composed of 13 persons chosen as follows: (a) eight elected by the Board of Governors; (b) four appointed by the General Assembly, two of whom shall be appointed upon the recommendation of the President Pro Tempore of the Senate, and two of whom shall be appointed upon the recommendation of the Speaker of the House of Representatives; and (c) the president of the student government of the institution, ex-officio. [See G.S. 116-31(d)]
- 2. Each board of trustees shall
  - a) promote the sound development of its institution within the functions prescribed for it, helping it to serve the people of the state in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every area of endeavor.
  - b) serve as advisor to the Board of Governors on matters pertaining to its institution and shall also serve as advisor to the chancellor concerning the management and development of the institution. [See G.S. 116-33]



- 1. The Board of Governors shall plan and develop a coordinated system of higher education in North Carolina.
- 2. The Board of Governors shall be responsible for the general determination, control, supervision, management, and governance of all affairs of the constituent institutions. For this purpose, the Board may adopt such policies and regulations as it may deem wise.
- 3. The Board of Governors shall determine the functions, educational activities, and academic programs of the constituent institutions. The Board shall also determine the type of degrees to be awarded by each constituent institution.



4. The Board of Governors shall approve the establishment of any new publicly supported institution above the community college level.

5. The Board of Governors shall set enrollment levels of the constituent institutions.

6. The Board of Governors shall collect and disseminate data concerning higher education in the state.

7. The Board of Governors, with the cooperation of other concerned organizations, shall establish, as a function of the Board, an Educational Opportunities Information Center to provide information and assistance to prospective college and university students and to the several institutions, both public and private, on matters regarding student admissions, transfers, and enrollments.



8. The Board of Governors shall give advice and recommendations concerning higher education to the governor, the General Assembly, the Advisory Budget Commission, and the boards of trustees of the constituent institutions.

9. The Board of Governors may delegate any part of its authority over the affairs of any constituent institution to the board of trustees or, through the president of the University, to the chancellor of the institution in any case where such delegation appears necessary or prudent to enable the institution to function in a proper and expeditious manner. Any delegation of authority may be rescinded by the Board at any time in whole or in part.

10. Authority for creation of new campus or new branch campus in consultation with Community College System.

11. The Board of Governors shall have such other powers and duties as may be prescribed by law or as may be set forth elsewhere in The Code.



8. The Board of Governors shall possess all powers not specifically given to institutional boards of trustees. [See G.S. 116-11(14)]



## So how can we best describe the Board of Governors and Board of Trustees?

The Board of Governors is the governing board of the University of North Carolina an each of its constituent institutions, including East Carolina University.

The East Carolina University Board of Trustees is an essential advisory body to the Chancellor and Board of Governors, and exercises significant authority regarding the operations of ECU through those authorities delegated to it by the UNC Board of Governors.

What are those "delegations of duty and authority" to the Boards of Trustees?



The Board of Governors has delegated to the boards of trustees of the constituent institutions of the University of North Carolina the following:

- 1. Academic and Administrative Personnel.
  - 1. <u>ACTION-BOT</u> Upon recommendation of the Chancellor, the ECU Board of Trustees appoints, promotes, and sets compensation for positions exempt from the State Human Resources Act (except for the Chancellor) consistent with the policies and salary ranges set by the Board of Governors and the regulations and guidelines established by the Office of the President.
  - BOT POLICY AUTHORITY ACTION-CHANCELLOR Discharge and suspension. All discharges or suspensions of faculty members and administrative personnel, other than those subject to the State Human Resources Act, shall be effected by the chancellor. A discharged or suspended employee shall have such rights of appeal from the action of the chancellor as may be prescribed by the University Code, policies of the Board of Governors, or regulations of the board of trustees.



The Board of Governors has delegated to the boards of trustees of the constituent institutions of the University of North Carolina the following:

1. Academic and Administrative Personnel.

3. <u>BOT POLICY AUTHORITY</u> Personnel Policies The board of trustees may adopt personnel policies not otherwise prescribed by state law, the University *Code*, or policies of the Board of Governors, for personnel in all categories of university employment. *Policies adopted by a board of trustees regarding academic tenure and promotion shall be effective upon review by the senior vice president for academic affairs and the vice president and general counsel, and approved by the president.* 



The Board of Governors has delegated to the boards of trustees of the constituent institutions of the University of North Carolina the following:

- 1. Academic and Administrative Personnel.
  - 4. ACTION-BOT et al. Chancellor Selection

In the event of a vacancy in the chancellorship, the board of trustees shall establish, in consultation with the president, a search committee composed of representatives of the board of trustees, the faculty, the student body, staff, the alumni, the local community, and other campus constituencies as may be appropriate. Upon the establishment of the search committee, the chair of the board of trustees, in consultation with the president shall establish a budget and identify staff for the committee.

The search committee, through the chair of the board of trustees, shall make a preliminary report to the president when the committee is preparing a schedule of initial interviews. At the completion of the campus interview process, the search committee shall recommend an unranked slate of no fewer than two candidates to the trustees for consideration.

The board of trustees, following receipt of the report of the search committee, <mark>shall</mark>, subject to the direction of the president, president, <mark>recommend an unranked slate of no fewer than two candidates for consideration by the president in designating a nominee for the chancellorship for approval by the Board of Governors.</mark>



#### II. ACADEMIC PROGRAM

ACTION-BOT The board of trustees shall be responsible for ensuring the institution's compliance with the educational, research, and public service roles assigned to it by the Board of Governors, either by express directive or by promulgated long-range plans of the Board of Governors.

#### III. ACADEMIC DEGREES AND GRADING

ACTION-ECU Subject to authorization by the Board of Governors of the nature and general content of specific degree programs which may be offered by an institution, each institution shall determine whether an individual student shall be entitled to receipt of a particular degree. Each institution also shall determine what grade a student will be assigned in a particular course. No appeal from any of these decisions or any other academic determination is allowable to the president or to the Board of Governors.

#### IV. HONORARY DEGREES, AWARDS AND DISTINCTIONS

ACTION-BOT The board of trustees is responsible for approving the names of all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by the institution.

#### V. BUDGET ADMINISTRATION

ADVISE-BOT *The board of trustees shall advise the chancellor* with respect to the development of budget estimates for the institution and with respect to the execution and administration of the budget of the constituent institution, as approved by the General Assembly and the Board of Governors.

#### VI. PROPERTY AND BUILDINGS

ACTION-BOT The board of trustees of a constituent institution shall be responsible, subject to policies of the Board of Governors and all legal requirements relative to the construction of state-owned buildings, *for the following matters concerning campus capital construction projects which have been approved by the Board of Governors and authorized by the state of North Carolina: (1) the selection of architects or engineers for buildings and improvements requiring such professional services; (2) the approval of building sites; (3) the approval of plans and specifications; and (4) the final acceptance of all completed buildings and projects.<sup>[1]</sup>* 



ACTION-BOT The board of trustees is responsible to the Board of Governors for preparing and maintaining a master plan for the physical development of the institution, consistent with the total academic and service mission of the institution as defined and approved by the Board of Governors.

ACTION-BOT Any proposal involving the acquisition or disposition by an institution of any interest in real property shall be recommended by the board of trustees to and shall be approved by the Board of Governors, provided, that:

If a proposal involves acquisition or disposition of any interest in real property other than a leasehold, the board of trustees may authorize such a transaction with a value less than \$500,000, and the president may authorize such a transaction with a value less than \$750,000, without obtaining approval of the Board of Governors; and

If a proposal involves acquisition or disposition of a leasehold interest in real property, the board of trustees may authorize such a transaction with an annual value less than \$500,000 and a term of not more than 10 years, and the president may authorize such a transaction with annual value less than \$750,000 and a term of not more than 10 years, without obtaining approval of the Board of Governors; and

If the president or a board of trustees of a constituent institution has been delegated additional authority by the Board of Governors to do so under Section 600.1.3 of the UNC Policy Manual, the president or board of trustees of a constituent institution may authorize acquisition or disposition of an interest in real property with a value greater than that listed in paragraphs (a) and (b), above, without obtaining approval of the Board of Governors. The Board of Governors, under circumstances which it considers appropriate and following notice from it to the board of trustees, may take action necessary to effect the acquisition or disposition of an interest in real property which is related to or which affects the institution, without receipt of a recommendation from the board of trustees.

All delegations of authority in this section are subject to any necessary authorizations and approvals from State officials and agencies.

#### VII. ENDOWMENTS AND TRUST FUNDS

ACTION-BOT Subject to applicable provisions of state law and to such terms and conditions as may be prescribed from time to time by the Board of Governors, *each board of trustees is responsible for the preservation, maintenance, and management of all properties, both real and personal, funds and other things of value which, either separately or in combination, constitute all or any part of the authorized endowment or trust funds, either currently in existence or to be established in the future, for the benefit of the individual constituent institution.* [See G.S. 116-11(2); 116-36; 116-36. 1; 116-36. 2; 116-36. 3]



#### VIII. ADMISSIONS

ACTION-ECU Subject to such enrollment levels and minimum general criteria for admission as may be established for a constituent institution by the Board of Governors, each constituent institution of the University of North Carolina shall establish admissions policies and resolve individual admission questions for all schools and divisions within the institution. No appeal concerning an individual admission case shall lie beyond the institutional board of trustees.

#### IX. TUITION, FEES, AND DEPOSITS

A. General Authority of Boards of Trustees

ACTION-BOT <u>Collection of tuition and fees</u> The boards of trustees of the constituent institutions other than the board of the North Carolina School of Science and Mathematics shall cause to be collected from each student, at the beginning of each semester, quarter, or term, such tuition, fees, and other amounts necessary to pay other expenses for the term, as have been approved by the Board of Governors. [See G.S. 116-11(7) and G.S. 116-143]

B. Tuition and Fee Deposits

<u>ACTION-BOT Require advance deposits</u>. Each board of trustees shall require the payment of such advance deposits, at such times and under such conditions as it determines are appropriate or as may be required by state law or by the Board of Governors. [See G.S. 116-143]

#### C. Application Fee

<u>ACTION-BOT\_Require payment of nonrefundable application fees</u>. Each board of trustees shall require the payment of such nonrefundable application fees, in connection with each application for admission, as may be required by state law or by the Board of Governors. [See G.S. 116-143]



D. Acceptance of Obligations in Lieu of Cash

ACTION-BOT Subject to policies prescribed by the Board of Governors<mark>, the boards of trustees shall establish regulations concerning the acceptance of obligations of students, together with such collateral or security as may be deemed necessary or proper, in lieu of cash, in payment of tuition and fees. [See G.S. 116-143]</mark>

#### E. Fee Recommendations

ACTION-BOT Subject to policies prescribed by the Board of Governors, each board of trustees, in consultation with the chancellor, shall recommend to the president the amounts to be charged at the constituent institution for application, athletics, health services, student activities, educational and technology, retirement of debt incurred for capital improvements projects authorized by the General Assembly, course, and special fees. In carrying out this responsibility, each board of trustees and the chancellor shall ascertain that the benefits of the activity or service are commensurate with the recommended fee which is required to support the activity or service. Recommended fees should be consistent with the philosophy set forth in the North Carolina Constitution which states that the benefits of the University of North Carolina should be extended to the people of the state free of expense, as far as practicable.

#### X. STUDENT FINANCIAL AID

ACTION-ECU All scholarships and other forms of financial aid to students which are limited in their application to or are supported from sources generated by an individual campus shall be administered by the constituent institution pursuant to such regulations as may be prescribed by the board of trustees and subject to the terms of any applicable laws and to policies of the Board of Governors.

#### XI. STUDENT SERVICES

ACTION-BOT Each board of trustees, upon recommendation of the chancellor, shall determine the type, level, and extent of student services (such as health care, athletic programs, and counseling) to be maintained for the benefit of students at the institution, subject to general provisions concerning types and levels of student services as may be prescribed by the Board of Governors.



XII. STUDENT ACTIVITIES AND GOVERNMENT

POLICY AUTHORITY-BOT ACTION-CHANCELLOR Under such policies as may be prescribed by the Board of Governors and the board of trustees, the chancellor shall be responsible for the regulation and approval of organized, institutionally recognized student activities, the definition of roles and functions of any institutionally recognized system of student self-government and student participation in the governance of any aspect of the institutional programs and services. No appeal concerning such activities are allowable to the president or to the Board of Governors.

XIII. INTERCOLLEGIATE ATHLETICS

BOT POLICY AUTHORITY-ACTION ECU CHANCELLOR Subject to such policies as may be prescribed by the Board of Governors and the board of trustees, the chancellor shall be responsible for the establishment and supervision of the institution's program of intercollegiate athletics.

XIV. TRAFFIC AND PARKING REGULATIONS BOT POLICY AUTHORITY

XV. CAMPUS SECURITY

BOT POLICY AUTHORITY- ACTION-CHANCELLOR Subject to applicable provisions of state law and such policies as may be adopted by the Board of Governors or the board of trustees, the chancellor shall be responsible for the maintenance of campus security.

XVI. AUXILIARY ENTERPRISES, UTILITIES AND MISCELLANEOUS FACILITIES

BOT POLICY-AUTHORITY Pursuant to applicable provisions of state law and policies of the Board of Governors, the boards of trustees of affected constituent institutions shall have authority and responsibility for the adoption of policies applicable to and the control and supervision of campus electric power plants and water and sewer systems, other utilities and facilities [G.S. 116-35], and child development centers [G.S. 116-38].



200.7 Duties, Responsibilities, and Expectations of Board Members

- III. Duties and Responsibilities. Board members are responsible for performing essential functions that are central to the governance of the University, as described in Chapter 116 of the North Carolina General Statutes, *The Code* of the University of North Carolina, the Policy Manual of the University, and the policies and by-laws of the constituent institutions. Board members shall adhere to the standards of conduct and fulfill duties and expectations set forth in this policy.
- A. Attendance. <u>Board members shall attend board meetings</u>. If a member of the Board of Governors is, for any reason other than ill health or service in the interest of the State or nation, absent for four (4) successive regular meetings of the Board, his or her place as a board member shall be deemed vacant.[1]If a member of a board of trustees of a constituent institution is, for any reason other than ill health or service in the interest of the State or nation, absent for four (3) successive regular meetings of her place as a board member shall be deemed vacant.[1]If or three (3) successive regular meetings of a board of trustees, his or her place as a board member shall be deemed vacant.[2]
- B. Participation in Policy and Oversight Functions. Board members are expected to prepare for meetings; actively contribute to the work of the board; and act in accordance with the governance, oversight, and advisory functions allocated to the board by
- 1. Reviewing and inquiring about materials that involve the institution or University-affiliated organization, such as board minutes and annual reports;
- 2. Understanding and participating appropriately in the oversight function allocated to the board with respect to the finances and effectiveness of the institution or University-affiliated organization
- 3. Seeking information from and consulting appropriately with the chief executive officer of the institution or University-affiliated organization to gain additional context, make well-informed policy decisions, and carry out responsibilities for board-level oversight and monitoring of the affairs of the institution or University-affiliated organization
- 4. Participating as requested in the preparation and revision of long-range plans for the institution or University-affiliated organization
- 5. Serving on and contributing to the work of assigned committees;



200.7 Duties, Responsibilities, and Expectations of Board Members

6. Listening to and considering differing opinions, and otherwise making reasonable efforts to conduct oneself in accordance with the practices and customs of formality and decorum articulated in Robert's Rules of Order

C. Scope of Authority

- 1. Referring matters of administration and management to the chief executive officer of the institution or University-affiliated organization for handling
- Respecting and following executive leadership, management, and reporting lines when communicating with the University and the constituent institutions, and refraining from directing matters of administration or executive action except through the chief executive officer of the institution or University-affiliated organization; and
- 6. Recognizing that board members' authority is collective, not individual, and only arises from their participation with other members of the board when it is officially convened.
- Not undertake reviews, background checks, investigations, or any other assessments of University employees or candidates for University employment unless duly and explicitly directed to do so by the president, by the chief executive officer of the employing institution, or by the Board of Governors.



200.7 Duties, Responsibilities, and Expectations of Board Members

<u>D.</u> Ethical Conduct. Board members shall adhere to high standards of ethical conduct by <mark>complying with laws, regulations, and University policies applicable to their service as board members and public officials</mark>, which include the obligations to:

- 1. Exercise authority honestly and fairly, free from impropriety, threats, favoritism, and undue influence, as required by the State Ethics Act.
- 2. Keep confidential all information and records that are required by law to be kept confidential, including, but not limited to, personnel records and information, student records and information, attorney-client communications, and closed session deliberations and information;
- 3. Comply with North Carolina open meetings law by conducting hearings, deliberations, and actions of these bodies openly, except when permitted or required to a closed session
- 4. Comply with applicable public records laws by permitting open access to and inspection of public records in the member's custody, including records created, sent, or received by Board members entirely on non-University accounts or devices, as required by law;
- 5. Bring matters of concern, potential or real conflicts of interest, and reports of unlawful and/or noncompliant activity to the attention of the appropriate institutional or organizational officer, such as the president, chancellor, board chair, or committee chair;
- 6. Avoid any personal or business interest that may conflict with the member's responsibilities to the institution or University-affiliated organization;
- 7. Avoid even the appearance of impropriety when conducting the institution's or University-affiliated organization's business; and
- 8. Recuse oneself from consideration of matters during meetings when required.



9. Conduct oneself at all times in accordance with the University's prohibition about all forms of illegal discrimination or harassment;

10. Not engage in acts of fraud or other violations of law inconsistent with the ethical expectations of a public official;

11. Not act as a registered lobbyist on behalf of any lobbyist principal in any matter or issue that is adverse to the interests of the UNC System, a constituent institution, or a University-affiliated organization; and

12. Not represent, as a practicing attorney, any party in a matter in which the party's interest is adverse to the interests of the UNC System, a constituent institution, or a University-affiliated organization. For purposes of this restriction, members are not generally prohibited from acting as criminal defense counsel to students and employees in criminal prosecution matters.

E. Fiduciary Responsibilities and Support for the Institution. Board members shall discharge their duties to the institution with care, skill, prudence, and diligence by:

1. Exercising the degree of diligence, care, and skill that a prudent individual familiar with such matters would use under similar circumstances in a like position;

2. Acting in good faith with the best interest of the institution or University-affiliated organization in mind;

3. Conducting oneself, at all times, in furtherance of the institution's or University-affiliated organization's goals and not the member's personal or business interests;

4. Providing oversight to ensure that the institution's or University-affiliated organization's resources are dedicated to the fulfillment of its mission; and

5. Becoming knowledgeable about issues that affect the University and seeking to understand the educational needs and desires of all the State's citizens, and their economic, geographic, political, racial, gender, and ethnic diversity.



IV. Sanctions. A board member may be removed, recommended for removal, or subject to a lesser sanction for any material violation of the duties, responsibilities, and expectations of board members set forth in Section III of this policy. Any sanction shall require an affirmative vote of two-thirds (2/3) of the voting membership of the Board of Governors or board of trustees then in office.

A. Removal of a Member of a Board of Trustees or University-affiliated Organization. The Board of Governors may remove from the board of trustees of a constituent institution or from the board of a University-affiliated organization a board member who was elected by the Board of Governors. With respect to a member of a board of trustees who was appointed by a different appointing authority, the Board of Governors may vote to recommend to the appointing authority that the member be removed.

B. Removal of a Member of the Board of Governors. The Board of Governors may recommend to the State House of Representatives or State Senate, whichever chamber elected the member, that a member of the Board of Governors be removed.

C. Other Sanctions. A board member, regardless of their appointing authority, may be subject to other sanctions lesser than removal (ex: public censure, suspension of voting rights, removal of committee assignments).

D. Complaints.

1. Complaints against a board member may be made to the chair of the Committee on University Governance.

2. Upon receipt of a complaint, the chair of the Committee on University Governance shall determine whether, assuming all of the facts alleged are true, the complaint alleges a material violation of the duties, responsibilities, and expectations of board members. If the complaint does not meet this threshold, the chair of the Committee on University Governance may dismiss the complaint and shall report the dismissal to the Committee on University Governance.

3. If the complaint is against a member of a board of trustees or University-affiliated organization, then the Committee on University Governance may retain the complaint for review and adjudication by the Governance Committee under section F, or it may direct the complaint to the board of trustees with directions for appropriate action. The committee's determination should be based on the allegations of the complaint, the board of trustee's capacity to review the complaint, and all other relevant circumstances.

4. The chair of the committee may, after consultation with the membership of the Committee, refer the complaint to the State Ethics Commission.



E. Interim Sanctions

1. A board member may be subject to an interim sanction(s) for an alleged material violation of the duties, responsibilities, and expectations of board members prior to review and adjudication of a complaint. Interim sanctions should be temporary in duration, and should balance the severity of the interim sanction against the severity of the alleged violation. Removal of a board member shall not be issued as an interim sanction.

2. The Committee on University Governance may recommend to the Board of Governors an interim sanction against a member of the Board of Governors that the committee deems appropriate. The Committee on University Governance may recommend interim sanction(s) against a member of a board of trustees or University-affiliated organization as part of the committee's referral of a complaint to a board of trustees with directions for appropriate action.

3. Any interim sanction shall require an affirmative vote of two-thirds (2/3) of the voting membership of the Board of Governors or board of trustees then in office.

F. Procedure for Sanctions; Specification of Cause; Notice and Opportunity to Respond.

1. The chair of the Committee on University Governance shall send the respondent a written specification of the complaint(s) against the board member. In the event that the chair of the Committee on University Governance is the subject of the board's consideration, the vice chair of the Committee on University Governance shall state that the board member may submit a written response to the chair of the Committee on University Governance and the complaining board member within five (5) business days of receipt of the written notice.

2. If the board member submits no written response to the chair of the Committee on University Governance within the specified timeframe, the Committee on University Governance may proceed to consider the complaint.



4. Following the deadline for the respondent's written response and the conclusion of any investigation, the Committee on University Governance shall conduct a hearing to consider the complaint against the board member. The chair of the Committee on University Governance shall preside over the hearing, which shall include a full and accurate presentation of all relevant facts. During this hearing, the respondent member shall be permitted to be heard.

5. At the conclusion of the hearing, the Committee on University Governance shall assess the evidence presented using a preponderance of the evidence standard and recommend to the Board of Governors findings and action that the committee deems appropriate.



### Select Legal Requirements

#### **Open Meetings**

All meetings, including committee meetings, are subject to the open meeting laws. The Board (or committee) may go into closed session to discuss subjects permitted under North Carolina General Statutes.

All meetings of Board members, including standing and ad hoc committee meetings, are required to post public notice of these meetings at least 48 hours in advance of any session. If a majority of the board or a majority of any of its committees meet in anything other than a social setting, regardless of the topic of conversation, a meeting announcement must be completed.

Trustees are subject to personal liability for violation of the Open Meetings Act, if the violation is committed contrary to the advice of legal counsel.

#### Public Records

The General Statutes impose a duty on trustees and other university officials to preserve records related to their work for the university, **regardless of location**. This includes email and text received on personal/home accounts. (NCGS § 132-1, *et seq*.)

Members of the public have a right of access to all public records, unless some specific exception applies, such as laws making most personnel records and student records private and confidential.



## Select Legal Requirements

#### **Confidentiality and Privacy**

Trustees have a duty to maintain the confidentiality of several groups of records:

- Students' "education records," which are very broadly defined, under the federal Family Educational Rights and Privacy Act ("FERPA"). (34 CFR 99.1, et seq.)
- Personnel records of applicants, current and former employees. (NCGS § 126-22, et seq.)
- Individually identifiable health information of patients under the Health Insurance Portability and Accountability Act. ("HIPAA")
- Personal information (e.g., social security numbers) under the N.C. Identity Theft Prevention Act.

Under the State Government Ethics Act ("Ethics Act") a trustee may not (a) improperly use or disclose any confidential information; or (b) use or disclose nonpublic information gained by reason of the trustee's official responsibilities in a way that would affect a personal financial interest of the trustee, a family member, or an associated person, governmental unit, or business. (NCGS § 138A-34.)



### Select Legal Requirements

Conflict of Interest

The state-approved conflict of interest statement is read prior to each committee and board meeting. It is expected that each board member will assess his/her conflicts of interest and appearance of conflicts and disclose those at that time.

UNC Policy to be reviewed annually:

Expectations of Board Members, adopted April 2015 (http://www.northcarolina.edu/apps/policy/index.php?pg=vs&id=17446&added=1 Dual Membership and Conflicts of Interest, UNC Policy Sec. 200.1 (http://www.northcarolina.edu/apps/policy/index.php?pg=vs&id=252&added=1)

Public officers and employees are generally prohibited from benefiting from public contracts. (NCGS \$14-234) Gifts and favors may not be accepted from vendors or persons/companies seeking to do business with ECU. (NCGS \$133-32.)

The Ethics Act (NCGS § 138A-1, *et seq.*) imposes several requirements discussed in a separate training session. Notably, a trustee is prohibited from engaging in an official action that results in financial gain for the trustee or a member of his/her family, or an associated business/employer, or results in a direct pecuniary loss to a business competitor of the trustee.



Attachment B

**ECU** 

R. H. WRIGHT



# **Investing in Student Success**

# Board of Trustees Finance Orientation



#### Agenda

**Current Challenges and Potential Solutions** 

**Organization Structure and Governance** 

**Financial Trends** 

Benchmarking

HEERF

S&P Global Credit Rating

Challenges

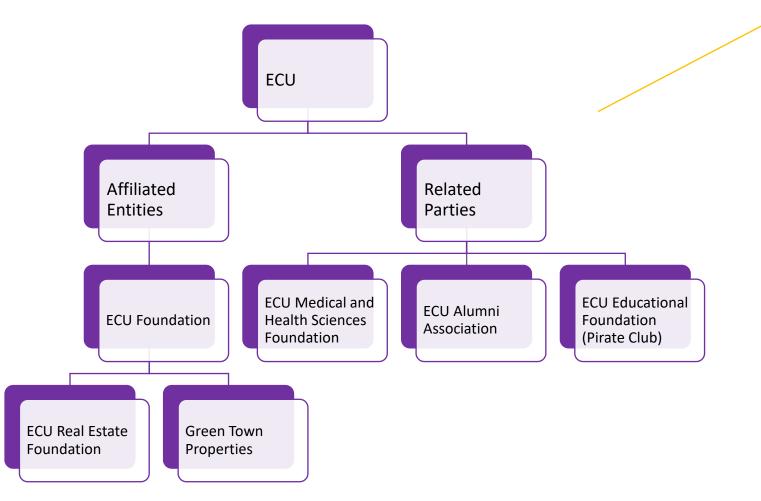
Emerging from the pandemic, higher education has a critical need to reenroll students and connect students to the world of work.

- Enrollment challenges
- FY 2022 state funding investments expected to stay flat with few exceptions
- Workforce Challenges

#### Solutions

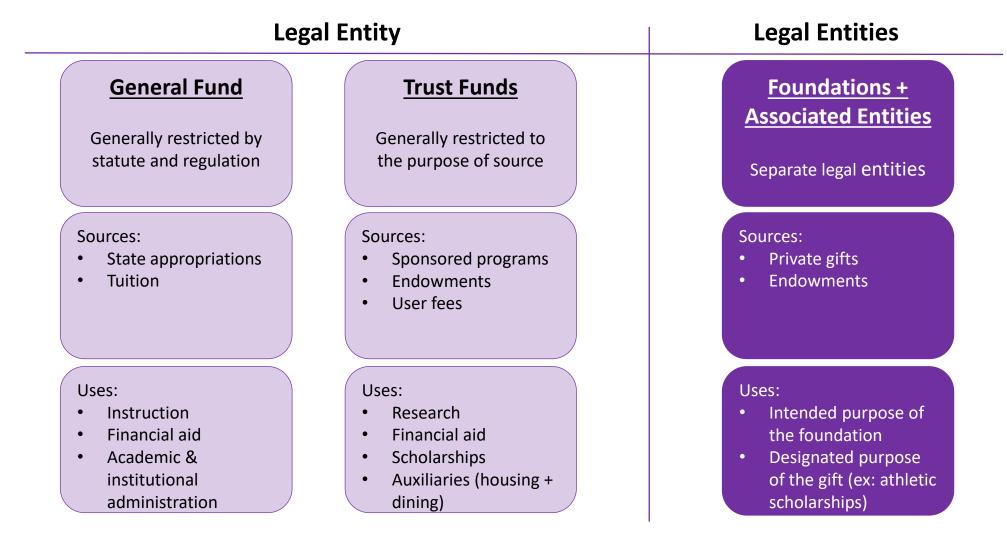
HEERF	Academic Portfolio	Admin Services	Reallocate	Transparency		
Maximize the use of federal HEERF funding to invest in long term solutions; subject to Federal spending guidelines	Continue to review its academic portfolio to ensure a sustainable mix of programs that respond to student and employer demand	Review its administrative services to reduce cost and maintain service levels	Reallocate existing resources toward growth opportunities	Increase the level of transparency and accountability at ECU through current success metrics and enhanced reporting.		

#### ECU Organization Structure



While ECU is "one University" within the UNC System, it is composed of several affiliates and legal entities that work together to support the ECU Mission

## Accounting Fund Types



#### Financial Governance

Audit

- Annual audit by the Office of the State Auditor
- Annual external audit of associated entities
- Internal Audit reviews financial processes throughout university

Regulatory

- Highly regulated by Office of State Budget Management (OSBM), Office of State Controller (OSC), and State Treasurer
- Reviewed by other outside entities: SACS and other accreditors, Office of State Human Resources (OSHR), NC Dept of Insurance, among others
- ECU adheres to UNC and Board of Governors policies

**S** Accounting

- ECU follows Generally Accepted Accounting Principles (GAAP) and Governmental Accounting Standards Board (GASB)
- Fund accounting used to record transactions
- Fiscal year ends June 30
- Assessment of Internal Controls over Financial Reporting completed for OSC and UNC-SO

#### Financial Governance - Budget



- Decentralized budgets prepared across University
  - Final budgets approved by Vice Chancellor Administration and Finance and Chancellor
- Auxiliary funds CAN be used for expenses eligible for state appropriated funding but NOT vice versa

#### Budget

- NEW Board Action Required for FY 22-23 Budget
  - Board will approve unified budget in advance of submission to Board of Governors
  - *Timeframe for approval Spring 2022*



Attachment C

9

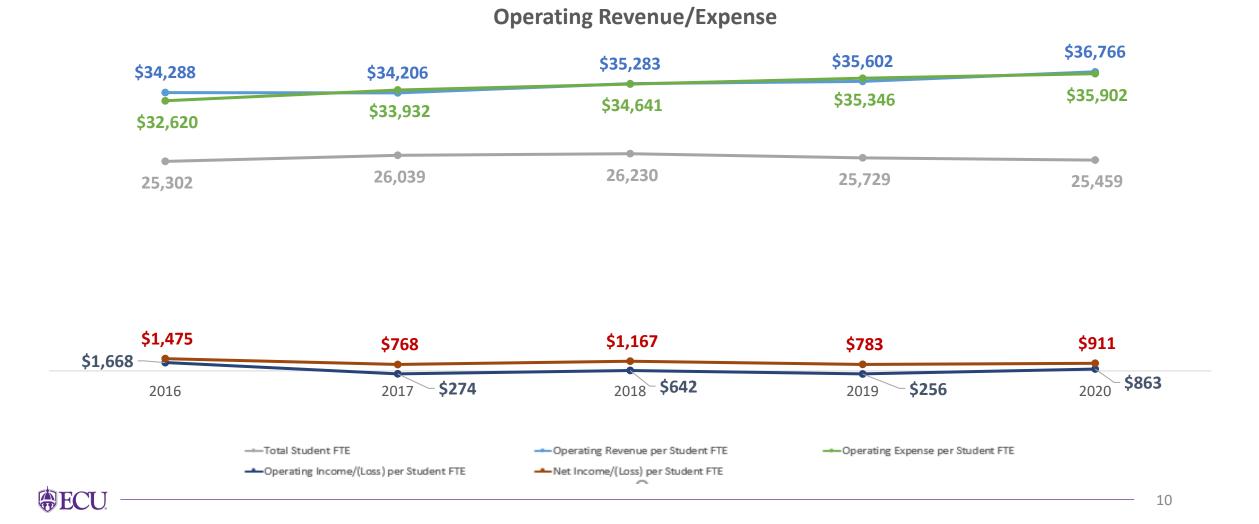
#### Statement of Revenues and Expenses

Fiscal Year Ending	2016		2017		2018		2019		2020
REVENUES									
Operating Revenues:									
State Appropriations	\$ 285,707,637	\$	294,056,862	\$	304,945,175	\$	309,395,459	\$	312,237,868
Student Tuition and Fees, Net	189,406,978		198,549,676		203,201,275		195,901,453		187,623,856
Patient Services, Net	204,523,305		207,488,958		222,351,903		213,295,932		227,071,300
Noncapital Grants - Student Financial Aid	51,942,056		51,225,087		55,080,999		57,159,583		55,599,402
Sales and Services, Net	92,667,409		94,321,280		95,885,674		90,597,428		81,251,135
Federal Grants and Contracts	16,473,521		17,647,016		18,138,969		22,131,090		25,198,599
State and Local Grants and Contracts	10,443,981		11,129,708		11,769,253		11,979,451		14,149,530
Nongovernmental Grants and Contracts	14,811,701		14,875,365		12,667,692		13,724,563		13,552,338
Other Operating Revenues	1,574,145		1,390,738		1,428,752		1,810,585		1,866,486
Federal/State Aid COVID 19									17,463,358
<b>Total Operating Revenues</b>	\$ 867,550,733	\$	890,684,690	\$	925,469,692	\$	915,995,544	\$	936,013,872
EXPENSES									
Operating Expenses:									
Salaries and Benefits	\$ 542,167,941	\$	585,052,751	\$	602,388,994	\$	589,853,389	\$	609,385,696
Supplies and Materials	86,829,639		93,916,961		94,621,580		95,051,740		84,868,231
Services	107,731,303		116,197,951		120,552,008		129,026,383		115,680,962
Scholarships and Fellowships	42,954,517		39,414,709		41,174,709		43,960,898		51,860,468
Utilities	17,455,582		17,762,975		18,678,638		18,467,201		17,225,052
Depreciation/ Amortization	28,203,746		31,197,553		31,227,100		33,054,228		35,018,746
Total Operating Expenses	\$ 825,342,728	\$	883,542,900	\$	908,643,029	\$	909,413,839	\$	914,039,155
<b>Operating Income/(Loss)</b>	\$ 42,208,005	\$	7,141,790	\$	16,826,663	\$	6,581,705	\$	21,974,717
- FB()	 	4	.,,//0	*		*	0,002,100	*	
	\$ (4,899,667)	\$	12,856,223	\$	13,780,729	\$	13,563,869	\$	1,225,213
Non-Operating Rev/Exp									

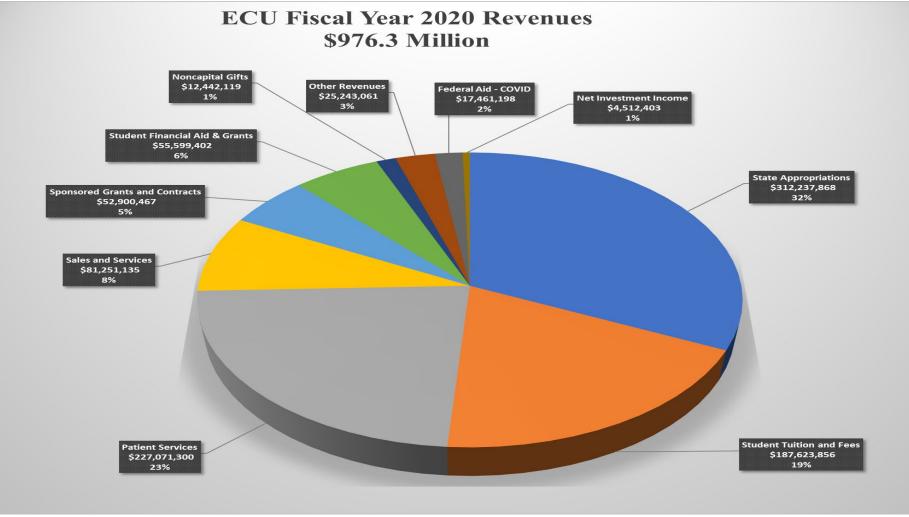
**ECU** 

NOTE: State Appropriations, Non-Capital Grants – Student Financial Aid and COVID relief included in Operating Revenues for presentation purposes

#### Operating Revenue, Expenses and Net Income per Student FTE is Relatively Consistent Over Time



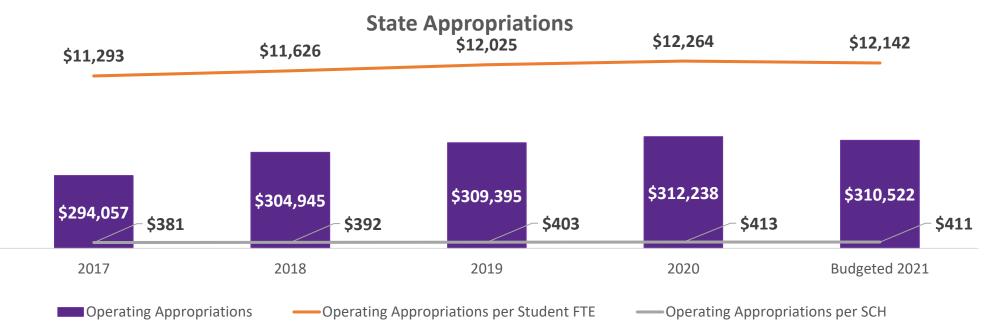
#### State Appropriations, Patient Services, and Student Tuition and Fees Account for 74% of Total Revenue



NOTE: Includes both operating and non-operating revenues

11

#### State Appropriation Driven by Student Activity



- In thousands for Operating Appropriations, not per student FTE
- Funded based on student credit hours (SCHs) weighted for undergraduate, masters, doctoral and course "intensity"
- Tuition is deducted from state appropriation calculation, so ECU receives same amount for in-state and out-of-state students (appropriations + tuition)
- Based on actual enrollment and calendar year

#### Sources of Revenue

State Appropriations: \$312M (32%)

- Start with prior year state budget and increase when state approves legislative salary increases/benefits and other legislative priorities
- Adjusted up/down for enrollment based on prior year actuals

Student Tuition and Fees: \$187M (19%)

- Board approved with student involvement
- Annual Campus Initiated Tuition Increase (CITI) process conducted using parameters from System Office
- Undergraduate resident tuition has been "frozen" for 4 years and is locked in for 4 years for each student
- Graduate/nonresident/professional school tuition can be increased
- Last several years fee increase limited to 3% by policy, FY22 2% increase

#### Sources of Revenue - Continued

Patient Service: \$277M (23%)

• Revenues generated by ECU Physicians and School of Dental Medicine

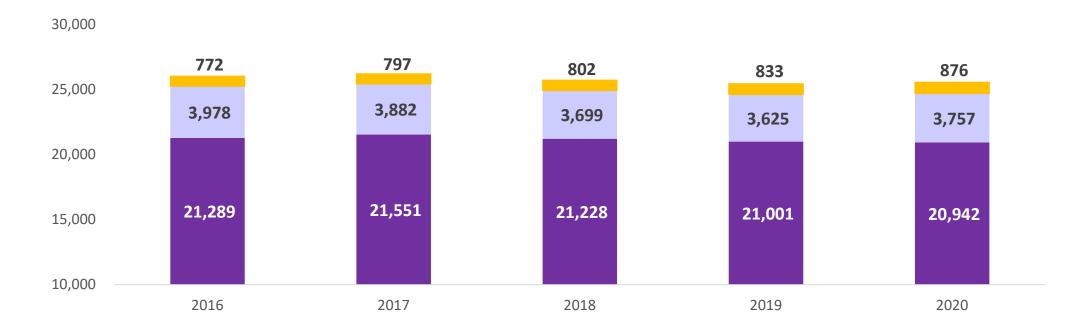
Sales and Services: \$81M (8%)

• Auxiliaries such as housing, dining, parking, bookstores, etc

Other Revenues: (18%)

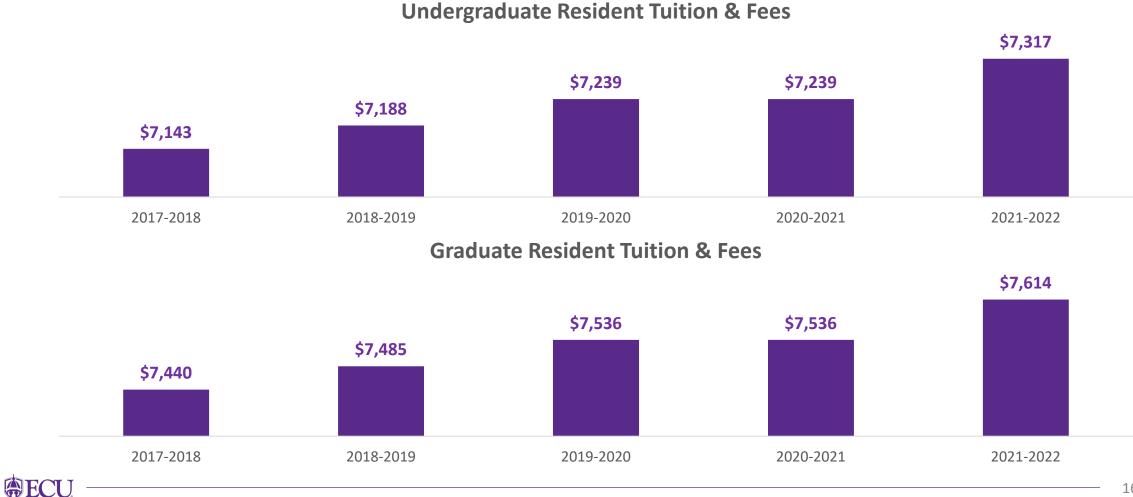
• Gifts, grants, contracts, student financial aid, federal aid, investment income, other revenue

## Undergraduate Enrollment Declined 2.8% Since 2017; Professional FTE Increasing



**Full-Time Equivalents** 

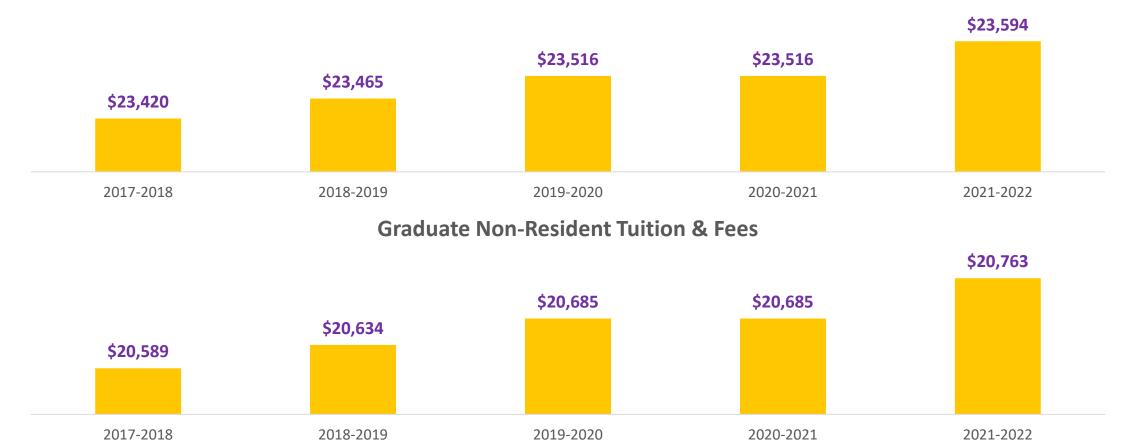
#### Tuition Held Flat; Fees Driving Increases



\*Excludes Medical and Dental Tuition & Fees

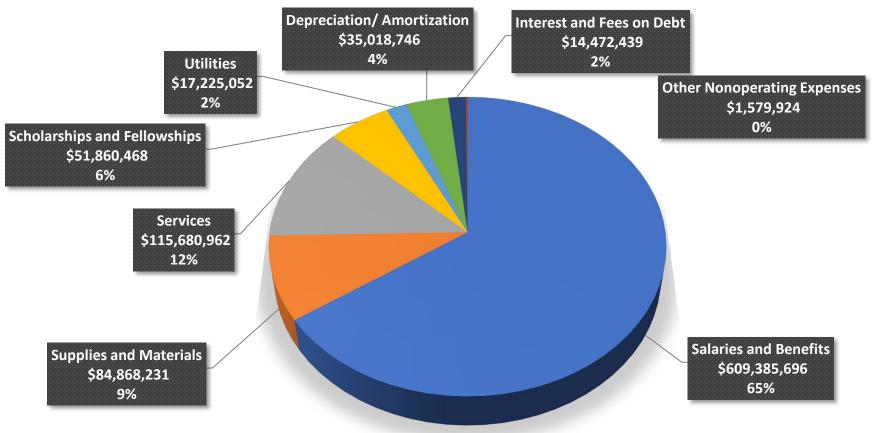
#### Non-Resident Tuition and Fees Increase <1% Since 2017

**Undergraduate Non-Resident Tuition & Fees** 



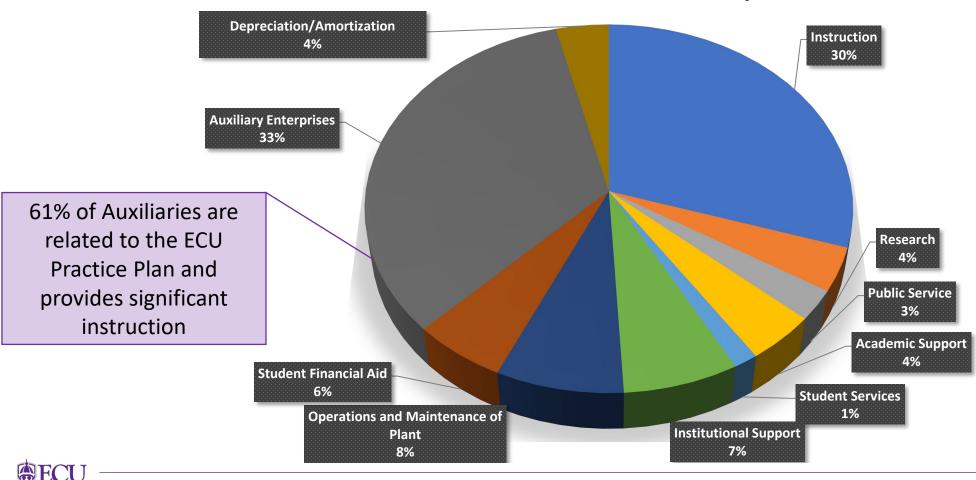
\*Excludes Medical and Dental Tuition & Fees

# Salaries and Benefits Make Up 65% of Expenses



#### ECU Fiscal Year 2020 Expenditures \$930.1 Million

# >60% Functional Expense in Instruction and Auxiliary Enterprises



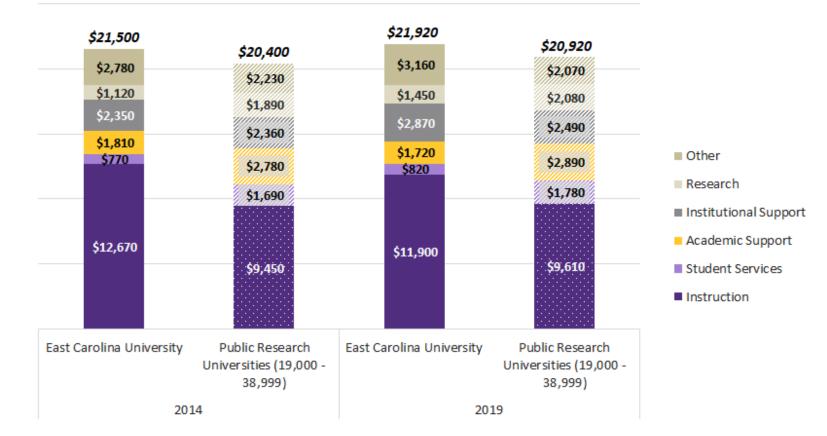
**ECU Fiscal Year 2020 Functional Expenses** 

<sup>\*</sup> NOTE: 61% of Auxiliaries are related to the ECU Practice Plan

### E&G Spending Rose Modestly but Remains Near Average

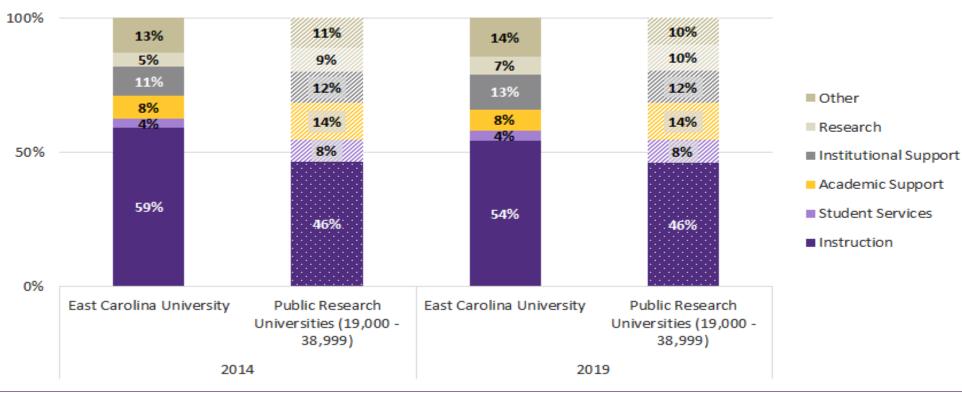
- ECU spent \$1,000 more per student in FY19 compared to the benchmark group. Per student spending on instruction and student services was 10% higher than the benchmark group average.
- ECU's per-student spending increased 2% from FY14 to FY19 as enrollment and spending both increased modestly; average spending per student in the benchmark group rose at a similar rate.

#### Education and General Spending per FTE Student, by Component, FY2014 and FY2019 (in 2019 dollars)



#### More than Half of Spending Directly Benefits Students

- ECU directs 58% of total E&G spending to instruction and student services, which is above the benchmark college average (54%).
- ECU made small changes in the allocation of its resources between FY14 and FY19, and redirected resources away from instruction.



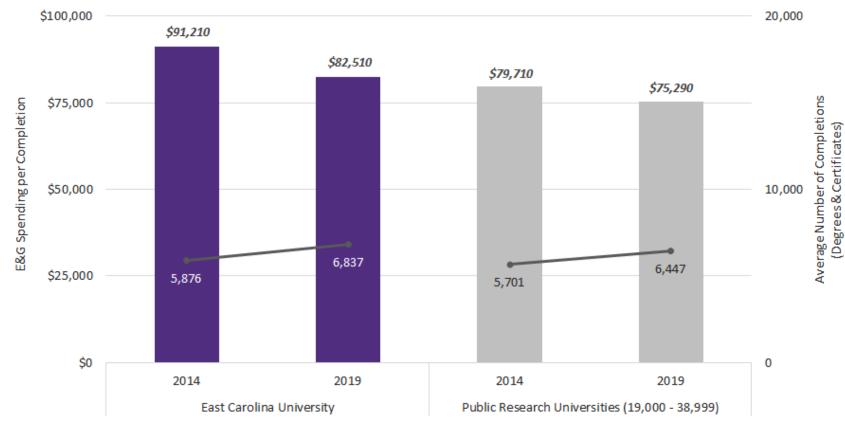
#### Distribution of Education and General Spending per FTE Student, by Component, FY2014 and FY2019

Attachment C

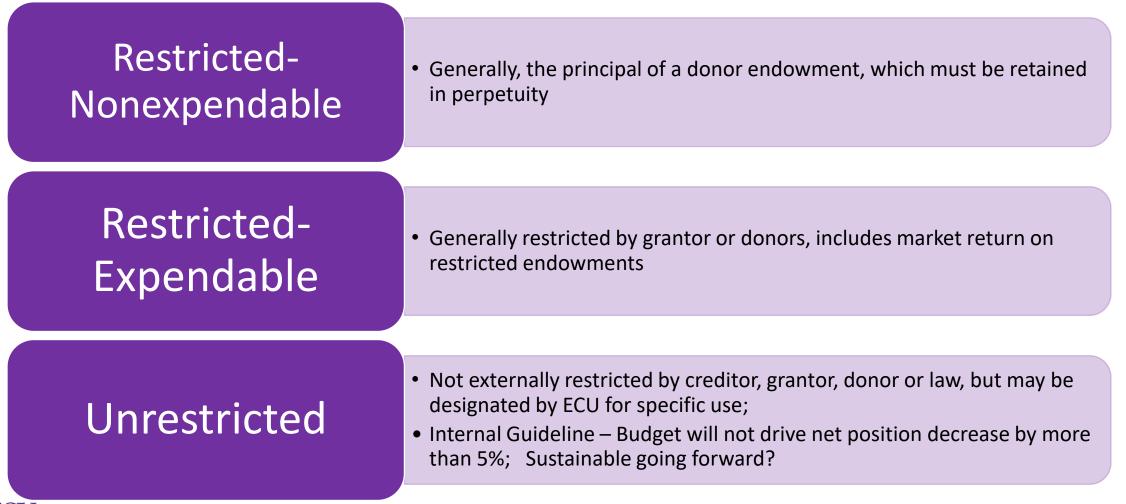
#### Cost per Completion Decreased, Alongside the Benchmark Average

- ECU's education and general spending per completion (degrees and certificates awarded) was 10% higher than the benchmark average in FY19.
- The number of degrees and certificates awarded by ECU increased 16% between FY14 and FY19, which reduced the cost per completion 10% amid modestly rising spending levels. The benchmark group had a 13% increase in degree productivity, which offset spending increases and reduced the cost per completion by 6%.

#### Education and General Spending per Completion (Degrees/Certificates Awarded), FY2014 and FY2019 (in 2019 dollars)



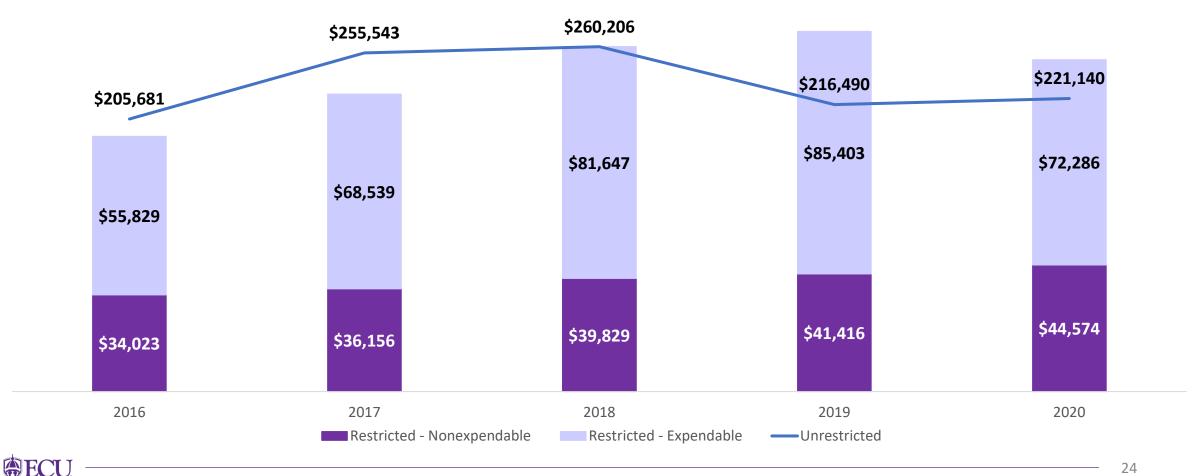
#### Definitions of Net Position Variables



Attachment C

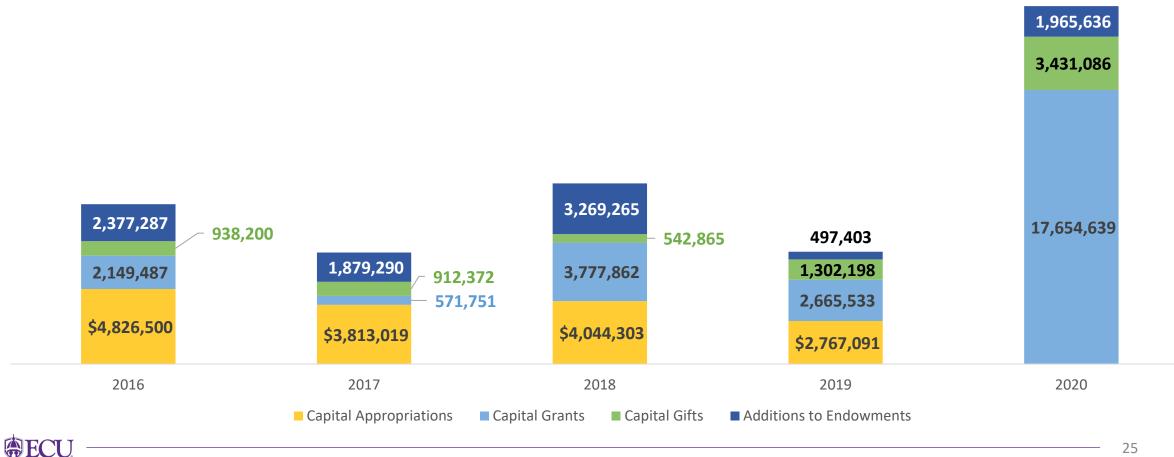
#### Unrestricted Net Position Decreased 17% in 2019

**Unrestricted and Restricted Net Position (In Thousands)** 



#### Attachment C Capital Appropriations and Grants are Based on Projects Approved by Legislature

**Capital Funding** 

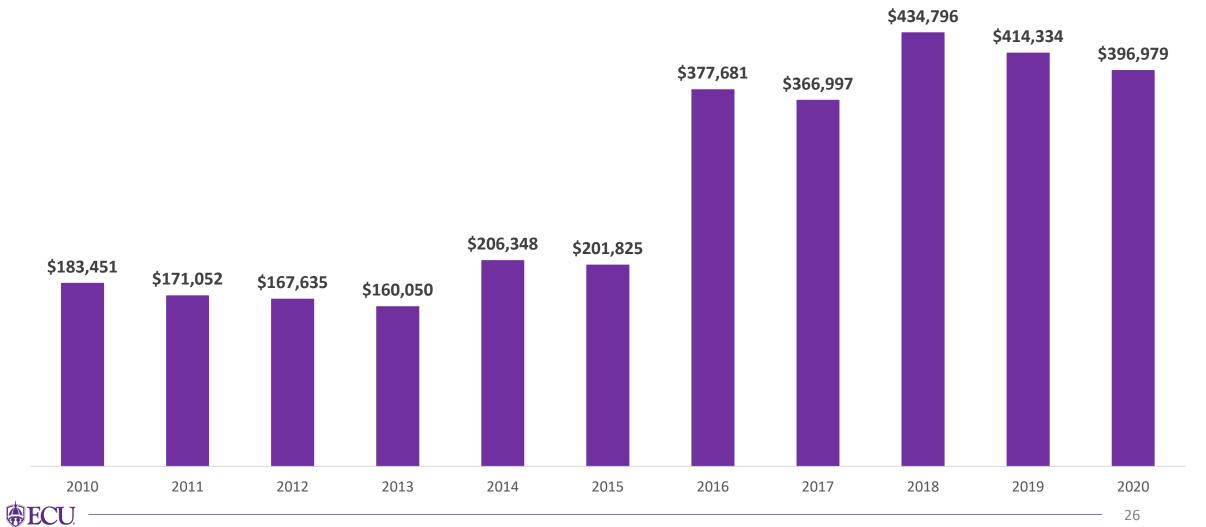


NOTE: 2020 Capital grant primarily related to construction of the new Life Sciences and Biotechnology Building

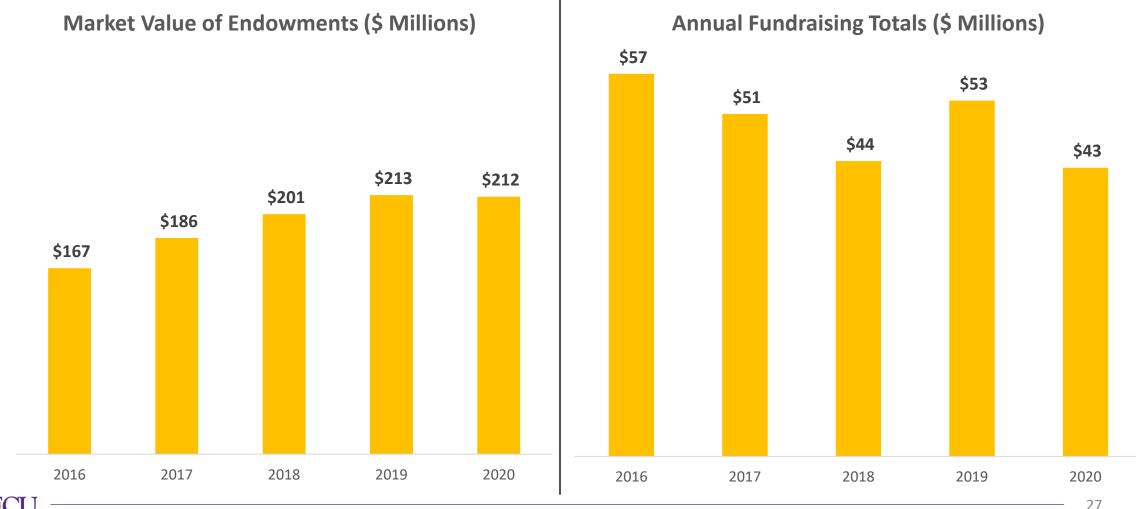
Attachment C

#### Debt Increase in 2016 for Main Campus Student Ctr

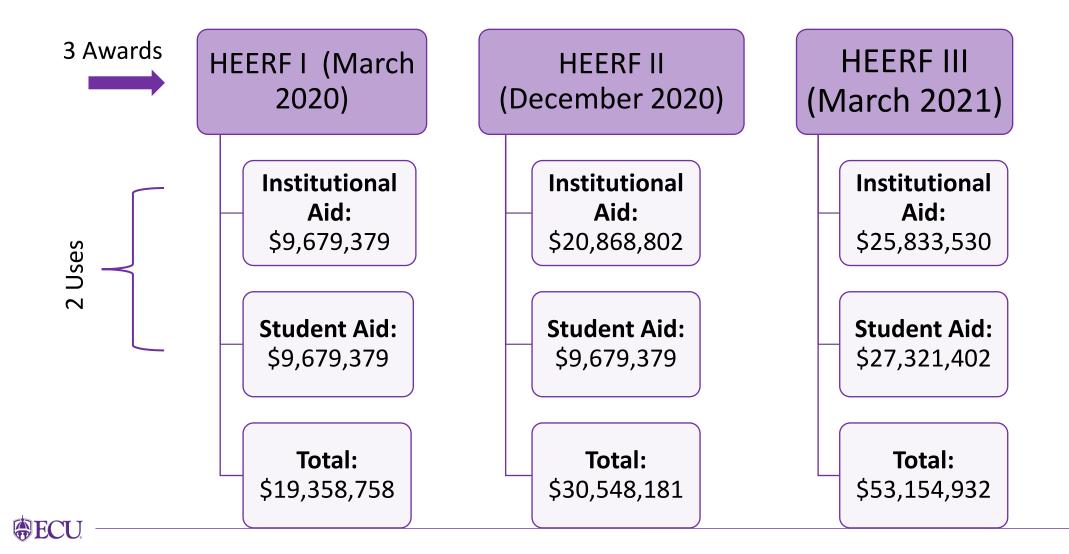
Long-Term Debt (In Thousands)



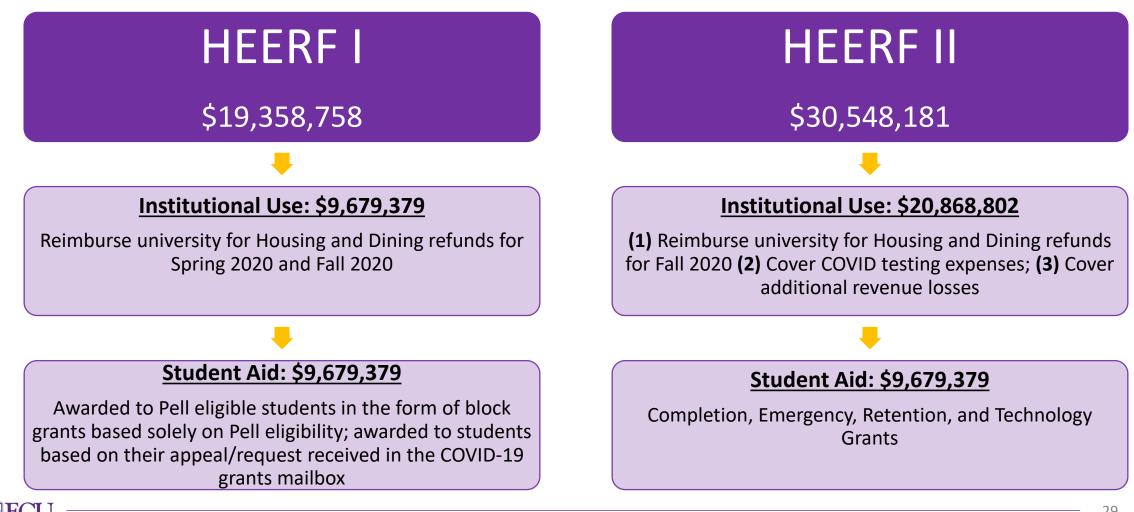
## Endowment Value Remains Stable Fundraising Drops to Lowest Level in 5 years



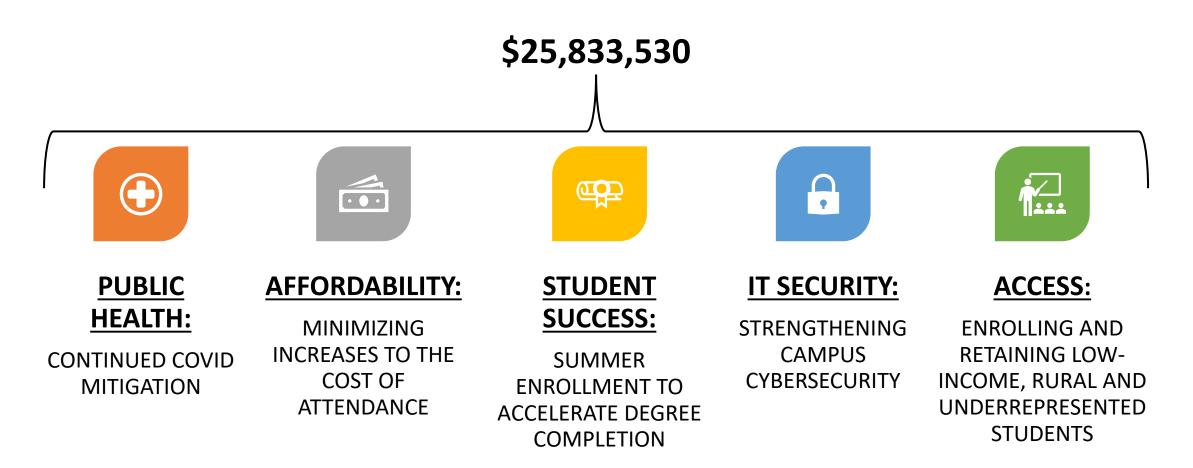
#### HEERF = Higher Education Emergency Relief Funds



### HEERF I and II Spending



#### HEERF III – UNC System Priorities



#### S&P Global Credit Rating Improvement

- Enterprise profile: Very Strong
  - Stable enrollment
  - Solid retention
  - Strategic initiatives that have grown programmatic and online offerings
- Financial profile: Very Strong
  - History of full-accrual operating surpluses
  - Manageable maximum annual debt service

#### Improvement from Fall 2020 S&P rating of negative

Attachment C

2021

**Rating:** 

AA-

Attachment C

#### Potential Rating Scenarios

#### Downside Scenario: Lower rating to negative due to the following

- Decrease in available resources
- Weaker demand metrics
- Change in healthy operating margins
- Take on additional debt without proportional resource growth

# Upside Scenario: Revise rating to positive due to the following

- Improve enterprise-demand metrics (selectivity + matriculation)
- Continue to maintain full-accrual operating surpluses
- Material increase in available resources
- Additional debt remains supported by proportionate resource growth



#### **Questions/Feedback**



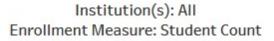


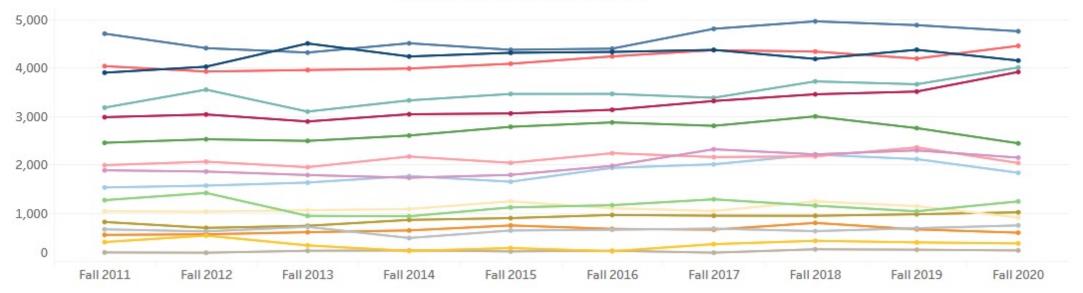
# Undergraduate Student Recruitment

Stephanie Whaley

Assistant Vice Chancellor & Director for Admissions

#### Undergraduate, First-time New Students UNC System Schools

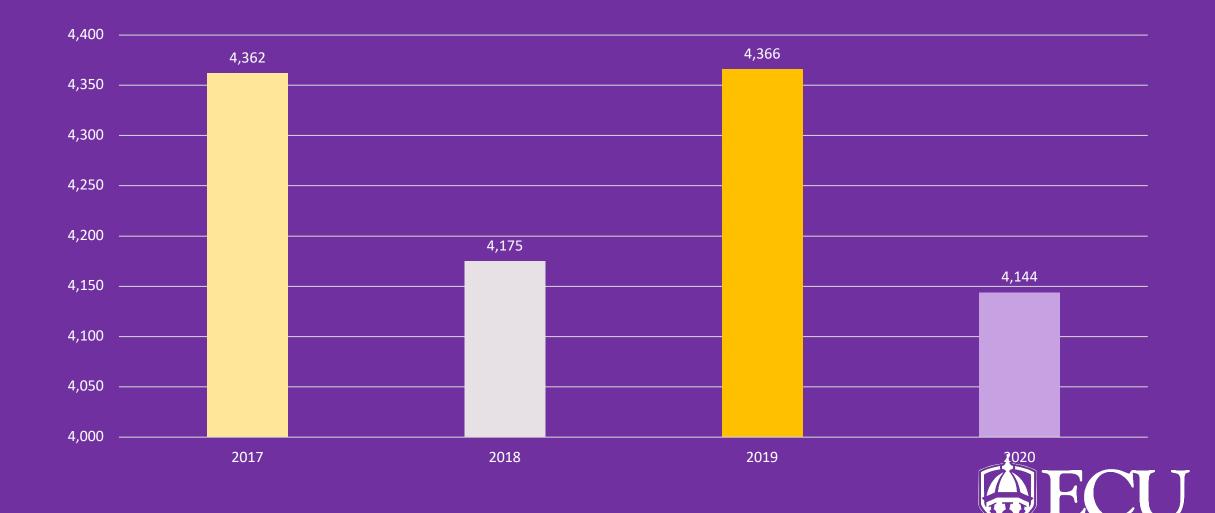




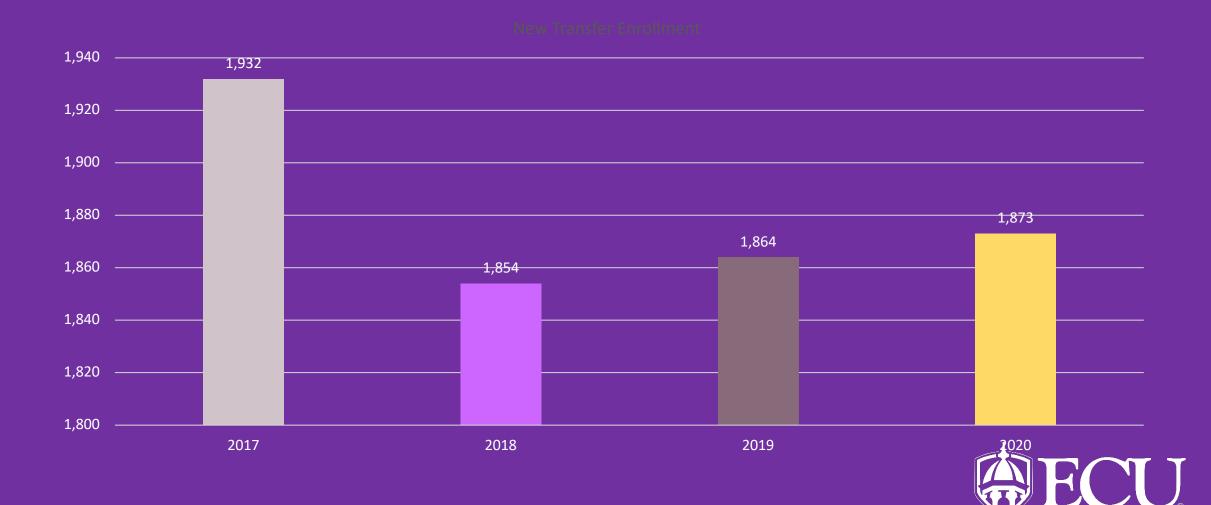


Source: UNC System Data Dashboard

#### New Freshman Enrollment

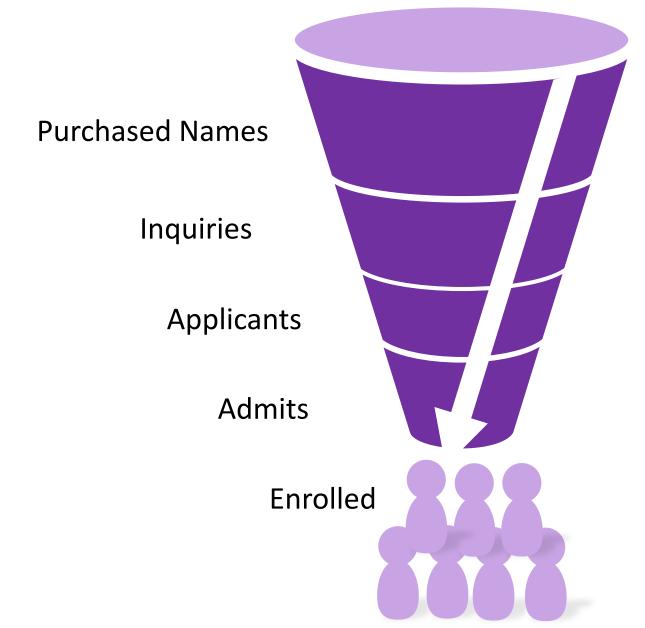


#### New Transfer Enrollment



Attachment D

## **The Admissions Funnel**





## Fall 2020 Freshman Class Stats

- 87% In-State
- Average SAT 1094
- Average ACT 22.1
- Average unweighted high school GPA 3.33
  - 1% increase in Hispanic enrollment



Academic Program	Headcount
BSN-Nursing	717
BS-Biology	389
Undeclared	344
BS-Exercise Physiology	221
BSBA-Management	183
BA-Psychology	174
BSBA-Marketing	131
BS-Criminal Justice	129
BS-Engineering	128
BS-Computer Science	104
BS-Elementary Education	104
BS-Construction Management	100
BFA-Art	94
BS-Public Health	93
BS-Communication	86

Top 15 Majors

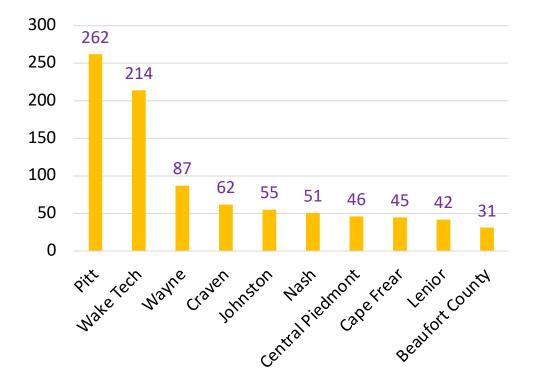
# **Top 15 High Schools**

D H Conley High School Heritage High School Millbrook High School Junius H Rose High School Green Hope High School Leesville Road High School Panther Creek High School W.A. Hough High School Wake Forest Hs Cardinal Gibbons High School Holly Springs HS South Central High School **Rolesville High School** Fuquay-Varina Senior Hs Middle Creek High School

	78	
	61	
	55	
	50	
	50	
	46	
	43	
	38	
	35	
	34	
	32	
	31	
	31	
	31	
	30	

## **Transfer Student Profile Fall 2020**

- 72% of transfers come from NC Community Colleges.
- The average transfer GPA is: 3.09.



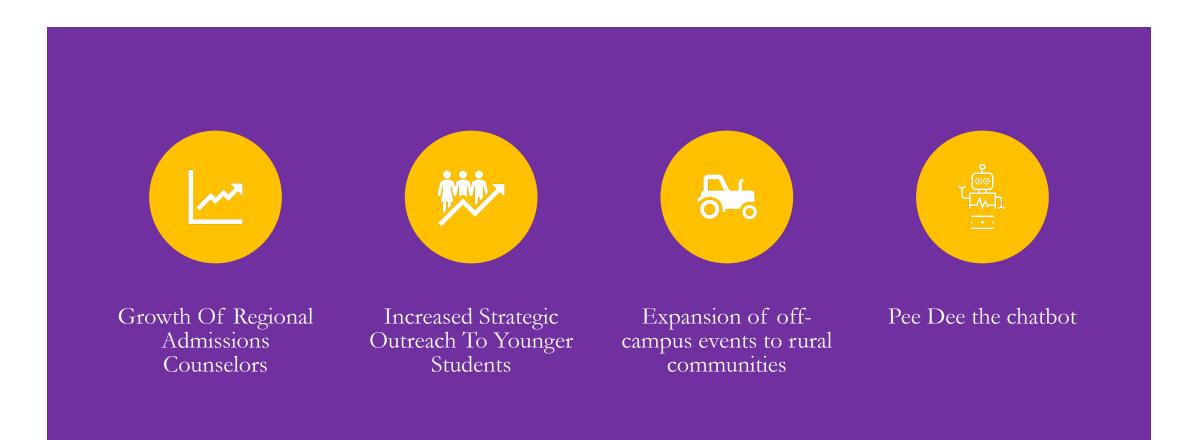
# **Ongoing Freshmen Recruitment Strategies**

- High school visits
- College fairs
- Comprehensive communication plans at all stages of the enrollment funnel
  - Email
  - Phone calls
  - Social Media
  - Targeted digital ads
  - Texting
- Personalized follow-up from counselors
- Campus tours
- On and off campus events



Attachment D

## **New Freshmen Initiatives**





## **Transfer Recruitment Strategies**

## **Traditional**

- Community College Programing
- College fairs
- Personalized follow up with prospects
- Comprehensive communication plans at all stages of the enrollment funnel
  - Email
  - Phone calls
  - Social Media
  - Targeted digital ads
  - Texting

## <u>New</u>

- Expansion into out-of-state markets
- Pirate Promise Partnership Expansion





opportunit *<b>BEC* 

*<b>RECU* 

Advance

MAIN CAMPUS STUDENT CENTER

The new 220,000-square-foot (the equivalent of four and a half footbu

14.000-square-foot grand ballroom that can hold 1.900 quests

Upered statement stores
Multiple lounges, study rooms, an online gaming center and an outdoor patio
ECU sporting events projected on the 24 x 42 foot Pirate Vision outdoor digital display

· A 720-space parking deck with hourly parking in addition to our free visitor pass parking

The Student Center will be the beginning point for campus tours, becoming the first place that parents and prospective students visit. Dr. Virginia Hardy, vice chancellor for student

affairs said, "This (building) will change the culture of our campus." The new building replace

APPLY FOR TRANSFER AS SOON AS POSSIBLE

at ECU is open! Features of the LEED certified facility include

Group and the stort grand bairoom that can hold 1,5
Six dining options including: Panda Express, Starbuck:
Raising Cane's Chicken

• 10 000-square-foot commons area

Downly Student Stores

· 250-seat black box theater and the Central Ticket Office

nt Center, which opened in 1974.

NOW OPEN

IMPORTANT DATES

March 28 Summer and Fall Early

larch 30 Pirates Aboard

April 22 Summer 2019 Transfer Application Deadline

May 30-31 Transfer orient

June 10 Fall Transfer Applicat

August 19 Fall classes begi

Please visit our website a

March 1 Orientation

April 13 MADE Day

Apply through your admissions portal account Once your application is complete (including tran within 2 weeks. Secure your spot by \$100 deposit.

TRANSFER STUDENTS





#### Review your Credit Evaluation

%%firstname%%, we know one of the biggest questions you may have right now is the status of your transferrable credits. Once the Registrar completes the review of your transcript(s), you will be able to access your official credit evaluation by following these steps:

- 1. Log into PiratePort using your PirateID and password 2. Select "Banner Self Service" tile or use the search bar
- 3. Select "Student," then "Student Records," and then "Academic Transcript"
- 4 Click "Submit"

Credit evaluations are typically complete about 2-3 weeks after you receive notice of admission

Once you get your evaluation, please review it thoroughly. If you have any was not accepted, please email your name, Banner ID and the course(s) in



ecu.edu

Guaranteed ECU<sup>®</sup> admission for gualified students attending a partner community college

#### Prepare for your future.

Join Pirate Nation<sup>™</sup> with Pirate Promise. ECU extends an invitation to participate from your community college before you graduate and transfer. Pirate Promise is the starting point for community college students to attend special events, get advising and have support as you transfer to ECU.

#### Get these benefits:

- Guaranteed admission to ECU upon completion of an associates degree Waived ECU transfer application fee
- Joint academic advising
- Joint financial aid counseling and RaiseMe micro-scholarship opportunities
- Eligible to receive an ECU 1 Card
- Access to ECU Libraries
- Participate in select campus activities including "invitation only" Pirate Promise events at ECU
- And much, much, more!

students must have a cumulative GPA of 2.5. A list of eligible associate programs can be found in the NC Comprehensive Articulation Agreement. The Pirate Promise program does not guarantee admission to a specific major or program.



ttachment D

#### **Questions?**

Contact us at transfer@ecu.edu or 252-328-6640, or at PiratePromise.ecu.edu.

Find more information and resources for

transfer students like you:

Office of Undergraduate Admissions www.ecu.edu/transfer

### FCU

**Collaboration with Marketing** 



questions about how we reviewed your credits or why a particular course question to crediteval@ecu.edu



One university.

EAST CAROLINA UNIVERSITY®

→ Ů â () file:///X:/Documents/Undergraduate%20Em: []] 🛠 📁 💪 🖻

*ECU* 

PIRATES IN YOUR TOWN

🖷 🖷 🗄 East Carolina University × 🕂 🗸

**⊜**ECU

Many paths to success.

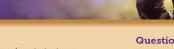
- 0 ×

downtown Wilmington for an evening of information about academics. the Honors College, and life at ECU. You will also meet the admission staff responsible for your region, who will discuss the application and admissions process.

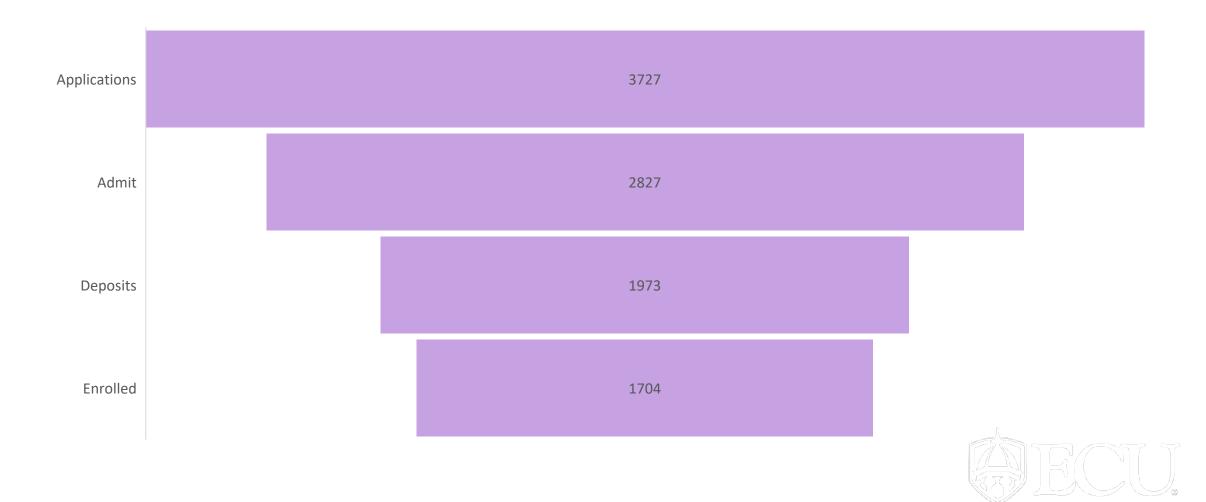
We hope you and your family can join us to discuss the many different academic opportunities available to you at East Carolina University. Come learn about a variety of programs while getting all of your admissions uestions answered. We look forward to seeing you soon!



Students must be enrolled in an associate degree program at one of the Pirate Promise partner community colleges. To maintain eligibility



# Fall 2021 Transfer Snapshot



## Fall 2021 Freshmen Snapshot



Attachment D

# Questions



## Contact Information

## **Stephanie L. Whaley**

Assistant Vice Chancellor and Director for Admissions

- **East Carolina University**
- **Office of Undergraduate Admissions**
- 100 Whichard | Mail Stop 517
- Greenville, NC 27858-4353
- Office: 252-328-5815
- Email: whaleys19@ecu.edu
- Web: admissions.ecu.edu

