

**East Carolina University  
Board of Trustees  
February 11, 2022**

**MINUTES**

The ECU Board of Trustees met in open session as part of their regular scheduled meeting series on February 11, 2022. The meeting originated from room 249 in the Main Campus Student Center, on the campus of East Carolina University in Greenville, NC.

Chair Scott Shook called the meeting to order.

**PLEDGE OF ALLEGIANCE**

Chairman Shook introduced Air Force ROTC Cadets Bannon Montgomery, a Management major from Wesley Chapel, FL and Joseph Donalds, a Geography major from Lakenheath, England to lead the board in the Pledge of Allegiance.

**READING OF ETHICS STATEMENT**

In compliance with the State Government Ethics Act, Chairman Shook read the conflict of interest statement. No conflicts were identified.

**ROLL CALL**

Mr. Shook called on Mr. Vince Smith, Secretary, to call the roll.

Present

Cassandra Burt  
Leigh Fanning  
Dave Fussell  
Tom Furr  
Van Isley

Angela Moss  
Jason Poole  
Jim Segrave  
Scott Shook  
Vince Smith

Chandler Ward

Absent

Fielding Miller  
Jeffrey Roberts

## **CONSENT AGENDA**

Chairman Shook presented the consent agenda for consideration. Hearing no concerns, Chair Shook asked for a motion to approve the consent agenda. Trustee Furr made a motion to approve the consent agenda. The motion was seconded and approved with no negative votes. A copy of the consent agenda is listed as “Attachment A.”

## **RESOLUTION**

Chairman Shook presented a resolution to the board for consideration, in memory of Mr. Sam Wornom. Chairman Shook read the resolution in the form of a motion.

Whereas, Samuel Joseph Wornom, III was a longtime friend of East Carolina University and left a true Pirate legacy; and

Whereas, Sam Wornom graduated from East Carolina University in 1965 with a bachelor’s degree of arts in Business Administration; and

Whereas, Sam Wornom personified the ECU motto, Servire – “to serve” each day, exhibited by his service to his family, his church, his community and his university; and

Whereas, Sam Wornom was a servant leader to the university, having served on the East Carolina University Board of Trustees from 1983 until 1991, serving as Chair for two terms in addition to serving as a long-time member of the Pirate Club; and

Whereas, the Wornom Family is considered one of the most philanthropic families in ECU history, and has generously supported ECU Athletics financially for more than 40 years, providing student athletes a foundation for future success; and

Whereas, due to the generosity of Sam and Sandy Wornom, the East Carolina University Athletics Ticket Office proudly bears the Wornom name; and

Whereas, Sam’s contributions extend far beyond financial as his guidance, counsel and support has been felt by university leaders for decades.

Now Therefore Be It Resolved, the ECU Board of Trustees expresses its appreciation and gratitude for the legacy of great Pirate, Mr. Samuel J. Wornom, III, for his lifetime of unwavering support, dedication, and commitment to East Carolina University.

The motion was seconded. The resolution was passed unanimously.

## **UNIVERSITY REPORTS**

### **CHANCELLOR'S REPORT**

Chairman Shook called on Chancellor Philip Rogers to present his report to the board.

A copy of the report is listed as "Attachment B."

### **REPORT FROM THE STUDENT GOVERNMENT ASSOCIATION**

Chairman Shook called on Trustee Chandler Ward, president of the Student Government Association, to provide a report on behalf of the student body. The full text version of his remarks is listed as "Attachment C."

### **REPORT FROM THE FACULTY**

Chairman Shook called on Dr. Purificacion Martinez, Chair of the Faculty, to provide a report on behalf of the faculty. The full text version of her remarks is listed as "Attachment D."

### **REPORT FROM THE STAFF**

Mr. Shook called on Ms. Aisha Powell, Chair of the Staff Senate, to provide a report on behalf of the staff. A full text version of her remarks is listed as "Attachment E."

### **REPORT FROM THE BOARD OF VISITORS**

Chairman Shook called on Ms. Wanda Montano, Chair of the Board of Visitors, to provide a report on behalf of the Board of Visitors. A full text version of her remarks is listed as "Attachment F."

## **COMMITTEE REPORTS**

### **ATHLETICS AND ADVANCEMENT**

Chairman Shook called on Trustee Segrave, Vice Chair of the Athletics and Advancement Committee, to present the committee report. A full text version of the report is listed as “Attachment G.”

Trustee Segrave had one item for board consideration. Trustee Segrave moved the board approve the plan for the establishment of the Spangler Distinguished Professorship of Early Childhood Literacy within the ECU College of Education as presented in board materials. The motion was seconded and approved with no negative votes. This item is listed as “Attachment H.”

### **AUDIT, RISK MANAGEMENT, COMPLIANCE AND ETHICS COMMITTEE**

Chairman Shook called on Mr. Smith, Chair of the Audit, Risk Management, Compliance and Ethics Committee, to present the committee report. There were no action items for consideration. A full text version of the report is listed as “Attachment I.”

### **FINANCE AND FACILITIES COMMITTEE**

Chairman Shook called on Trustee Poole, Chair of the Finance and Facilities Committee, to present the committee report. A full text version of the report is listed as “Attachment J.”

### **HEALTH SCIENCES COMMITTEE**

Chairman Shook called on Trustee Furr, Chair of the Health Sciences Committee, to present the committee report. A full text version of the report is listed as “Attachment K.”

## **UNIVERSITY AFFAIRS COMMITTEE**

Chairman Shook called on Trustee Fanning, Chair of the University Affairs Committee, to present the committee report. A full text version of the report is listed as “Attachment L.”

### **CLOSED SESSION**

Trustee Ward moved that the board go into closed session to prevent the premature disclosure of an honorary degree, scholarship, prize, or similar award; and to prevent the disclosure of confidential information under NC General Statutes 126-22 to 126-30 (personnel information) and the federal Family Educational Rights and Privacy Act; and to consider the qualifications, competence, performance, character, fitness, or appointment of prospective and/or current employees and/or to hear or investigate a complaint or grievance by or against one or more employees; and to consult with an attorney to preserve the attorney-client privilege between the attorney and the Board.

The motion was seconded and approved, and the board moved into closed session.

### **RETURN TO OPEN SESSION**

Once the board returned to open session, there were items for consideration.

### **ACTIONS FROM CLOSED SESSION**

Chairman Shook called on Trustee Segrave, Vice-Chair of the Athletics and Advancement committee. Mr. Segrave moved that the board approve the employment agreement for Director of Athletics Jon Gilbert as presented in board materials.

The motion was seconded, and there were no negative votes. A full text version of the agreement is listed as “Attachment M.”

Trustee Segrave moved that the board approve the naming of the Maker’s Lab in the Isley Innovation Center in memory of former trustee and true Pirate Mr. Sam Wornom as presented in board materials. The motion was seconded and approved with no negative votes. A full text version of the naming document is listed as “Attachment N.”

Trustee Fanning moved that the board approve the appointment of Dr. Linda Kean to the Dean position in the College of Fine Arts and Communication effective July 1, 2022, at a twelve-month annual salary of \$220,000, contingent upon UNC President approval. The motion was seconded approved unanimously. A full text version of the agreement is listed as “Attachment O.”

#### **UNFINISHED BUSINESS**

There was no unfinished business for board consideration.

#### **NEW BUSINESS**

There was no new business for board consideration.

#### **ADJOURNMENT**

Hearing no further business to come before the board during this session, Mr. Shook adjourned the meeting.

Respectfully submitted,

Megan Ayers  
Assistant Secretary to the Board of Trustees

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**A G E N D A**  
February 11, 2022

- |      |   |                                       |
|------|---|---------------------------------------|
| I.   | Call to Order   | <b>Scott Shook</b><br>Presiding       |
| II.  | Pledge of Allegiance  |                                       |
| III. | Roll Call   | <b>Vince Smith</b><br>Secretary       |
| IV.  | Conflict of Interest  |                                       |
| V.   | <b>Consent Agenda</b>   |                                       |
|      | A. Minutes  |                                       |
|      | 1. November 12, 2021  |                                       |
|      | 2. December 2, 2021   |                                       |
|      | 3. December 13, 2021  |                                       |
|      | B. Athletics & Advancement Committee  |                                       |
|      | 1. Naming – Golden Leaf Foundation First Floor of Life Sciences & Biotech Building                          |                                       |
|      | 2. Naming – Dr. & Mrs. Douglas Privette Meeting Room in Life Sciences & Biotech Building                    |                                       |
|      | C. Finance & Facilities Committee   |                                       |
|      | 1. Revisions to the Employment-Related Background Checks and Criminal Activity Reporting Policy             |                                       |
|      | 2. In-State Tuition / Athletics Scholarship   |                                       |
|      | D. Health Sciences Committee  |                                       |
|      | 1. Nonsalary Compensation (SHERPA) for two employees in Office of General Counsel (J. McKellar/A. Williams) |                                       |
|      | E. University Affairs Committee   |                                       |
|      | 1. Revisions to the Faculty Manual Part VIII.I.I. – Personnel Policies and Procedures                       |                                       |
|      | 2. Revisions to the Patent Policy   |                                       |
| VI.  | <b>Chancellor's Report</b>  | <b>Philip Rogers</b><br>Chancellor    |
| VII. | <b>Report from the Student Body</b>   | <b>Chandler Ward</b><br>SGA President |

- VIII. **Report from the Faculty**  
**Purificacion Martinez**  
Chair of the Faculty
  
- IX. **Report from the Staff**  
**Aisha Powell**  
Chair of the Staff Senate
  
- X. **Report from the Board of Visitors**  
**Wanda Montano**  
Chair of the Board of Visitors
  
- XI. **Committee Reports and Recommendations**
  - A. Athletics and Advancement Committee  
Fielding Miller, Committee Chair
  - B. Audit, Enterprise Risk Management, Compliance and Ethics Committee  
Vince Smith, Committee Chair
  - C. Finance and Facilities Committee  
Jason Poole, Committee Chair
  - D. Health Sciences Committee  
Tom Furr, Committee, Chair
  - E. University Affairs Committee  
Leigh Fanning, Committee Chair
  
- XII. **Closed Session**
  
- XIII. **Items Recommended from Closed Session**
  
- XIV. **Unfinished Business**
  
- XV. **New Business**
  
- XVI. **Adjourn**



## Chancellor's Remarks to BOT February 11, 2022

Thank you very much, Mr. Chairman. I'm pleased to extend a warm welcome to our first board meeting of 2022. Our time was well spent yesterday on matters of strategy and policy (future-focused) and I want you to know how grateful I am for the dialogue and your good counsel throughout the day.

Today I'd like to summarize a few high priority topics related to the current state of play within American higher education and how ECU is positioned to respond to some of these emerging challenges. We've talked often as a Board and a university about how higher education is evolving before our very eyes. That change was not unpredictable, and it's taking many forms: technology-enabled change; budget pressures; mental health; social and political dynamics; and one developing trend that often hits home the hardest is the dramatic demographic shift in our country driving unprecedented enrollment impacts. The national narrative is one that depicts a nearly 6% enrollment decline across the country when compared to pre-pandemic life in 2019. Our enrollment story has been consistent with those trends and (like many institutions) we shouldn't expect the tide to turn for us on that front as we prepare for fall 2022. Declines are inevitable in this market; we should prepare for that reality now; and that's exactly what we're doing. Our team is moving aggressively and innovatively in this space and has never been more laser focused on this work.

Let me give you a 3 examples: (1) First, ECU is very fortunate to boast degree programs in critical workforce areas where there is significant demand and many qualified students waiting at our door. In an effort to drive growth in these high demand areas, we've chosen to make strategic financial investments in three academic programs this year: criminal justice, nursing, and educational leadership to meet the demand and build an automatic/incremental pipeline of prospective students. (2) Second, we've also invested resources in digital tools to enhance yield and grow highly sought after online programs to capture new student markets; (3) And, finally, similar efforts are under way to develop industry desired credential programs that will support learners at all stages of life.

That is just the tip of the iceberg; But perhaps even more important than what I've just shared is an understanding that higher ed itself is changing the narrative around where our focus and energy should really be aimed – which is toward a value-based, return on investment, demonstration of a relentless pursuit of student success. History tells us that challenges and trials are a part of university life, and we've had our fair share, but our performance in the area of student success over the last decade has never wavered. THAT is our mission. And the data back it up every step of the way.

In keeping with the principle of beginning with the end in mind, let's begin with improvement in our graduation rates. Starting with the Fall 2007 entering cohort, ECU's 4-year graduation rate has improved 12 percentage points (31% to 43% - source: IPAR) over the last decade. Our 5-year graduation rate, which is a performance metric under the current UNC Strategic Plan, improved 10 percentage points (52% to 62% - source: IPAR) during that same period.

Low-income completions, another performance agreement metric, defined as the number of undergraduate, in-state, Pell receipts who earned a baccalaureate degree, have increased 30% from 2011 to 2020. You may recall Andrew Kelly (from the System Office) sharing with you in the fall that with respect to this metric ECU is defying the systemwide pattern. Since the start of the performance agreement under the current UNC System strategic plan, we have also increased our undergraduate degree efficiency, which is an institution's number of undergraduate credentials awarded per 100 full-time equivalent (FTE). Over the last decade, ECU awarded over 68,000 degrees and certificates.

Student success is an evergreen commitment at ECU, and we have a compelling narrative of progress across several key metrics over the last decade. This is missional excellence. It is a testament to our talented faculty and staff – and to our hardworking students.

Certainly, there's always room for improvement across all these metrics and yes, retaining and graduating students on-time, with minimal debt, and sending them back out to be strong contributors to our economy and society is the ultimate expectation. As we engage in the access and success dialogue let's be intentional in unpacking the data – including examining longitudinal patterns or comparing performance against benchmarks – to ensure we have the necessary context as we seek solutions for continuous improvement. Indeed, we can celebrate what we do well, evaluate our structures, policies, and practices, and pursue new and innovative solutions to enhance the experience for all students. This work is core to our future. A future that will include a new funding formula, a new strategic plan for the UNC System, and a new digital learning strategy.

As this Board is aware, the current UNC funding formula is based only on student credit hours and weights disciplines across degree levels (UG, M, and D). But under this new model, we have an opportunity to realize considerable financial investments as a result of strong performance on key student success measures (4 yr grad rates, UG degree efficiency, among others). This shift permits the funding conversation to expand from simply a growth mindset to one that also values what really matters to students and their families – a high quality affordable education with access to courses and services

aligned with timely completion so individuals are fully prepared to enter the next phase of life.

The metrics already mentioned today will be front and center as the UNC System begins a refresh of the strategic plan. The current ECU strategic plan ends this calendar year as well. Once the System completes its refresh, we will begin the work across campus and with you to produce a plan for ECU – one that reaffirms our core commitments, aligns with the System, and provides us with an actionable framework over the next several years.

It is clear to me one of the strategic priorities will focus on serving more adult learners through adaptable and innovative digital strategies, which is why I was so pleased the University Affairs Committee focused yesterday on the new Kitty Hawk project. ECU has long been a leader in digital online learning among system institutions and Kitty Hawk is a “first in the nation” strategy to recapture the adult learner market back from out-of-state providers. It is an honor to be appointed to the inaugural Kitty Hawk Board, as one of only three chancellors appointed to serve. ECU can and should be front and center in this new initiative.

I will keep the Board apprised as these important matters – funding formula, strategic planning, and Project Kitty Hawk. All three present opportunities for ECU to advance student success. I’m genuinely excited about our future – and I hope you are as well.

Mr. Chairman, this concludes my remarks.

## **SGA Report to the BOT February 11, 2022**

Good morning everyone, it is certainly a busy time to be in Student Government right now and I am excited to highlight some of the projects we will be working on this semester. With only a couple months left in my term, I think some of my directors learned they too only have a couple months left to put something on their resume so now they're working harder than ever.

About a year and a half ago, our former SGA President Tucker Robbins introduced the idea of a 3<sup>rd</sup> party university rideshare partnership, and now after continued work with the transit department and student affairs, things are finally starting to come to fruition. While we are still waiting to select a 3<sup>rd</sup> party rideshare service to partner with such as Uber, Lyft, or others, I wanted to share a generalized idea of what this program will do for ECU students as outlined in our RFP:

- ECU SafeRide, those big white ECU vans you may have seen on campus, completed 6,627 trips during their 114 operating days during the pre-pandemic fall of 2019
- However, 1,354 rides were not completed due to denial, cancelations, no-shows' etcetera, particularly during the surge hours of 7pm to 2am
- Additionally, SafeRide now operates until 12am opposed to 2am
- To ensure the safety of our students traveling at night, coming home from the library, back and forth from downtown, to and from sporting events, or anytime you just don't feel comfortable walking alone, whatever the case may be, we want to make sure those students are able to travel safely

- SGA funds allocated for this program will allow students to opt-in to a rideshare program based on a percentage of cost model: Meaning, if you order a Lyft, Uber, etcetera, whichever we chose here in the next couple months, you will receive at 25-35% discount on your ride depending on the day of the week, sponsored by the student government association
- Though it is not 100% of the total cost, we hope this supplement in addition to the ECU SafeRide program will ensure the safe travel of all ECU students

In addition to the rideshare program, I have begun exciting work with Dean Smith and Dr. Kneubuehl to bring a professional headshot photobooth to ECU's campus. The idea was sparked from the Miami of Ohio posting on LinkedIn, many of you may have seen, depicting a walk-in photobooth for students. These booths are equipped with tablet check in systems and professional quality cameras that deliver headshots to students in a matter of minutes right to their cellphones. The booth would be located in the student center and would create such a unique opportunity for our students to take headshots for LinkedIn, job interviews, websites, all without spending hundreds of dollars on a photographer. We're hoping to have a test-run booth set up in both the health science and main campus student centers, with opportunity for permanent implementation by the end of this year if everything goes according to plan. I am also very excited to work with career services on this project and hope this will bring more attention to all of the other great services they offer, that for some reason students don't know exist until they're senior year.

Lastly, my Vice President and I made a promise to our students to battle for their mental health needs during our term, and I'm happy to say the University has been right there with us,

supporting us and our efforts, this entire time. ECU has so many resources for its students in fact that after being on the job for almost a year, I still sometimes have to ask Dr. Hardy what the acronyms stand for. In addition to these resources, SGA is excited to announce its plans for The Out of the Darkness Campus Walk for suicide prevention awareness this spring, and its partnership with Steven Trotter and team for ECU's Happiness Week that will kick off in the beginning of April.

The holidays were really tough for a lot of students, and especially under the implications of covid. However, North Carolina reported the lowest number of daily covid cases in about 6 weeks on Monday, so hopefully we are getting closer to that light at the end of the tunnel. The Pitt County School Board is set to make masks optional for students beginning February 15<sup>th</sup>, and I hope ECU students can see a similar return to normalcy this semester, particularly my peers in the senior class. Whenever it is time to make these informed decisions, I am confident Chancellor Rogers is right man to do so as he continues to lean on both his ECU leadership team and the UNC System.

Thank you to Jeff

- Discussion on service
- Your mission and values drive inspire young Pirates such as myself
- Return to the board?

**Faculty Remarks to the BOT  
February 11, 2022**

Dear Members of the Board of Trustees,

Once again, I am delighted to be able to address all of you on behalf of ECU's faculty. First allow me to thank the University Affairs Committee for their unanimous approval of revisions to Part VIII.I.I. of the Faculty Manual. I hope that later today the entire Board will show similar support for what is a great step forward for the faculty at ECU. As a member of the committee that drafted those revisions, it would be my honor to join Dr. Hayes in answering questions should you have any.

The official installation of Dr. Rogers as Chancellor is just around the corner, March 24<sup>th</sup>. I do not recall Dr. Staton's 2017 installation, although it seemed quite similar to Dr Ballard's' in 2005, which I attended. I remember the faculty processional to Wright Auditorium, the speech by Dr. Catherine Rigsby, then Chair of the Faculty, the fried chicken on the mall. I heard Dr. Rigsby talk about being invited to a very elegant gala. I do not know what plans exist for the upcoming installation. I have been thinking about a speech just in case I am asked to give one.

To tell you the truth, I do not get this American custom of installation ceremonies for Chancellors a year after they assume their positions. I understand a discrete ceremony at the time of appointment, accompanied by a tasteful picture with the leadership team. The dictionary says that to install is to put someone in an official

or important job. In my view, that happened on March 2021 when Dr. Rogers sat at his desk for the first time.

The same way I wonder about the installation, I wonder about making sure that ECU does not project an excessive Chancellor-centric image. No one could argue about Dr. Rogers' immediate and decisive role in crafting a new path for ECU: ECU Health, the launching of the Public Phase of an ambitious fund-raising campaign, the hiring of a new Provost, the restructuring of the university at the division level. However, those decisions were not taken in a vacuum and will not become reality in a vacuum either. ECU Health was the result of previous initiatives, failed, I grant you, but real. Decisions about reorganization came after endless hours of interviews and research from a dedicated group of administrators, faculty, and staff. Provost-elect Coger received the support of all ECU constituencies. ECU must continue to change because we, collectively decide on our path. I worry about unrealistic expectations placed on the Chancellor or the new Provost. They cannot do it all. They cannot do it alone. One ECU cannot be the wish of a single person, it must be our common wish.

Trustees, administration, and faculty should constantly keep in mind that we will only thrive if each one of us responsibly exercises the roles that we have in this messy and wonderful enterprise that is shared governance. Let me offer you a couple of concrete examples of what I mean. First, faculty members make up the bulk of the committee that will prepare a formal proposal to the Faculty Senate about the reorganization at the division level. Second, key Faculty Senate committees are coordinating their work to create, with the administration, the



necessary policies and procedures that will facilitate the recruitment and retention of adult learners.

Third, how wonderful it is to see that what worries us, the faculty, is the same as what worries you, the Trustees: what exactly is Project Kitty Hawk, what does the new funding formula mean for ECU, when are we going to have a clear picture of what ECU Health is and what it means! Your questions are our questions, what better demonstration that we are one ECU!

Yesterday, Dr. Mitchelson finished his presentation to the Health Science Committee with one of his favorite sayings: are we good? That got me thinking. Yes, and no, that would be my answer.

Yes, because ECU's retention and graduation rates are so high that it is difficult to imagine how we can perform better with the new funding formula.

But at the same time, no. Think about what Director Julie Cole discussed with you yesterday: because of lack of staff or training for them, faculty spend almost 50% of their time managing grants, instead of doing the research.

No, because after years of budget cuts, the faculty and staff ranks are decimated.

No, because we do not have a sustainable way to support start up packages to hire excellent faculty.

No, because faculty and staff salaries continue to be low, and we cannot compete for candidates. A few months ago, one of you told me that they were not worried about academics at ECU. We the faculty are. Without more resources, we are not sure how much longer we can continue providing a first-rate education, much less begin to serve a different population of students altogether. While preparing for

a 2% cut scenario, it is difficult to see where those resources will come from, but we cannot continue doing more with less.

All of us want to think that Higher Education's malaise is just part of the great resignation wave, you heard this yesterday as well. However, experts in the field have argued that this is not the case, that the real problem is disengagement, a based on a palpable sense of betrayal over how decisions in Higher Education have been made since the pandemic started, and how faculty and staff members have been treated as a result of those decisions.

On Wednesday, after my students and I spent 3 hours dissecting with meticulous care a masterful piece of Latin American cinema, one of them felt compelled to defend the director and their work. This defense took me by surprise. I suddenly realized that sometimes critical thinking, precisely what we are supposed to do as educators, is somehow interpreted as meanness. We the faculty prove our commitment to ECU by teaching, mentoring, researching, writing. We also do it by questioning and asking to be part of the decision-making process.

Installations might make us feel good, but as ECU's recent history shows, they can be empty gorging exercises. It is only by investing and supporting faculty and staff so they can support the students that ECU will thrive. I am hopeful and pessimistic, critical and supportive at the same time. I am committed to ECU, and I need to see and feel that ECU is committed to my success and wellbeing as well. There is still a lot of work to do in that regard.

## Staff Senate Report to BOT February 11, 2022

Good morning, Chairman, Members of the Board, and Chancellor Rogers.

On behalf of the Staff Senate – we would like to thank Dr. Hector Molina for his work as a Senator and Chair during his tenure at East Carolina University and congratulate him on his new role as Vice Chancellor for IT/CIO at Fayetteville State University. Since his departure, I have now filled the role of Chair of Staff Senate. Before I give my Staff Report, I would like to take a moment to introduce myself. I am no stranger to ECU; my journey started in 2006 when my parents dropped me off as a freshman and said you got it from here. I went on and received both my undergraduate and graduate degrees from ECU and began working as a staff member in 2013. I am a product of ECU's mission and now committed to fulfilling our university mission and goals alongside our exceptional staff, faculty, and administrators.

Now enough about me, what is going on with our staff? East Carolina University employs over 3,700 staff members that are committed to student success, regional transformation, and public service. Since our last report, we provided over 100 items to ECU Community School during our Annual Winter Coat Drive. We have selected recipients for our Annual Staff Emeritus Award that recognizes permanent retired staff members who have made significant contributions to ECU through a record or service, dedication, leadership, and innovation. We have also selected two staff members for our Gail Jordan Memorial scholarship and 3 recipients our Children of SHRA Employee Scholarship. I would like to highlight

one of our staff members, Lauren Daniels, who received the Janet B. Royster Memorial Scholarship. This scholarship is provided by the UNC Staff Assembly to promote staff development for UNC permanent staff employees. Ms. Daniels is a student Financial Aid Counselor in the Financial Aid Office and works closely with students. She is currently working towards her Bachelor of Science in Communication. Also, we continue to strengthen our relationships with the Faculty Senate and SGA. Recently, the Staff Senate has created and passed a bylaw for a Faculty Senate Representative. The position will serve as an ex-officio non-voting member to provide updates from Faculty senate during our monthly meetings.

Staff have worked extremely hard since March 2020, taking on additional work responsibilities and managing the new landscape of higher education. Staff are proud to work at ECU because of its mission, goals, and research and the promising future it is making for our region. However, like many institutions across the UNC system, staff retention is a concern. Because of this Staff Senate wanted to explore innovative ways to retain our staff by facilitating virtual breakout sessions on retention. We learned that staff are experiencing burnout (e.g., departments being understaffed, added job duties, and feelings of exhaustion), management challenges (e.g., Need for additional training to manage hybrid teams, communication of changing policies to staff members), and adjustment to HR policies (e.g., flexible work arrangements, furloughs, hiring freezes). We also learned from the Exit Survey responses, majority Staff members left due to salary, workload, and better job offers. Yet, over 90% of

staff who left would recommend ECU as an employer and would return to ECU which indicates that ECU is wonderful place to work. From the feedback, Staff Senate is working with campus administrators to discuss new training opportunities for managers, creating a resolution to support flexible work arrangements for all staff members that aligns with recommendation 5.1.3 from the fiscal sustainability report, and creating a communication and marketing campaign to share employee benefits and perks to retain our staff. Regarding salary. We would like to thank Chancellor Rogers for advocating for employee raises. We appreciate our legislators prioritizing our raises, bonuses, retention funding and mental health support programs. These items in particular impact our staff directly and our ability to contribute to our university's mission. We are currently crafting thank you notes to distribute to our NC state representatives.

As I conclude the Staff Senate report, I would like to share and invite you to participate in our staff appreciation week and 6th Annual Ballard's Annual Lessons in Leadership event. Our staff appreciation week is scheduled for April 4<sup>th</sup>-8<sup>th</sup>. This will include staff meals, discounted baseball tickets for staff, and our 2<sup>nd</sup> annual outstanding awards ceremony. In addition, we have finalized plans for the 6<sup>th</sup> Annual Ballard's Annual Lessons in Leadership event, and it is scheduled for April 19<sup>th</sup> from 2-4pm. We plan to offer an in-person and live stream option. Our speaker will be Dr, Rebekah Rogers and her timely topic will be Navigating Burnout in Times of Change—Listening to your Authentic-Self. Dr. Rogers will discuss navigating the phenomenon of burnout in these unprecedented times. She will share her research on burnout and will provide attendees with the tools to dive deep into leaning into their own authentic-self from a research-based

vantage point. We will be sending out more information as the dates approach and after receiving further guidance on face-to-face gatherings.

We hope to see you in person or virtually at some of our upcoming Staff Senate events. Thank you, Chairman Shook, Members of the Board, and Chancellor Rogers as always for your unwavering support of ECU Staff. This concludes my report.

# ECU Board of Visitors Report to the ECU Board of Trustees

February 11, 2022  
Wanda Montano, Chair

Good morning!

It's always a pleasure to see each of you and I bring greetings on behalf of our entire membership. This year's membership includes 56 appointed members and 13 active emeritus members.

Since my last update in November, the BoV held its Winter Meeting and continued our work through our three standing committees as well as through individual efforts.

Our Student Recruitment Committee, co-chaired by Toby Thomas and Terrence Powell, is preparing for the March 26th Pirates Aboard event. Yes, the Saturday of Founders Week. It's going to be a really busy week. Approximately 2500 accepted students and their families are expected. The BoV will provide Greeters to assist the students and their parents, and also provide parents with an opportunity for engagement with an alum. The BoV will also host and provide alumni speakers for a Panel Discussion session on Post-graduation Benefits of Being a Pirate.

Our members sent out handwritten postcards to 1,000 under-represented minority students who have been accepted to ECU. The goal is to encourage and support their decision to join Pirate Nation, and to offer an opportunity to contact the BoV member for further engagement.

The Board is also working with Admissions in their development of an Ambassadors Program. This Program will send trained BoV members to local recruiting events. This ECU-trained volunteer will provide Admissions information in geographic areas not previously served, and / or when University staff are not available. Training will occur over the Summer with an implementation rollout during Fall 2022. The BoV will participate as the beta test for Admissions.

Our second committee focuses on our Access Scholars. As you know, the Board has as its core philanthropy the underwriting of four Access Scholars.

If you'd like to meet our Scholars for this year, I invite you to check out the BoV website.

In addition to the annual contributions, our members also provide gift cards to local establishments such as Starbucks and Panera, and these are sent to our scholars on special occasions – like exams – to give them a fun boost.

Our third committee, the Nominations Committee, has opened nominations for New Members. Under the leadership of Chair Ryan Beeson, the Committee will recommend to this Body appointments of new members of the Class of 2026 at your April 29<sup>th</sup> meeting.

Last year, the Board of Trustees was actively engaged in recommending new members, and I encourage you to participate again this year. Candidates may only be nominated by the Board of Trustees, the Executive Council of the University and current Board of Visitors members.

In addition to recommending new members to the Board of Trustees, the Committee also recommends to the Board of Visitors for its concurrence a new slate of officers for the next year. That slate of Officers then will be presented to you for consideration and appointment at your April 29<sup>th</sup> meeting. Your input on officers may also be presented to the Nominating Committee.

At our Winter Meeting, the Board heard from the Chancellor's Commission on Diversity, Equity and Inclusion, with presentations by Mrs. Forbes, Dean Danell and Secretary Smith. Thank you, Trustee Smith, for your time.

Just as you heard a good bit yesterday about Military opportunities for ECU, the Board of Visitors was also briefed by Student Affairs on current Veterans programs we have. Additionally, one of our own BoV members, and the Veteran Representative to the Chancellor's Commission on Military Affairs, Retired Major General Dutch Holland, also briefed the Board of Visitors on military issues.

One of the fundraisers that supports the Veterans Program Office is Storm the Stadium, which will be held March 26<sup>th</sup>. Folks, that's going to be a really busy week!

Storm the Stadium allows anyone who wants to support Veterans Affairs to walk all 3200 steps in the lower bowl of Dowdy Ficklen Stadium. And yes, it's timed. This will be my 4<sup>th</sup> year to do so, and I dare all of you to join me. I hold the record for being the oldest participant each of those 4 years! Registration is now open!

One key legislative change passed by the North Carolina legislature this past year removes military pensions from North Carolina state income tax. As we have all read and heard, North Carolina is touted as a great place to retire. This tax change may bring new military retirees into North Carolina, as well as keep North Carolina-based military men and women and their families from leaving upon retirement.

General Holland also shared with the BoV that the University of South Carolina has told him they plan to come into Fort Bragg and recruit students. We need to send those Gamecocks packing!

With the distance learning initiatives and Project Kitty Hawk, those military retirees and their families can be Pirates regardless of where in North Carolina they live.

With regard to the Project Kitty Hawk chart we saw showing other out of state schools poaching our North Carolina residents, I have to admit my daughter was one of those students who had a lot of credit hours at AppState and no degree, and went back to school at 32. She became a Southern New Hampshire grad for two reasons – the short “semesters” with a rolling start date that accommodated her full-time work life, and the out of state tuition ECU would have charged her since she was living in Arizona at the time. I am excited by what I heard, and I believe that we can implement programs to address these concerns and grow Pirate Nation.

The Board of Visitors also engaged in a discussion session about how our members can be more valuable to ECU and how we can expand our advocacy efforts. I expect to tender the results of that discussion to



Chairman Shook and the Chancellor for further discussion and potential implementation. Our members remain ready, willing, able and hungry to engage further on behalf of our beloved University.

Our final meeting of the year will be in Manteo at the Coastal Studies Institute on April 22<sup>nd</sup>. I challenged Megan and the Chancellor's office to see if the ECU Health rebranding of the Nags Head Hospital could take place while we are there. Wouldn't that be amazing to have our Board of Visitors supporting such an effort 2 hours from Greenville?

I continue to look for ways to engage the Board membership in support of our University and our mission. We do have bandwidth for more. As always, I look for your input and guidance on our advocacy efforts.

Thank you for the opportunity to spend a few minutes with you, and for the honor of serving East Carolina.

I leave you with a Call to Action to nominate new members and to provide the Board of Visitors with an enhanced Call to Action to expand and grow our efforts!

Go Pirates! Aargh!

**Minutes**  
**Athletics and Advancement Committee**  
**February 10, 2022**

Athletics

Mr. Jon Gilbert reviewed the metrics for Athletics. He reported that the Pirate Club is trending very well. Also, Fundraising Excluding Annual Fund is trending well due to several gifts received. He reported that Men's basketball season ticket sales did not reach projection. He reported that Athletic Expenses Compared to Budget is red due to scholarship transfers. And that Revenue Compared to Budget is red because figures demonstrate expenses incurred from the bowl game and does not yet show the amount the conference will provide at year end.

Mr. Gilbert shared that Athletics recently entered into a new Multimedia agreement with Playfly. The contract with IMG will expire June 30; after a 15-year run. Playfly will own all marketing rights.

Ground has broken for the new auxiliary weight room. A December/January completion date is expected.

For the first time ever baseball season tickets have sold out. Single game tickets are still available. The football season ticket deadline is April 1. Mr. Gilbert anticipates that Trade Club will sell out so individual game tickets will not be available as in years past. April 8/9 will be the Pigskin Pig out and the spring football game. Baseball and softball will have home contests that weekend as well.

Mr. Gilbert reported that 80 of 420 athletes are participating in Name Image and Likeness. He shared that a lot of schools have a third party who work with the athletes and institution. Questions were raised about ECU doing the same. Mr. Gilbert informed the board that it's a complex venture and he would do more research and report back. So far, the NIL is not affecting money coming into Athletics. He reported that the NCAA is continuing to work on a new constitution. A lot of change is anticipated.

Lastly, he informed the committee that the Soccer coach, Jason Hamilton, will be leaving ECU.

Advancement

Mr. Dyba reported on the metrics for Advancement. Currently East campus is \$16M ahead of projections and West campus is trending better than this time last year. There is a lot of momentum for the campaign. He reminded the board of the dashboard where campaign data is readily available and up to date. To date \$383.5M has been raised toward the \$500M goal; \$65M in the last 12 months. He shared that there were two \$10M gifts recently and there are five other eight-figure proposals in the works. He reminded the board that if all proposals don't yield an eight-figure gift that they will yield something.

March 25<sup>th</sup> will be the Campaign Kickoff event in Mingos which will be part of the larger picture of that week with Pirate Nation Gives and the Chancellor's installation.

A recent gift of \$2M from the Spangler Foundation was received at year end to establish a Professorship in the College of Education. ECU is one of four schools in the UNC system to be awarded this money. A motion was made to accept the plan, with a second for presentation to the consent agenda tomorrow.

The committee moved into closed session to discuss three naming opportunities and a personnel matter for consideration at the board meeting tomorrow. The naming motions were approved for presentation to the full board tomorrow.

The committee returned to Open Session.

With no further business the meeting concluded.

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Respectfully submitted,  
Maha Z. Banning  
University Advancement



**Athletics & Advancement Committee  
February 10, 2022**

Agenda Item: III. B. Spangler Professorship  
In the College of Education

Responsible Person: Chris Dyba  
Vice Chancellor for  
University Advancement

Action Requested: Approval

Notes:



**Division of University Advancement**

Greenville Centre, Suite 1100 | 2200 South Charles Boulevard | Mail Stop 301  
East Carolina University | Greenville, NC 27858-4353  
252-328-9550 office | [give2ecu@ecu.edu](mailto:give2ecu@ecu.edu) | [www.ecu.edu/give](http://www.ecu.edu/give)

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To: ECU Board of Trustees  
From: Christopher Dyba  
Re: Professorship

In late fall 2021, Board of Governor member Anna Spangler Nelson talked to Chancellor Rogers and committed to supporting a professorship in our College of Education to support early childhood literacy. Through the Spangler Foundation, she gave \$2,000,000 in December, which is eligible for the state match on professorships.

While naming of endowments, such as professorships, does not fall under ECU's Board of Trustee policy, the UNC System Office determined that the establishment of this professorship should be approved by the Board of Trustees. There are three other similar professorship endowments being created across the system.

Attached are supporting documents.

Thank you,



Office of the Chancellor  
105 Spilman Building | Mail Stop 101 | East Carolina University\* | Greenville, NC 27858-4353  
252-328-6212 office | 252-328-4155 fax

December 17, 2021

Dr. David English  
Vice President for Academic Programs, Faculty, and Research  
The UNC System  
910 Raleigh Road  
Chapel Hill, NC 27514

Dear Dr. English:

Enclosed for your review is the Plan for the Establishment of the Spangler Distinguished Professorship of Early Child Literacy within the College of Education at East Carolina University. The necessary \$2,000,000 has been committed and we seek your approval for this professorship to be placed in the queue for State matching funds of \$667,000.

Establishment of this professorship will provide support for a single professor who will teach and provide leadership in the training of new teachers, the support of in-service teachers and the preparation of future literacy faculty to ensure reading proficiency in children in North Carolina. This will allow the College secure an associate or full professor in the College to serve as a role model for faculty and students at East Carolina University.

Thank you for reviewing the enclosed plan and we appreciate your support of our efforts at ECU.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Rogers".

Philip Rogers, EdD  
Chancellor

Enclosure: Professorship Plan



**A Plan for the Establishment of the  
Spangler Distinguished Professorship of Early Child Literacy**

**College of Education  
East Carolina University**

**December 2021**

**The College**

The mission of the College of Education is the preparation of professional educators and allied practitioners. Significant to this mission is a strong commitment to three important related areas, all of which are realized through partnerships and other endeavors. These three areas are:

1. the encouragement and nurturing of professional growth for educators and allied practitioners at all levels and in all areas of the educational endeavor.
2. a continuing emphasis on and support for scholarship and research/creative activity.
3. and service in all areas of professional education.

Critical to such commitment is the promotion of effective teaching; staff participation in the improvement of schools; and, in concert with other state agencies, the development and creation of educational policy for North Carolina.

**The Distinguished Professorship**

The Spangler Distinguished Professorship in the College of Education will provide support for a single professor who will teach and provide leadership in the training of new teachers, the support of in-service teachers and the preparation of future literacy faculty to ensure reading proficiency in children in North Carolina. The person selected shall have experience and credentials as a teacher and scholar commensurate with the rank of associate or full professor in the College. The initial appointment will be for a period of five years and will be renewable in accordance with the standard schedule for annual review of faculty. The appointee will be expected to teach in the College's teacher preparation programs and to conduct research in early literacy and will be expected to engage in collaboration with other educator preparation programs in North Carolina as part of a community of literacy champions. This professorship may be filled by an external or internal appointment. All searches and appointments will be conducted in accordance with the rules and regulations of the UNC Board of Governors and institutional personnel policies. Decisions regarding the holders and terms of appointment will be made by the Dean in consultation with the Provost.

The yearly interest income will be used exclusively for support of the endowed professorship, including such purposes as a salary supplement for the holder, travel and research expenses associated with his or her professional responsibilities, stipends for the holder's teaching and research assistants, special equipment or library books and programmatic support needed to support the teaching, research and service activities of the distinguished professor.

**Budget for the Spangler Distinguished Professorship in the College of Education**

\$2,000,000	Gift donated by C. D. Spangler Foundation
<u>+\$ 667,000</u>	NC Board of Governor's Distinguished Professorship Endowment Trust Fund

**\$2,667,000 Total endowment corpus**

\$2,667,000 x 4.00% = \$106,680 Projected Annual Interest Payout

The current yearly income distribution rate for endowments set by the ECU Endowment Board is 4.00%. This percentage is subject to change based on the policy of the ECU Endowment Board. In the case of a change, the budget will be adjusted accordingly.





## **Report of the Audit, Risk Management, Compliance, and Ethics Committee for February 10, 2022**

### **Operational Metrics Review**

The committee reviewed the operational metrics related to Internal Audit, Healthcare Compliance, Research Compliance, and Athletics Compliance.

Internal Audit is on pace to exceed the audit plan completion metric. Auditor productivity is slightly lower than the expectation, due to holidays and illnesses, but Internal Audit expects to meet the target by year-end. The completion rate for management resolving audit recommendations remains high.

The Athletics Compliance and Healthcare Compliance measures are all in the “green” for the year to date.

### **Action Items**

The committee approved changes to the fiscal year 2022 annual audit plan, as presented by Chief Audit Officer Wayne Poole.

### **Informational Items**

#### **Enterprise Risk Management – Ms. Stephanie Coleman**

Ms. Coleman provided the University’s top enterprise risks matrix, which includes the responsible senior management official for each risk.

Ms. Coleman briefed the committee on the risk identification and prioritization exercise which is currently underway. This process includes staff, faculty, students, and administration and will result in the register of top risks and emerging risks being updated. The updated risk register will be shared with the committee at our next meeting.

#### **Research Compliance – Dr. Mary Farwell and Ms. Julie Cole**

Dr. Farwell and Ms. Cole briefed the committee on a compliance monitoring program that was recently implemented for sponsored research projects. The program focuses on monitoring financial compliance for externally funded grants and contracts and has resulted in better management of these programs. This is a critical program with the rise in external funding over the last six years and the need to continue growing this source of funding.

#### **Office of Internal Audit – Mr. Wayne Poole**

Mr. Poole briefed the committee on recently completed internal audits, including the audit of the University Payroll process and audits related to employee timekeeping. Mr. Poole also briefed the committee on the status of the University-Wide Code of Conduct, which is being developed as a result of audit recommendations. The document is being vetted and will come before this Board for approval when it’s ready.

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Mr. Chairman, that concludes my report.



**East Carolina University | Board of Trustees**  
**Finance & Facilities | In Person & Virtual/Main Campus Student Center | February 10, 2022**  
**Highlights**

- I. Minutes from November 11, 2021** - Approved
- II. Review of Operational Metrics** - On target for Fiscal Year 2021 - 2022.
- III. Funding Model Changes** - Outlined Current Funding Model, Desired Attributes of a Revised Model, and Proposed Funding Model.
- IV. Criminal Background Check Policy** - minor updates to policy including clarifying or additional information - Approved by consent agenda this morning.
- V. In-State Tuition/Athletic Scholarships** - G.S. 116-143.6 was updated allowing full cost scholarships to be considered residents of NC for all purposes by the University of North Carolina. Board approval required for the institution to implement the statute-Approved by consent agenda this morning.
- VI. Building Conditions and Capital Planning Process** - Bill Bagnell provided a Building Condition Analysis for appropriated and non-appropriated buildings on campus and shared the process for generating capital projects.

**Action Items**

- A. Stephanie Coleman, VC for Administration & Finance, requested approval of:
  - Minutes
  - Criminal Background Check Policy
  - In-State Tuition/Athletic Scholarships

**VII. Informational Items**

- A. Stephanie Coleman, VC for Administration & Finance, provided the Comprehensive Budget Report.
- B. Stephanie Coleman, VC for Administration & Finance, provided the Report of Approved EHRA Employee Salary Adjustments.
- C. Stephanie Coleman, VC for Administration & Finance, provided the Pension Report.
- D. Bill Bagnell, Associate VC for Campus Operations, provided information to the Committee on the Designer Selection.
- E. Bill Bagnell, Associate VC for Campus Operations, provided information to the Committee on Capital Projects submitted to Board of Governors for Approval.
- F. Bill Bagnell, Associate VC for Campus Operations, provided information to the Committee status of Capital Projects.
- G. Bill Bagnell, Associate VC for Campus Operations, provided information to the Committee on Delegated Capital Projects.
- H. Stephanie Coleman, VC for Administration & Finance, provided the Statement of Bonded Indebtedness as of December 31, 2021.

**VIII. OTHER** - N/A

Meeting adjourned at 3:03 pm.

**Health Sciences Committee  
February 10, 2022**

- Minutes from the November 11, 2021 meeting were approved.
- Dr. Ron Mitchelson discussed the metrics that include the number of applications to health sciences division undergraduate, graduate and professional programs. Additional metrics include sponsored awards, Laupus Library Resource Utilization, and patient visits.
- Dr. Waldrum provided an update on the brand rollout timeline, JOA communications, brand work and integration workgroup developments for ECU Health. He also provided an update on the process for the erection of the new medical education building.
- Dr. Charles presented on the work, purpose, and future plans of Interprofessional Education (IPE). Mr. Tyler Brookshire, an MD candidate for the class of 2023 also spoke on his role on the Health Sciences Leadership Council that consists of students across the Health Sciences campus. He stated that their collaborative efforts have been a positive and rewarding experience for him as a student here.

**Mr. Chairman, we had one item on the consent agenda for the approval of nonsalary compensation in the form of supplemental fringe benefits, including SHERPA for two employees in the Office of General Counsel.**

**There were no additional items for approval and that concludes my report.**

**University Affairs Meeting – Board of Trustees**  
**February 10, 2022**  
**Main Campus Student Center**

**BOT Committee Members Attending:** Leigh Fanning (chair), Chandler Ward, Tom Furr, Jeff Roberts, and Vince Smith.

Other BOT members attending: Jim Seagrave, Scott Shook, and Jeff Roberts

We had a very full agenda yesterday.

**Project Kitty Hawk**

Chancellor Rogers introduced the guest speakers for Project Kitty Hawk, one of the UNC Systems key strategic priorities. Andrew Kelly and Will Zemp presented the latest on the project.

Wil said ECU is ahead of the curve of many schools as ECU has been very successful in the online environment. The key distinctions for Project Kitty Hawk are program design, technology, marketing, enrollment and success support. The revenue model has a flipped approach to most OPM's, which is typically 40% to the institution, but Project Kitty Hawk would bring in about 70% of the revenue to the institution. Andrew said funding/revenue for tuition for Kitty Hawk is more like a trust fund than part of the enrollment model.

There is no obligation for institutions to participate but the System believes Project Kitty Hawk will provide the resources and benefits to enhance the experience. The expectation is for Kitty Hawk will be live in the next 24-36 months and ECU plans to fully engage in the project.

**Student Resilience in a Pandemic**

Virginia Hardy introduced two students to talk about how they have managed the pandemic and demonstrate resilience – Terry Manigo and Maddy Holt.

Terry shared his story with the board about his time in 2019 coming to ECU and how the pandemic impacted that experience. He shared that he struggled with his mental health and that he thought about giving up. He went to the Counseling Center and they helped him re-affirm that he needed to get back up and keep fighting and he is still fighting to get to the finish line.

Maddy is a public health major and graduating in 2022. She joined Alpha Omicron Pi sorority and made great connections with friends and faculty early in 2018-19. In March 2020, she was six hours away from her friends and peers and faculty. She felt good about the academic side, but the social freedom was gone and not going abroad. After two years of virtual learning, it was tough to keep going including hospital hours and internships. She just finished her term in January as Panhellenic president. She has re-routed her plans

### **Three Minute Thesis**

Dr. Gemperline introduced the winner of the three-minute thesis – the topic is “Wounds You Can’t See (Adverse Childhood Experiences). The purpose of the study was to explore the knowledge, experiences and role of the school nurse in trauma-informed care in school health practice.

We had two items included on the consent agenda this morning:

- **Revision to Faculty Manual Part VII.I.I: Personnel Policies and Procedures**
- **Patent Policy Revisions**

And I’ll have one item coming out of closed session. Mr Chairman, that concludes my report.



**Athletics & Advancement Committee  
February 10, 2022**

Agenda Item:

IV. B. Personnel Action

Responsible Person:

Fielding Miller  
Committee Chair

Action Requested:

Notes:

COUNTY OF PITT

STATE OF NORTH CAROLINA

**EMPLOYMENT AGREEMENT**

**Director of Athletics**

THIS EMPLOYMENT AGREEMENT, is made and entered into on this the \_\_\_ day of February, 2022 by **East Carolina University** (“ECU” or “UNIVERSITY”), an educational institution and agency of the State of North Carolina, and Jon Gilbert (“ATHLETICS DIRECTOR”) (the “Agreement”). ECU and ATHLETICS DIRECTOR may be referred to herein individually as a “Party” or, collectively, as the “Parties.”

**WITNESSETH:**

WHEREAS, ECU is a constituent institution of the University of North Carolina and maintains an intercollegiate athletics department within Division I of the National Collegiate Athletics Association (“NCAA”);

WHEREAS, ATHLETICS DIRECTOR is experienced in the administration of athletics at the Division I intercollegiate level;

WHEREAS, ECU desires to employ the ATHLETICS DIRECTOR and the ATHLETICS DIRECTOR desires to engage in such continued employment under the terms and conditions set forth below; and the parties previously agreed to the terms contained in a document captioned "ECU Director of Athletics Memorandum of Understanding" dated December 1, 2018 (hereinafter, the "MOU"), for purposes of memorializing the basic material terms of employment for ATHLETICS DIRECTOR, but with the express intent to negotiate additional details regarding his employment to be integrated with the terms of the MOU into one athletics director agreement, which is the purpose of this Agreement;

WHEREAS, the parties intend for the terms of the parties' agreement as contained in the MOU to be replaced in their entirety by the terms and conditions of this Agreement;

WHEREAS, the parties hereby agree that, upon execution of this Agreement by the parties and upon the receipt of the necessary approval from the ECU Board of Trustees, the MOU will terminate, and this Agreement shall replace and supersede the MOU in its entirety, and

WHEREAS, the parties acknowledge that although this Agreement is sports-related, the primary mission of ECU is education, and, accordingly, the primary purpose of all ECU’s legal arrangements, including this Agreement, is the furtherance of ECU’s educational mission.

NOW, THEREFORE, in consideration of the promises and mutual covenants hereinafter set

forth, the parties agree as follows:

## **I. TERM OF EMPLOYMENT**

- A. ECU employs ATHLETICS DIRECTOR as Director of Athletics for a term of five (5) years beginning on December 2, 2021 and ending on December 2, 2026. ATHLETICS DIRECTOR accepts employment in this position and agrees to faithfully, diligently, and competently perform the duties of ATHLETICS DIRECTOR, as set forth herein. ATHLETICS DIRECTOR's employment under this Agreement shall continue until the ending date set forth above, unless terminated earlier as provided herein or extended beyond the date as the parties shall agree in writing and as approved by ECU's Chancellor (the "Chancellor") and, if required by applicable policy, by UNIVERSITY'S Board of Trustees.
- B. ATHLETICS DIRECTOR shall be considered a non-faculty Senior Academic and Administrative Officer-Tier II ("SAAO Tier II") employee. The position of ATHLETICS DIRECTOR is classified as an employee exempt from the North Carolina State Human Resources Act ("EHRA"), such positions being known as EHRA Non-Faculty (or EPA Non-Faculty) at ECU. ATHLETICS DIRECTOR'S employment is subject to the East Carolina University "Employment Policy for Employees Exempt from the State Human Resources Act" as adopted by the Board of Trustees, and as revised from time to time (the "Policy"). The Policy and other policies and rules to which ATHLETICS DIRECTOR is subject and shall abide are contained in the Code of the UNC Board of Governors and ECU's policies, regulations and rules. Such policies may be accessed at: <http://www.ecu.edu/PRR> and <https://www.northcarolina.edu/apps/policy/index.php?pg=toc&id=12&add ed=&return url=%2Fapps%2Fpolicy%2Findex.php%3Fpg%3Dtoc%26id%3D> and are incorporated herein by reference. ATHLETICS DIRECTOR accepts and shall abide by the Code of the UNC Board of Governors and ECU's policies, regulations and rules.
- C. The Chancellor shall provide a written evaluation of the ATHLETICS DIRECTOR's performance on an annual basis.

## **II. DUTIES**

- A. ECU hereby employs ATHLETICS DIRECTOR as the Director of Athletics with all the duties, responsibilities, and obligations normally associated with the position of Director of Athletics at a major university. Duties include, but are not limited to, the following:
- (1) Devote his best efforts full time in leadership, supervision, and promotion of ECU's intercollegiate athletic programs (the "Athletic Programs") and the ECU Department of Athletics (the "Department") that supports said Athletic Programs, including, but not limited to, with regard to ensuring compliance with applicable laws, rules, and requirements, the sound financial management of the Department,



- and the promotion of the mission of the Department, ECU's high standard of academic excellence, and the general health and welfare of student-athletes;
- (2) Be responsible for direction, review, and implementation of ECU's intercollegiate athletic policies and programs, including, but not limited to, those with regard to the welfare and safety of student athletes;
  - (3) Ensure that the Department's plans, policies, procedures and Athletic Programs are and/or operate in compliance with the Constitution and Bylaws of the American Athletic Conference or those of such other athletic conference as the University may become affiliated in the future (the "Conference") and also with the Constitution, Bylaws, rules and regulations of the NCAA; all State and Federal laws, and policies and procedures of The University of North Carolina and ECU;
  - (4) Understand, observe and uphold all standards, including but not limited to academic standards and requirements, policies, rules and regulations of ECU as well as the Constitution and Bylaws of the Conference and of the NCAA, all applicable State and Federal laws, and all policies and procedures of The University of North Carolina and ECU as may be amended from time to time, and ensure compliance with all of the same standards, requirements, policies, rules, regulations, Constitution, Bylaws, laws and procedures by all coaches and other athletic department personnel as well as the programs of ECU's Athletics Department;
  - (5) Use best efforts to foster academic values, maintain program integrity, and encourage and contribute to the academic progress of all student athletes and to ensure that all academic standards, requirements, and policies of ECU are observed including those in connection with the recruiting and eligibility of perspective and current student athletes and specifically with regard to the recruiting of student athletes who are academically qualified;
  - (6) Use best efforts to develop procedures and programs that ensure the safety and welfare of student-athletes; ensure that coaching and administrative staff actively support the Department and ECU's joint commitment to academic achievement for each student-athlete, to include promoting academic advising and counseling services; promote an environment that encourages student-athletes to achieve the best grades possible and to make progress toward a degree in a defined academic program;
  - (7) Promote athletic excellence and a competitive program on local, conference and national levels for the men's and women's intercollegiate varsity sports programs that comprise the Athletic Programs and coordinate with and advise the Chancellor on the recruitment, selection and evaluation of all coaches; maintain responsibility for scheduling athletic events and games, and identify and recommend adding or removing varsity sports teams;
  - (8) Maintain and enforce any and all disciplinary policies and drug/alcohol policies of ECU;

- (9) Maintain effective relations with governing boards, associations, conferences, committees, alumni, students, faculty, and staff;
- (10) Direct the athletic fundraising and marketing; manage and, subject to the direction of the Chancellor, coordinate interactions between the Department of Athletics and the East Carolina University Educational Foundation, Inc. (the "Pirate Club"), including its Board and work with the Pirate Club to coordinate capital fundraising for facilities and athletic scholarships; identify needs for renovation and repairs consistent with principles of sports medicine and equal access in athletics; with legal advice from the Office of University Counsel negotiate and recommend sports marketing, apparel and shoe sponsorship arrangements;
- (11) Coordinate and support activities that promote Pirate Club member and alumni participation through support of athletic-related events in North Carolina and elsewhere;
- (12) Promptly advise the Chancellor, the General Counsel and Vice Chancellor for Legal Affairs, and the Senior Associate Athletic Director for Compliance if the ATHLETICS DIRECTOR has any reason to believe that any violation of NCAA or Conference constitutional provisions, bylaws, rules, or regulations has occurred or will occur and shall cooperate fully in any investigation of possible violations conducted or authorized by the UNIVERSITY, the Conference, or the NCAA at any time, including but not limited to the NCAA infractions process, including the investigation and adjudication of a case;
- (13) Promptly advise the Chancellor and the Senior Associate Athletic Director for Compliance if the ATHLETICS DIRECTOR has any reason to believe that any of ECU's Athletics Programs may be at risk of being deemed ineligible to compete in any NCAA or Conference competition due to academic, conduct related or other compliance concerns;
- (14) Submit recommendations and supporting documentation to the Chancellor or his designee, as necessary, to make decisions regarding academic goals and other sport-focused aspects of the Athletics Programs;
- (15) Direct ECU's intercollegiate athletic events and activities, including management of staff, maintenance and development of athletic facilities, responsibility for budget and other resources while operating in a sound fiscal manner;
- (16) Be fully knowledgeable of applicable laws, policies, regulations and rules regarding financial transactions and business operations and ensures compliance with the same by the Department;
- (17) Observe, respect and promote the principles of institutional control in every aspect of ECU's Athletics Programs;

- (18) Annually provide written evaluations to each head coach and each member of the athletics staff who reports directly to the ATHLETICS DIRECTOR and ensure that all other coaches and staff within the Athletics Department receive written evaluations annually from his or her respective supervisor;
- (19) Promote ECU's commitment to equal opportunity and affirmative action and compliance with Title IX; and
- (20) Perform such other duties as assigned from time to time by the Chancellor.
- B. ATHLETICS DIRECTOR agrees to faithfully, diligently, and competently perform the duties of the Director of Athletics, and to devote such time, attention, and skills to the performance of said duties as necessary to meet the responsibilities of the position of the Director of Athletics. ATHLETICS DIRECTOR shall report to and be under the immediate supervision of the Chancellor. ATHLETICS DIRECTOR agrees that the failure to discharge any of the duties of the Director of Athletics constitutes a breach of this Agreement that would allow ECU to terminate ATHLETICS DIRECTOR for cause pursuant to section X of this Agreement.
- C. If ATHLETICS DIRECTOR is found to have committed material violations of NCAA rules or regulations, whether while employed by ECU or during prior employment at another NCAA member institution, ATHLETICS DIRECTOR shall be subject to disciplinary action as set forth in the provisions of the NCAA infractions process and applicable ECU policies, regulations or rules, including the Policy. Such disciplinary action may include suspension without pay or termination for cause in accordance with section X of this Agreement. In the event that any future or amended NCAA or Conference rule, regulation, bylaw, or constitutional provision should render ineffectual this Section II.C. as a basis for protecting the institutional integrity of ECU, then ATHLETICS DIRECTOR and ECU will, to the extent possible, engage in good faith negotiations to revise this Section II.C. or to substitute an alternative provision that would allow for a materially similar duty to be imposed upon the ATHLETICS DIRECTOR with materially similar consequences for failure to perform said duty while preserving for ECU as much of the bargained for institutional benefit as reasonably possible.
- D. The parties mutually agree that major public announcements (e.g. suspension of players from the team, schedule modifications) made through any medium concerning the Athletic Program at ECU will be discussed with each other, including specifically the Chancellor (or his designee) and ATHLETICS DIRECTOR, prior to said announcements being made public. Both parties agree to give full and faithful allegiance to the other as concerns the Athletic Program.

### **III. ANNUAL SALARY**

The Annual Salary for the position of ATHLETICS DIRECTOR is Five Hundred Thousand Dollars (\$500,000) ("Annual Salary"), based on a twelve (12) month

employment period. The salary will be paid in semi-monthly installments with the first installment paid no later than February 28, 2022 and continuing through the term of ATHLETICS DIRECTOR's employment relationship with the UNIVERSITY under this Agreement. For purposes of clarification, through the described installment payments, ATHLETICS DIRECTOR will receive a pro-rata amount of the Annual Salary for each Agreement calendar year. ATHLETICS DIRECTOR will receive any and all other regular employment benefits provided by the State of North Carolina to similarly situated employees, plus benefits provided to University EHRA Non-Faculty employees based upon the Annual Salary.

#### **IV. BENEFITS AND OTHER NON-SALARY COMPENSATION**

ECU shall provide ATHLETICS DIRECTOR all benefits and other non-salary compensation included and as specified in Appendix A, attached hereto and incorporated by reference. Additionally, ECU may provide ATHLETICS DIRECTOR with an annual expense allowance in non-State funds from the Department to be used for entertainment and other appropriate purposes to advance ECU's Athletics Programs. Advancement of ECU's Athletics Programs is understood to include, but not be limited to, travel expenses for the spouse of ATHLETICS DIRECTOR and ECU purposes. All appropriate State and Federal taxes will be withheld. Use of these funds shall always be within NCAA, Conference, and ECU regulations, rules and policies.

#### **V. OUTSIDE COMPENSATION**

- A. ATHLETICS DIRECTOR may earn other compensation from sources outside of ECU while employed by ECU with prior approval by the Chancellor. Any outside compensation is subject to compliance with ECU's "Regulation on Conflicts of Interest, Commitment, and External Professional Activities for Pay" and the "Policy on External Professional Activities for Pay" of the UNC Board of Governors, both of which are herein incorporated by reference, and is subject to all other relevant State and Federal policies and laws concerning conflict of interest. Such activities are independent of ATHLETICS DIRECTOR's employment with ECU, ECU shall have no responsibility for any claims arising therefrom, and the ATHLETICS DIRECTOR shall indemnify and hold harmless ECU from any and all claims and/or losses as a result of ATHLETICS DIRECTOR's participation in such activities. Activities for outside compensation shall include, but not be limited to, engaging in any radio, television, motion picture, Internet, stage, writing or any similar activity, personal appearances, commercial endorsements, and sport camps. Subject to specific reporting requirements established by ECU, no outside activities will be allowed without having on file with ECU, a signed approval of the "Notice of Intent to Engage in External Professional Activities for Pay" prior to engaging in those activities, which approval shall not be unreasonably withheld.
- B. In accordance with ECU policy and NCAA Bylaw 11.3.2, which are incorporated herein by reference, ATHLETICS DIRECTOR shall report annually on July 1 to the Chancellor all athletically-related income from sources outside ECU, including but not limited to, income from sports camps and clinics,

television and radio programs, commercial endorsements, consulting agreements, and all other athletically-related income from whatever outside source. ATHLETICS DIRECTOR shall ensure that upon request ECU has reasonable and prompt access to all records of ATHLETICS DIRECTOR to verify this report.

- C. ATHLETICS DIRECTOR agrees that ECU may use, without payment of additional compensation to ATHLETICS DIRECTOR, ATHLETICS DIRECTOR's name, picture, likeness and voice in connection with any such programs and endorsements that promote ECU. This provision shall survive expiration or termination of this Agreement.

## **VI. TAXES**

ATHLETICS DIRECTOR acknowledges that, in addition to the salary provided for in this Agreement, certain benefits and other non-salary compensation he receives incident to his employment relationship with ECU may give rise to taxable income. ATHLETICS DIRECTOR agrees to be responsible for the payment of any taxes (including federal, state and local taxes) due on such income. ATHLETICS DIRECTOR also understands that ECU shall withhold taxes on amounts paid or due to ATHLETICS DIRECTOR and the value of benefits and other non-salary compensation provided to ATHLETICS DIRECTOR, to the extent required by applicable law and regulation.

## **VII. UNIVERSITY RECORDS**

All materials or articles of information including, without limitation, personnel records, recruiting records, team information, films, statistics or any other material or data furnished to ATHLETICS DIRECTOR by ECU or developed by ATHLETICS DIRECTOR on behalf of ECU or at ECU's direction or for ECU's use or otherwise in connection with ATHLETICS DIRECTOR's employment hereunder are and shall remain the sole property of ECU. ATHLETICS DIRECTOR shall ensure all said materials or articles of information are in the possession of the ECU as of the date of expiration or termination of this Agreement. If ECU requests access/or the return of such materials at any time during or at or after the termination of ATHLETICS DIRECTOR's employment, ATHLETICS DIRECTOR shall immediately deliver same to ECU.

## **VIII. ATHLETICS DIRECTOR SUBJECT TO REASSIGNMENT**

Throughout the term of this Agreement, ATHLETICS DIRECTOR shall use his best full-time energies and abilities for the exclusive benefit of ECU. It is understood by the parties, however, that during the term of this Agreement, ECU retains the right to reassign the ATHLETICS DIRECTOR, for a period not to exceed sixty (60) days, to other positions with different duties that ECU deems to be reasonably consistent with ATHLETICS DIRECTOR's education and experience, with no diminution in Annual Salary. Such sixty (60) day period may be extended in the Chancellor's sole discretion to the extent the Chancellor determines, in good faith, that such extension is necessary. ECU's obligation

to provide non-salary or deferred compensation under Appendix A will terminate upon reassignment at the ECU's sole discretion, except that ECU shall pay, subject to the conditions in Appendix A, sections H-I, the ATHLETICS DIRECTOR any bonuses earned under Appendix A up to the date of the reassignment. Upon cessation of Director of Athletics duties and responsibilities, ATHLETICS DIRECTOR shall voluntarily relinquish all appointments on NCAA or athletic conference committees, subcommittees and/or councils of any nature. If ECU makes such a decision to reassign ATHLETICS DIRECTOR and ATHLETICS DIRECTOR refuses to accept such reassignment, then ECU may terminate this Agreement for cause pursuant to section X of this Agreement.

**IX. AUTOMATIC TERMINATION UPON DEATH OR DISABILITY OF ATHLETICS DIRECTOR**

- A. This Agreement shall terminate automatically upon the death of ATHLETICS DIRECTOR. If this Agreement is terminated pursuant to this section because of death, the ATHLETICS DIRECTOR's Annual Salary and all other benefits shall terminate as of the end of the calendar month in which death occurs, except that ATHLETICS DIRECTOR's personal representative or other designated beneficiary shall be paid any bonuses earned under Appendix A prior to death, and all such death benefits, if any, as may be contained in any benefit plan and due to ATHLETICS DIRECTOR as an EHRA non-faculty employee.
- B. This Agreement shall terminate automatically upon the permanent disability of ATHLETICS DIRECTOR. For purposes of this provision, ATHLETICS DIRECTOR shall be deemed permanently disabled if, due to a mental or physical impairment, ATHLETICS DIRECTOR is unable to perform the essential functions of the job with or without reasonable accommodation for a period of ninety (90) days. If this Agreement is terminated pursuant to this section because of permanent disability, ECU's sole obligation shall be to pay that portion of the Annual Salary as set forth in section III due to ATHLETICS DIRECTOR as of the date of termination, disability benefits to which ATHLETICS DIRECTOR may be entitled to under any disability program in which ATHLETICS DIRECTOR is enrolled through ECU, any bonuses earned under Appendix A prior to permanent disability, and any supplemental compensation earned under Appendix A up to the date of permanent disability.

**X. ATHLETICS DIRECTOR REPRESENTATION AND WARRANTIES; TERMINATION BY ECU FOR CAUSE**

- A. ATHLETICS DIRECTOR represents and warrants that he has disclosed to ECU: (a) any known previous material breach or alleged material breach by ATHLETICS DIRECTOR of his duties or his employment agreement or other agreement at any other NCAA member institution; (b) any known material violation or alleged violation of any law or rule applicable to intercollegiate athletics by ATHLETICS DIRECTOR or any person under his direct or indirect supervision; (c) any known material violation or alleged violation by any athletic program under the direction of ATHLETICS DIRECTOR, including, but not limited to, a member of the coaching staff, a player, or any other person affiliated with the intercollegiate athletics program

who reported directly or indirectly to ATHLETICS DIRECTOR, of rules or regulations of the NCAA or any other association, conference or like organization associated with another NCAA member institution, state or federal laws, rules or regulations, or any rules or policies of another NCAA member institution; (d) other known material misconduct or alleged misconduct, including without limitation fraud, dishonesty, acts of violence, or other conduct that is contrary to the mission of another NCAA member institution or an educational institution; and (e) all convictions and guilty pleas of ATHLETICS DIRECTOR, including an Alford Plea, to (i) a felony or (ii) a criminal offense which constitutes fraud, dishonesty or moral turpitude, the underlying offense or activity, but not the conviction or guilty plea, having occurred prior to the date of ATHLETICS DIRECTOR's signature below. ATHLETICS DIRECTOR understands and agrees that this representation and warranty is a material inducement for ECU to enter into this Agreement, and that ECU has relied upon this representation and warranty in entering into this Agreement with ATHLETICS DIRECTOR. For the purpose of clarity, the term "alleged" as used in this Section X(A) means a claim or assertion of which ATHLETICS DIRECTOR is aware.

- B. This Agreement may be terminated by ECU for cause. "Cause" shall include, but not be limited to, the following:
- (1) Failure to satisfactorily carry out the duties of ATHLETICS DIRECTOR as defined in section II of this Agreement [DUTIES] and, where applicable, failure to cure same within thirty (30) calendar days of receiving written notice of such failure from ECU, or within such additional timeframe as reasonably necessary and as approved by the Chancellor;
  - (2) A major or willful violation or multiple minor or secondary violations by ATHLETICS DIRECTOR, or knowing participation by ATHLETICS DIRECTOR in a violation by an assistant/associate ATHLETICS DIRECTOR or coach or other staff member of which ATHLETICS DIRECTOR had reason to know, or should have known through the exercise of reasonable diligence or which ATHLETICS DIRECTOR condoned of an NCAA regulation or bylaw or a Conference regulation or bylaw, whether while employed by ECU or during prior employment at another NCAA member institution;
  - (3) Any act or omission that constitutes a violation by ATHLETICS DIRECTOR of any policy or regulation of ECU or of the Board of Governors of the University of North Carolina, of the constitution, or any bylaw, rule or regulation of the NCAA, AAC, or any other association, conference or like organization with which ECU is or may become affiliated, to the extent such violation is deemed in the sole discretion of ECU to be grounds for termination of the Agreement for cause. ECU will deem a violation to be grounds for termination under this Section X.B., if it is serious or intentional or negligently committed, including with regard to NCAA provisions any major or serious violation (e.g., repeated violations or any violation that the University determines could reasonably be expected to result in sanctions such as probation, forfeiture of athletic contests, loss of one or more scholarships, prohibitions against

- conference or championship or telecast appearances, restrictions on a coach's right to recruit, etc.).
- (4) Failure of ATHLETICS DIRECTOR to appropriately monitor and report any compliance or NCAA eligibility issues of which ATHLETICS DIRECTOR is aware, or with the appropriate and reasonable monitoring of ECU's intercollegiate athletics program, ATHLETICS DIRECTOR should have been aware;
  - (5) Failure of the ATHLETICS DIRECTOR to appropriately monitor, manage, and report to the Chancellor and other appropriate ECU personnel, any issues or conditions within the Director of Athletics' purview that adversely affect the safety and welfare of student athletes, including, but not limited to, failing to ensure that coaching staff of the Athletic Programs are directed to comply with, and are complying with, best practices with regard to the management of suspected concussions, heat stroke, and other serious medical conditions known to affect student athletes.
  - (6) Conviction of, or a guilty plea, including an Alford Plea, to (i) a felony or (ii) a criminal offense which constitutes fraud, dishonesty or moral turpitude;
  - (7) Misconduct of the ATHLETICS DIRECTOR, or misconduct of any assistant or associate Athletic Director or of a coach or of his staff of which the ATHLETICS DIRECTOR knew, had reason to know, or should have known through the exercise of reasonable diligence or which ATHLETICS DIRECTOR condoned, of such a nature, as reasonably determined in the discretion of ECU, that would tend to bring disrespect, contempt or ridicule upon ECU, or which brings discredit to ECU, or which harms ECU's reputation, or which reasonably brings into question the integrity of the ATHLETICS DIRECTOR or that, as determined in the sole discretion of the Chancellor, would render ATHLETICS DIRECTOR unfit to serve in the position of Director of Athletics;
  - (8) Prolonged absence from duty without the consent of the Chancellor;
  - (9) Refusal by ATHLETICS DIRECTOR to use best efforts to ensure that academically qualified student athletes are recruited and that student athletes are making adequate progress in a defined degree program;
  - (10) Refusal of ATHLETICS DIRECTOR to carry out reasonable directives from the Chancellor;
  - (11) Seeking, interviewing for or negotiating terms for, whether directly or through any agent or representative, employment with another sports-related business or program without first informing the Chancellor and receiving his/her express approval of the Chancellor, which approval shall not be unreasonably withheld;
  - (12) A breach of any representation and/or warranty made by ATHLETICS DIRECTOR in Section X(A) or any other act, whether occurring prior to or during the Term, which



brings serious discredit to ECU's intercollegiate athletics program or would be likely to cause prospective student-athletes to elect not to attend ECU; or

- (13) Any of those causes specified in the Employment Policies for EHRA employees of the University of North Carolina or ECU, as adopted and revised from time to time.
- C. In the event of a termination under this section, ECU's sole obligation to ATHLETICS DIRECTOR shall be to pay ATHLETICS DIRECTOR that portion of the Annual Salary as set forth in section III earned, accrued and owing to ATHLETICS DIRECTOR as of the date of such termination, but not beyond that date. In the event ECU exercises its right to terminate the Agreement with cause, ECU shall not be obligated to pay ATHLETICS DIRECTOR any other compensation or benefits described in the Agreement, including but not limited to any loss of business opportunities or loss of other compensation, income, benefits, or perquisites from any sources, that might occur as a result of such termination.
- D. Any process to terminate ATHLETICS DIRECTOR for cause shall be conducted in compliance with the Policy and all other applicable policies and regulations.

#### **XI. TERMINATION BY ECU WITHOUT CAUSE**

This Agreement may be terminated by ECU at any time without cause.

- A. In the event ECU exercises its right to terminate ATHLETICS DIRECTOR's employment or this Agreement without cause, ECU's sole financial obligation shall be limited to paying ATHLETICS DIRECTOR the remaining and unpaid amount of Annual Salary that would have been due and payable to him under Section III of this Agreement had ATHLETICS DIRECTOR remained employed by ECU for the remaining term of the Agreement and, if applicable, any bonuses earned as of the effective date of termination. In the event ECU exercises its right to terminate ATHLETICS DIRECTOR's employment or the Agreement without cause, ECU shall not be obligated to pay ATHLETICS DIRECTOR any other compensation described in the Agreement or be responsible for consequential damages, including but not limited to any loss of business opportunities or loss of other income, benefits, or perquisites from any sources, that might occur as a result of such termination. Payment of the total amount determined shall occur over the remaining term of the Agreement as follows: 1) Within thirty (30) days of the effective date of termination without cause, payment shall be made of amounts due with respect to the remainder of that Agreement year, and 2) payments due hereunder with respect to each subsequent year shall be made on the last day of such subsequent Agreement year, until all amounts due under this section XI have been paid in full. As a precondition for ATHLETICS DIRECTOR's receipt of the amounts payable under this Section XI(A), ECU may, in its sole discretion, require ATHLETICS DIRECTOR to execute a release in favor of ECU, and any affiliated entities, releasing them and their agents, trustees, directors, officers, representatives and employees from any and all federal or state law claims that ATHLETICS DIRECTOR may have against them at the time of the release, including, but not limited to, claims resulting from the breach or

termination of this Agreement or the severance of ATHLETICS DIRECTOR's relationship with ECU.

- B. ATHLETICS DIRECTOR acknowledges his obligation to minimize the payments due to him under section XI(A) and agrees to make every reasonable effort to obtain other employment as long as ECU has the obligation to make payments under section XI(A). If the ATHLETICS DIRECTOR obtains new employment, ECU's financial obligations under section XI(A) shall be reduced by the total compensation that is expected to be received by ATHLETICS DIRECTOR in his new position, including employee benefits, whether in cash, deferred payments, or in kind if ATHLETICS DIRECTOR were to fully perform under ATHLETICS DIRECTOR's new employment relationship. ATHLETICS DIRECTOR shall immediately, upon acceptance of other employment, notify the Chancellor in writing of such employment and the total compensation to be paid to ATHLETICS DIRECTOR for the employment. In addition, ATHLETICS DIRECTOR agrees to provide ECU with a copy of his W-2 form for each calendar year as long as ECU has the obligation to make payments under section XI. Any diminution of compensation in ATHLETICS DIRECTOR's new position or ATHLETICS DIRECTOR ceasing to be employed in his new position shall have no effect on the reduced financial obligations of ECU.
- C. If ATHLETICS DIRECTOR's total expected compensation in the new position exceeds that which ATHLETICS DIRECTOR would have been paid at ECU as set forth in section III, then ECU's financial obligations under section XI(A) shall terminate, and ECU shall have no additional or future financial obligations to ATHLETICS DIRECTOR.
- D. In the event that ECU provides written notice to ATHLETICS DIRECTOR of documented evidence that, during ATHLETICS DIRECTOR's term of employment would have been grounds for termination by ECU with cause pursuant to the Policy or Section X of this Agreement, ECU's financial obligations under XI(A) shall terminate upon thirty (30) days of such written notice.
- E. ATHLETICS DIRECTOR acknowledges and agrees that ECU's sole financial obligation in the event that ATHLETICS DIRECTOR is terminated without cause is governed by section XI(A) of this Agreement, and any prior agreements or promises in regard to ECU's payments to ATHLETICS DIRECTOR due to termination without cause, if any, are null and void.

## **XII. TERMINATION BY ATHLETICS DIRECTOR PRIOR TO EXPIRATION**

- A. ATHLETICS DIRECTOR agrees that the promise to work for ECU for the entire term of the Agreement is essential to ECU. The parties agree that the ATHLETICS DIRECTOR has special, exceptional, and unique knowledge, skill and ability as an ATHLETICS DIRECTOR, which, in addition to the continuing acquisition of ATHLETICS DIRECTOR experience at ECU, as well as ECU's special need for continuity in its intercollegiate sports program, render the ATHLETICS

DIRECTOR's services unique. ATHLETICS DIRECTOR therefore agrees, and hereby specifically promises, not to actively seek, negotiate for or accept athletics-related employment, under any circumstances, without first informing or obtaining permission from the Chancellor, such permission not to be unreasonably withheld, such employment including but not limited to a sports commentator, or an athletics director or administrator of or over an intercollegiate sports program at any institution of higher education which is a member of the NCAA or for any professional team participating in any professional league or conference in the United States or elsewhere, requiring performance of duties prior to the expiration date of the term of this Agreement or any extension thereof.

- B. This is an Agreement for personal services. The parties recognize and agree that a termination of this Agreement by ATHLETICS DIRECTOR prior to its natural expiration could cause ECU to lose its valuable investment in ATHLETICS DIRECTOR's continued employment at ECU and could cause ECU additional damages beyond its lost investment, including but not limited to a possible adverse effect on the intercollegiate sports program.

### **XIII. TERMINATION OR AMENDMENT BY BOTH PARTIES**

This Agreement may be terminated or amended at any time upon mutual written agreement of all parties.

### **XIV. COMPENSATION CONDITIONAL**

The payment of all forms of compensation set forth in this Agreement is subject to the approval of the annual operating budget by ECU and The University of North Carolina Board of Governors, and the sufficiency of appropriations or the availability of sufficient funds within the Athletic Department's budget to pay such compensation.

### **XV. MERGER**

This Agreement constitutes the full and complete agreement of the parties. No prior or subsequent written or oral understandings or representations pertaining to the subject matter of this Agreement shall be binding upon the parties unless contained herein or set forth in the form of written amendment(s) to this Agreement, executed by both parties prior to becoming effective.

### **XVI. INTERPRETATION AND APPLICABLE LAW**

This Agreement is made under and shall be interpreted according to the laws of the State of North Carolina. Any rule to the effect that an agreement shall be construed against the party drafting shall have no application to this Agreement.

**XVII. NOTICES**

Any notice or other communication required under this Agreement shall be in writing and shall be deemed effective when personally delivered or sent by confirmed facsimile or five (5) days after being deposited in the United States mail, postage prepaid, registered or certified, addressed to the other party at its/his respective address or facsimile number set forth below, or such other address or facsimile number as may be given by such party in writing to the other, or with respect to ATHLETICS DIRECTOR, to the address or facsimile of his attorney of record if ATHLETICS DIRECTOR has provided such in writing to the Chancellor.

ECU:  
Chancellor  
105 Spilman Building  
East Carolina University  
Greenville NC 27858

ATHLETICS DIRECTOR:  
Jon Gilbert  
Ward Sports Medicine Building  
East Carolina University  
Greenville NC 27858

**XVIII. BENEFIT**

This Agreement, in accordance with its terms and conditions, shall inure to the benefit of and be binding upon ECU, its successors and assigns, and ATHLETICS DIRECTOR, his heirs, executors, administrators and legal representatives.

**XIX. SEVERABILITY**

The invalidity or unenforceability of any provision hereof shall in no way affect the validity or enforceability of any other provision hereof.

**XX. SOLE AND ENTIRE AGREEMENT**

This instrument contains the entire Agreement of the parties and fully supersedes any and all prior offers, discussions, agreements or understandings between the parties hereto. Any and all prior contracts and agreements, oral or written, between the parties, including without limitation the MOU dated December 1, 2018 and its subsequent amendments, are hereby terminated and voided. The Agreement may not be changed or amended orally, but only by an Agreement in writing signed by the party against whom enforcement of any waiver, amendment, change, modification, extension or discharge is sought.

**XXI. APPROVAL BY BOARD OF TRUSTEES/BOARD OF GOVERNORS**

It is expressly understood and agreed by the parties that this Agreement, and any subsequent amendments is/are not effective until approved by ECU's Board of Trustees and ATHLETICS DIRECTOR has satisfied ECU's background check requirements.

**XXII. PUBLIC RECORDS**

ATHLETICS DIRECTOR acknowledges and understands that upon execution of this

Agreement, the payment amounts, and other terms and conditions contained herein shall not be confidential and this Agreement shall be considered a public record within the meaning of the North Carolina Public Records Act, N.C. Gen. Stat. § 132-1 et seq.

### **XXIII. FULL AND CAREFUL CONSIDERATION**

ATHLETICS DIRECTOR acknowledges that he has been given the opportunity to fully and carefully consider this Agreement and all of its provisions and to review this Agreement with legal counsel of his own choosing before signing it.

### **XXIV. ASSIGNMENT**

ATHLETICS DIRECTOR's rights and interest under this Agreement may not be assigned, pledged, or encumbered by ATHLETICS DIRECTOR. The parties understand and agree that there are no third party beneficiaries to this Agreement.

### **XXV. NO WAIVER OF DEFAULT**

No waiver by the parties hereto of any default or breach of any covenant, term, or condition of this Agreement shall be deemed to be a waiver of any other default or breach of the same or any other covenant, term, or condition contained herein.

### **XXVI. IMMUNITY NOT WAIVED**

It is expressly agreed and understood between the parties that ECU is an agency of the State of North Carolina and that nothing contained herein shall be construed to constitute a waiver or relinquishment by ECU of its right to claim such exemptions, privileges, and immunities as may be provided by law.

### **XXVII. SAVINGS CLAUSE**

In the event one or more clauses of this Agreement are declared illegal, void or unenforceable, that shall not affect the validity of the remaining portions of said Agreement.

### **XXVIII. COUNTERPARTS**

The Parties agree that this Agreement may be executed in multiple, identical original counterparts, each of which is an original, and all said counterparts form only one single Agreement; and may be executed via electronic means (including DocuSign, facsimile, and e-mail).

### **XXIX. SURVIVAL**

The terms and conditions of this Agreement which by their nature are intended to survive termination or expiration of this Agreement shall so survive.

**SIGNATURE PAGE FOLLOWS**

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first written above.

EAST CAROLINA UNIVERSITY

ATHLETICS DIRECTOR

By: \_\_\_\_\_  
Dr. Philip G. Rogers  
Chancellor

\_\_\_\_\_  
Jon Gilbert

**As required under UNC Policy Manual Section 1100.3, all terms and conditions of the foregoing agreement have been approved as of the \_\_ day of February, 2022, by the Board of Trustees of East Carolina University.**

By: \_\_\_\_\_  
Scott Shook, Chairman, Board of Trustees

\_\_\_\_\_  
Date signed

Attested to:

By: \_\_\_\_\_  
Megan Ayers, Assistant Secretary to  
the Board of Trustees

\_\_\_\_\_  
Date signed

**APPENDIX A****BENEFITS AND OTHER NON-SALARY COMPENSATION**

- A. STATE BENEFITS As an EHRA Non-Faculty Employee, ATHLETICS DIRECTOR shall be entitled to receive any and all employee-related benefits that are normally available to other twelve-month EHRA Non-Faculty Employees, unless and except as may be expressly stated herein. ATHLETICS DIRECTOR is an EHRA Non-Faculty Employee, ATHLETICS DIRECTOR is currently entitled to twenty-four (24) annual leave days per year. ATHLETICS DIRECTOR acknowledges and agrees that benefits or classifications provided by ECU are subject to change from time to time by the North Carolina General Assembly, the University of North Carolina, or ECU.
- B. AUTOMOBILE ECU shall make arrangements for and provide one (1) courtesy or leased vehicle for the ATHLETICS DIRECTOR to use, contingent upon and while performing his duties under this Agreement. ECU shall be responsible for maintaining collision and comprehensive liability insurance on the vehicle. Alternatively, ECU may provide an annual automobile allowance in the amount of \$10,000 which amount may be adjusted annually consistent with UNIVERSITY policy. ATHLETICS DIRECTOR shall be responsible for providing maintenance on any vehicle.
- C. CELL PHONE UNIVERSITY shall pay ATHLETICS DIRECTOR a cell phone allowance in an amount of \$130/month for a total of \$1,560 per twelve (12) months.
- D. ACADEMIC PROGRESS RATE BONUS Eligible for \$1000 for each varsity sports team which is in the upper 75% of the Conference Academic Progress Rate ("APR") public university rankings based on a rolling four (4) year average. The maximum bonus potential to earn in any contract year for APR shall be \$15,000. Any amount earned will be paid within sixty (60) days of when the APR is reported publicly. In order to receive payment under this Section F, the ATHLETICS DIRECTOR must be employed by and performing substantial services for ECU on the date the APR is reported publicly.
- E. GRADUATION RATE BONUS Federal graduation rate bonus eligibility: In any contract year in which the scholarship student athletes' graduation rate meets or exceeds that of the undergraduate student population, a bonus of \$7,500. Any amount earned will be paid within sixty (60) days of when the federal graduation rate is reported publicly. In order to receive payment under this Section G, the ATHLETICS DIRECTOR must be employed by and performing substantial services for ECU on the date the federal graduation rate is reported publicly.
- F. TEAM PERFORMANCE BONUSES ATHLETICS DIRECTOR shall be entitled to receive additional non-salary compensation from ECU in the form of the following stated bonuses for increased responsibilities:

1. Football - eligible for one of the following bonuses (ties would be decided by the Conference tie breakers):

- a. \$15,000 in any contract year in which the Football team wins the Conference championship game; or
- b. \$5,000 in any contract year in which the Football Team wins the East Division Championship
- c. \$10,000 in any contract year in which the Football team participates in a postseason bowl game;

These bonuses are not cumulative. Any amount earned will be paid within sixty (60) days following the date of the bowl game.

2. Men's Basketball - eligible for one of the following bonuses:

- a. \$15,000 in any contract year in which the Men's Basketball team wins the Conference regular season championship; or
- b. \$10,000 in any contract year in which the Men's Basketball team wins the Conference tournament championship; or
- c. \$10,000 in any contract year in which the Men's Basketball team participates in the NCAA post-season tournament.

These bonuses are not cumulative. Any amount earned will be paid within sixty (60) days following the date of the last game played by the team in the NCAA post-season basketball tournament.

3. Women's Basketball - eligible for one of the following bonuses:

- a. \$7,500 in any contract year in which the Women's Basketball team wins the Conference regular season championship; or
- b. \$5,000 in any contract year in which the Women's Basketball team wins the Conference tournament championship; or
- c. \$5,000 in any contract year in which the Women's Basketball team participates in the NCAA post-season.



These bonuses are not cumulative. Any amount earned will be paid within sixty (60) days following the date of the last game played by the team in the NCAA post-season basketball tournament.

4. Other Varsity Sports Team - eligible for one of the following bonuses:

- a. \$2,500 in any contract year for each varsity sports team that wins a Conference regular season or tournament championship; or
- b. \$10,000 in any contract year for each varsity sports team that wins an NCAA championship.

These bonuses are not cumulative per team. Any amount earned will be paid within sixty (60) days following the date of the last game/match/meet played by the team in the NCAA post-season competition.

- G. RETENTION BONUS If ATHLETICS DIRECTOR remains employed by ECU in the position of Director of Athletics and with all duties of that position continuously until December 1 of the following Agreement year ATHLETICS DIRECTOR will be eligible to be paid the following bonus for each year of this Agreement:

December 2, 2021 – December 1, 2022	\$0
December 2, 2022 – December 1, 2023	\$25,000
December 2, 2023 – December 1, 2024	\$50,000
December 2, 2024 – December 1, 2025	\$75,000
December 2, 2025 – December 2, 2026	\$100,000

- H. The parties understand and agree that the right to any bonus, supplemental pay, or non-salary compensation (for purposes of this Section H, the "Bonus") described above vests when any such Bonus is earned, not when any such Bonus is paid. In no event shall the payment of any Bonus be considered part of Annual Salary. In the event that any future or amended state or federal law, rule or regulation, or NCAA or Conference rule or regulation should a) prohibit the payment of any Bonus; b) render any Bonus illegal or ineffectual; or c) subject ECU to a penalty or assessment or violation of law if such Bonus were to be paid, ECU will, to the extent possible, revise such bonus or substitute an alternative incentive payment that would allow for a similar economic benefit to be provided to the ATHLETICS DIRECTOR while preserving for ECU as much of the bargained for institutional benefit as reasonably possible.
- I. The payment of the bonuses specified in this Appendix A (for the purpose of this Section I only, individually, the "Bonus" and, collectively, the "Bonuses") is subject to the availability of non-State appropriated funds in the Department's budget and

contingent upon a satisfactory performance review of the ATHLETICS DIRECTOR by the Chancellor. A Bonus is deemed “earned”:

- (i) on the date that the milestone tied to the applicable Bonus has been fully completed and/or achieved; or
- (ii) where the milestone for a Bonus is based on performance over an entire season, on the date of the last day of the regular season for the applicable Athletics Program; and
- (iii) provided further, on the date specified in (i) or (ii), where:
  - (a) ATHLETICS DIRECTOR is not an attributable party (either by action, knowing inaction, or failure to report as required by this Agreement) to any non-compliance of any varsity sport with all NCAA, Conference, and UNC and ECU policies, regulations, bylaws, and constitutional provisions;
  - (b) the ATHLETICS DIRECTOR is actively employed as Director of Athletics at ECU; and
  - (c) there are no pending or active NCAA or Conference or ECU investigations of violations relating to the Department and/or the Athletic Programs to which ATHLETICS DIRECTOR is an attributable party (either by action, knowing inaction, or failure to report as required by this Agreement).

No bonus will be deemed earned where a condition specified in this Section I is not satisfied. The University reserves the right to reasonably withhold payment of any bonus until such time that the University determines that the ATHLETIC DIRECTOR is in compliance with this Section I.



**Athletics & Advancement Committee  
February 10, 2022**

Agenda Item: IV. A. 2. Memorial Naming for  
Sam Wornom

Responsible Person: Chris Dyba  
Vice Chancellor for  
University Advancement

Action Requested: Approval

Notes:



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

Christopher M Dyba/mzb \_\_\_\_\_  
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:**

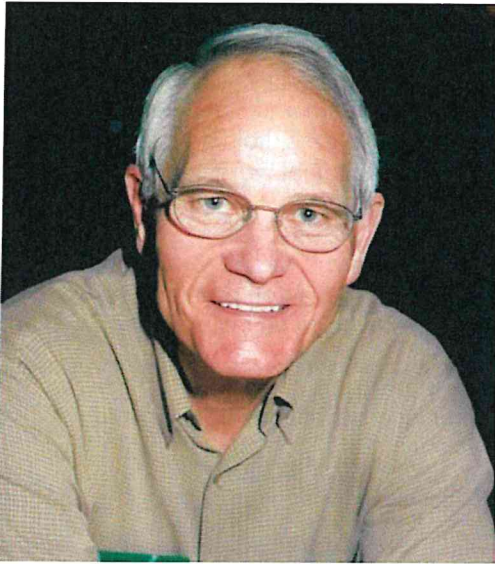
Received \_\_\_\_\_  
Action \_\_\_\_\_/\_\_\_\_\_

Date

\_\_\_\_\_ Forwarded or returned \_\_\_\_\_

Chair's Signature \_\_\_\_\_ Date

Comments \_\_\_\_\_  
\_\_\_\_\_



## Samuel Joseph Wornom III

Samuel Joseph Wornom III passed away peacefully January 30, 2022 at FirstHealth Hospice House in West End.

He was born September 6, 1942 in Hampton, Virginia to the late Betty Fowler Ward Wornom and Samuel Joseph Wornom Jr.

He is survived by his wife of 56 years, Sandra Leonard Wornom, two daughters, Lesley Wornom McKay and Laurie Wornom Phillips (Paul), as well as his six grandchildren who he dearly loved. His grandchildren, Bryan Phillips, Chase McKay, Parrish McKay, Taylor McKay, Parker Phillips, and Lily Grace Phillips affectionately knew him as Sampop.

He is also survived by a brother, Bill Wornom (Rebecca), a brother-in-law, Steve Leonard (Pam), as well as numerous nieces and nephews. Sam loved his family dearly and always wanted the best for them.

Sam graduated from Hampton High School in 1959 before attending East Carolina College/University where he graduated in 1965 with a BA in Business Administration. He married his college sweetheart, Sandra. They lived in Tarboro for a short while before moving to Sanford in 1966.

In 1967 Sam co-founded The Pantry, a convenience store chain that started in Sanford and eventually spread to 480 stores in five states before they sold in 1987. While still at The Pantry, Sam also served as president and CEO of Macks Stores a variety and discount store chain from 1976 – 1980 until the company sold in 1980. In 1996 he was an original co-founder of Imperial Freezer Services which sold in 2011. Sam's love of convenience stores lead him to reenter the business in 1998 with some long time partners creating Fuelmate which sold in 2006. Sam was also one of the original investors of Spring Lane Cinemas in 2004 which sold in 2006. He was also involved in Cargo Control USA from 2009 to Present.

In addition to his many business ventures, Sam was an avid volunteer and served on many non profit boards. Sam was a founding member of the Boys and Girls club of Sanford Lee County where he served a term as President and served on the board for many years through the present. He was a National Trustee for Boys & Girls Clubs from 2000 – 2009 and during his tenure he served as the Vice Chairman for the Southeast Youth of the Year Celebration, served as a member of the Program and Awards Committee for Boys & Girls Clubs of America and led the NC Area Council and Alliance Board. He received the Medallion Award from Boys and Girls Clubs of America for "devoted service that contributed greatly to helping youth to achieve a fuller and richer life through the positive guidance and influence of the Boys and Girls Club"

Sam was an active member in Jonesboro Heights Baptist Church. He served as a deacon, finance committee chair, and as a member of the personnel committee. He loved his church and church family and was always willing to serve. He enjoyed teaching the Roy Sowers Sunday School Class.

Sam also loved his alma mater, East Carolina University, whose motto is Service – “To Serve.” Sam took the motto to heart. He was a major part of the university and athletics department, serving on the ECU Board of Trustees and the Pirate Club Executive Committee. According to ECU, he loved East Carolina University and was often accused of “bleeding purple.” Sam was a longtime friend of the Pirate Club and ECU Athletics for more than 40 years and one of the most prominent donors. Sam participated financially in all campaigns to benefit ECU Athletics and provided guidance and counsel for numerous administrators over the years. The ticket office is proudly named the Sam and Sandy Wornom ECU Athletics Ticket Office. It’s a fitting name due to Sam’s passion for attending Pirate athletic events, holding season tickets for every sport. If he couldn’t attend, he always called the Pirate Club and ensured individuals that were passionate about the purple and gold were sitting in his seats.

He was a successful businessman who was respected by all who worked with him. He always listened to others and considered their opinions when making decisions. Even if he had a strong opinion on an issue, if you presented a good argument, he was not above changing his mind and saying, “I think you are right.” He strived to be fair in every aspect of his life. He loved people and always lent a helping hand.

Although never a rotary member, he was honored by the local Rotary for his community contributions. The award presented by the Rotary sums up Sam:

The 4-Way Test of things we say or do

1. Is it the TRUTH?
2. Is it FAIR to all concerned?
3. Will it build GOODWILL and BETTER FRIENDSHIPS?
4. Will it be BENEFICIAL to all concerned?

Memorial contributions can be made to

Boys and Girls Club of Central Carolina  
1414 Bragg Street  
Sanford, NC 27330

Jonesboro Heights Baptist Church  
316 Main Street  
Sanford, NC 27332

FirstHealth Hospice and Palliative Care  
251 Campground Road  
West End, NC 27376

East Carolina University Foundation  
2200 South Charles Blvd  
Mail Stop 301  
Suite 1100  
Greenville, NC 27858

Lee County Education Foundation  
PO Box 98  
Sanford, NC 27331-0098

Or the charity of ones choice.

Due to Covid, a Celebration of Life will be scheduled at a later date and will be announced on the Rogers Pickard Website.



**University Affairs Committee**

February 10, 2022

Agenda Item: V. A. Personnel Item  
Dean Appointment  
College of Fine Arts & Communications

Responsible Person: Grant Hayes  
Interim Provost

Action Requested: Approval

Notes:





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

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**MEMORANDUM**

TO: Scott Shook  
Chair, ECU Board of Trustees

FROM: Grant Hayes  
Interim Provost

A handwritten signature in cursive script that reads "B. Grant Hayes".

DATE: January 27, 2022

RE: Dean, College of Fine Arts and Communication

I respectfully request the Board of Trustees approve the recommendation from Chancellor Rogers and me to appoint Dr. Linda Kean as Dean of the College of Fine Arts and Communication based on the following terms and conditions:

- 1) Appointment effective July 1, 2022, at a twelve-month annual salary of \$220,000. This salary rate is also contingent upon UNC President approval.

Attachment: CV for Dr. Linda Kean

Linda Godbold Kean, PhD  
East Carolina University  
[Keanl@ecu.edu](mailto:Keanl@ecu.edu)

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## **Education**

University of Wisconsin—Madison. Communication Arts. Ph.D. August 1998.  
University of Wisconsin—Madison. Communication Arts. M.A. August 1994.  
University of Illinois—Urbana. Major: Communication—Broadcast Journalism. B.S. May 1989.

## **Administrative Appointments**

**Interim Dean, College of Fine Arts and Communication, July 2021-present**  
**East Carolina University**

The College of Fine Arts and Communication encompasses the Schools of Art and Design, Communication, Music, and Theatre and Dance. As interim dean, I am responsible for overseeing the fiscal, personnel and strategic planning functions of the college, its schools and associated programs. Additionally, I work with the provost, chancellor, deans, development office and other ECU entities in order to advocate for our students, faculty and staff. I serve as the face of the college at community events and work to raise the profile of our schools in a variety of internal and external venues.

**Coordinator for Global Activities, College of Fine Arts and Communication, August 2018-present**  
**East Carolina University**

Responsible for overseeing vision and planning for college international efforts including study abroad, faculty and student exchange and development of MOUs.

**Director, School of Communication, July 2009-present**  
**Acting Director, School of Communication, July 2007-2009**  
**East Carolina University**

The School of Communication at ECU has approximately 900 undergraduate majors, including 150 distance education students, and more than 50 graduate students. Approximately 25 faculty/part time instructors report to the Director of the School of Communication. As Director, I am in charge of all budgetary and personnel matters in the School of Communication. This includes overseeing the filling of faculty and staff positions, reviewing faculty and staff annually, creating and implementing an annual budget and preparing a strategic plan as well as an annual report for the school.

**Interim Associate Director, School of Communication, April 2006-July 2007**  
**East Carolina University**

As the Interim Associate Director, I was responsible for all curriculum related matters. A major undertaking in this position involved leading the curricular revision of all six major concentrations in the School of Communication. I was also responsible for creating course schedules for more than 100 sections of 41 different courses per semester for our on-campus undergraduate and graduate programs as well as our distance education program.

**Graduate Program Coordinator, School of Communication, 2003-2007.**  
**East Carolina University.**

The School of Communication offers an MA in communication with an emphasis in health communication. I led the development of this program from the early stages of idea proposal through all planning and approval processes. I was responsible for all of the day-to-day operations of our MA program.

### **Academic Appointments**

- Professor, School of Communication, 2013 to present. East Carolina University.
- Associate Professor, School of Communication, August 2004-2013. East Carolina University.
- Assistant Professor, School of Communication, August 1998-2004. East Carolina University.
- Adjunct Associate Professor, Dept. of Public Health, September 2005-present. Brody School of Medicine, East Carolina University.
- Affiliated faculty/administrator, Ethnic Studies Program, ECU, 2012-present.
- Affiliated faculty/administrator, Women's Studies Program, ECU, 2012-present.

### **International Affiliations**

- Visiting Professor, Department of Translation and Intercultural Communication, Jagellonian University, Krakow, Poland, May/June 2019.
- Adjunct Professor, Guangming School of Journalism and Communication, China University of Political Science and Law, Beijing, China, July 2017-July 2020.

### **Courses Taught**

Undergraduate level:

- |   |                               |                             |
|---|-------------------------------|-----------------------------|
| • Public Relations Campaigns                | • Public Relations Strategies | • Public Relations Theory   |
| • Media Effects                             | • Media Ethics                | • Health Communication      |
| • Communication Theory                      | • Senior Seminar              | • Small Group Communication |
| • Mass Media and Adolescent Health (honors) |                               | • Honors leadership seminar |

Graduate level:

- |                    |                 |
|--------------------|-----------------|
| • Media and Health | • Media Effects |
|--------------------|-----------------|

### **Student research supervision**

#### **Graduate research project**

Crystal Stroman—*African American Women, food consumption and mediated and interpersonal communication* 2014-2015

Heather Burney—*Impact of Advertising for Dietary Supplements on College Students' Body Image and Drive for Thinness*, 2013-2014

Brittani Parker—*Motivations and Barriers for Working and Going to School as a Teen Mom, A Content Analysis of MTV's Teen Mom*, 2011

Dinecia Gates—*African American Females, Media Use and Food Consumption*, 2010

#### **MA theses directed**

Shekinah Thomas, MA—*Sexual Imagery and Innuendo: A Content Analysis of Sexual Material in African American and General Readership Magazine Advertisements* 2008

#### **Honors thesis students**

Casey Anthony—*The Sexualization of Women in Sports Advertisements*, 2011-2012

Angela Baldini—*Applying Media Use Habits as a Framework for Investigating Public Opinion of Science*, 2003-2004

Steven Asby—*Mass Media and Sexual Attitudes*, 2002-2003

### **Publications**

Hong, S. & **Kean, L. G.** (2020). Teacher as a Hero in Tragedy: An Analysis of Newspaper Coverage of the Parkland School Shooting and the Sewol Ferry Disaster. *Media Watch*. 11 (3) 373-385.

**Kean, L.**, Prividera, L.C., Stroman, C., Edwards, B., Edwards, W. (2017). Focus Group Discussions Among African American Women Regarding Media and Expectations about Weight, Food Consumption and Fitness. *Abstract Book: 15th Annual International Conference on Communication and Mass Media*. Gregory T. Papanikos (ed.). Athens Institute for Education and Research. Athens, Greece.

**Kean, L.G.**, Prividera, L.C., Howard, J.W. & Gates, D. (2014). Health, Weight, and Fitness Messages in *Ebony* and *Essence*: A Framing Analysis of Articles in African American Women's Magazines. *Journal of Magazine & New Media Research*.

**Kean, L.G.** (2014). Digital Media Campaigns. *Encyclopedia of Health Communication*. Teresa L. Thompson, J. Geoffrey Golson (ed.). SAGE Publications: Thousand Oaks, CA.

**Kean, L.G.** (2014). Media: Magazines. *Encyclopedia of Health Communication*. Teresa L. Thompson, J. Geoffrey Golson (ed.). SAGE Publications: Thousand Oaks, CA.

**Kean, L.G.** (March, 2013). Representations of Latinos in US Entertainment and News Media: An Overview. *Migration, Narration, Identity: Cultural Exchanges in a Globalized World*. Peter Leese and Władysław Witalisz (eds.). Frankfurt am Main: Peter Lang Verlag.

**Kean, L.G.**, & Thomas, S. (August, 2012). Sex sells, but to whom and at what price? Sexual images of African American and Caucasian women in magazine advertising. *Advertising and Reality: A Global Study of Representation and Content*, Amir Hestroni (ed.). Continuum Press: New York.

**Kean, L.G.**, Prividera, L.C., Boyce, A., & Curry, T. (2012). Media use, media literacy and obesity: Does consumption of the media affect African American females' consumption of food? *The Howard Journal of Communications*, 23:3, 197-214.

Krcmar, M. and **Kean, L.G.** (2009). Uses and gratifications of media violence: Personality correlates of viewing and liking violent genres. *Media Audiences*, B. Gunter and D. Machin (Eds.). Sage: Thousand Oaks, CA.

Prividera, L.C. & **Kean, L.G.** (2008). Obesity and health: A textual analysis of consumption product advertisements in African American and general readership magazines. *Women and Language*, 31 (1) 52-61.

**Kean, L.G.** & Prividera, L.C. (2007). Communicating about race and health: A content analysis of print advertisements in African American and general readership magazines. *Health Communication*, 21, 289-298.

**Kean, L.G.** (2006). Book review: Save The Children (2004). Effective Peer Education: Working with children and young people on sexual and reproductive health and HIV/AIDS. *The Journal of Health Communication* 11, (5), 543-545.

Krcmar, M. and **Kean, L.G.** (2005). Uses and gratifications of media violence: Personality correlates of viewing and liking violent genres. *Media Psychology*, 7, 397-415.

**Kean, L.G.** and Albada, K.F. (2003). The relationship between college students' schema regarding alcohol use, their television viewing patterns and their previous experience with alcohol. *Health Communication*, 15 (3), 277-298.

**Kean, L.G.** & Albada, K.F. (2002). The association between television viewing and college students' perceptions, attitudes and behaviors regarding alcohol use. *Web Journal of Mass Communication Research*, 5, (2).

**Godbold, L.C.** (2002). Alcohol in the media. *Encyclopedia of Communication and Information*. MacMillan Reference, USA: New York.

Albada, K.F. and **Godbold, L.C.** (2001). Media derived personal idioms: The talk of a new generation. *Electronic Journal of Communication*, 11, (1).

**Godbold, L.C.**, and Pfau, M. (2000). Conferring resistance to peer pressure among adolescents: Using the inoculation paradigm to discourage alcohol use. *Communication Research*, 27, 411-437.

Coover, G.E. and **Godbold, L.C.** (1998). Convergence between racial and political identities: Boundary erasure or aversive racism? *Communication Research*, 25, 669-688.

Pfau, M., Tusing, K.J., Lee, W., **Godbold, L.C.**, Hong, Y., Koerner, AF, Penaloza, L.J., and Yang, V.S. (1997). Nuances in inoculation: The role of inoculation approach, ego-involvement, message processing disposition in resistance. *Communication Quarterly*, 45, 461-481.

Pfau, M., Tusing, K.J., Koerner, A.F., Penaloza, L.J., **Godbold, L.C.**, Lee, W., Yang, V.S., and Hong, Y. (1997). Enriching the inoculation construct: The role of critical components in the process of resistance. *Human Communication Research*, 24 (2), 187-215.

Dillard, J.P., Plotnick, C.A., **Godbold, L.C.**, Freimuth, V. and Edgar, T. (1996). The multiple affective outcomes of AIDS PSAs: Fear appeals do more than scare people. *Communication Research*, 23(1), 44-72.

### **Conference Papers and Presentations**

Hong, S. & Kean, L. (2019). *Teacher as a hero in tragedy: Florida school shooting in US and Sewol ferry disaster in South Korea*. Across Borders VIII: Cultural and Linguistic Shifts in the 21st Century, International conference in Krosno, Poland.

Kean, L., Prividera, L.C., Stroman, C., Edwards, B., Edwards, W. (2017). *Focus group discussions among African American women regarding media and expectations about weight, food consumption and fitness*. Paper presented at 15<sup>th</sup> Annual International Conference on Communication and Mass Media, Athens, Greece.

*Campaigns for Health, the Environment and Social Good* (2015, November). Panel Moderator and Respondent, Mass Communication Division. National Communication Association annual conference, Las Vegas, NV.

*Celebrating Latino COMMunities: An Analysis of Latino Intercultural Communication Issues*. (2013, November). Panel Moderator and Respondent. National Communication Association annual conference.

Kean, L.G. (2012, July). *United States Latino Immigration and Representation in US Mainstream Media*. Paper presented at the Migration and Narration LLP Erasmus Intensive Programme. Krosno, Poland.

Kean, L.G., Prividera, L. & Gates, D. (2010, October). *Health, Weight, and Fitness Messages in Ebony and Essence: A Framing Analysis of Articles in African American Women's Magazines*. Paper presented at the 2010 OSCLG conference.

Kean, L.G., Prividera, L.C., Boyce, A., & Curry, T. (2008, November). *Media use, media literacy and obesity: Does consumption of the media affect African American females' consumption of food?* Paper presented at the annual conference of the National Communication Association, San Diego, CA.

Albada, K., Kean, L.G. & Stewart, J. (2008, November). *The influence of media representations of pregnancy on pregnant and post-partum women in terms of body image and satisfaction.* Panel presentation at the annual conference of the National Communication Association, San Diego, CA.

Kean, L.G. (2006, November). *Womentoring III, No. 3: A Site of Connection and Action in Academe.* Roundtable discussion panel presentation accepted to the annual conference of the National Communication Association, San Antonio, TX.

Prividera, L.C. & Kean, L.G. (2006, November). *Advertising and Health: A Critical Analysis of Print Advertisements in African American and General Readership Magazines.* Panel presentation accepted to the annual conference of the National Communication Association, San Antonio, TX.

Kean, L.G. & Prividera, L. (2005, November) *Communicating about Race and Health: A Content Analysis of Print Advertisements in African American and General Readership Magazines.* Paper presented at the annual conference of the National Communication Association, Boston, MA. \*Top paper award in the African American and Culture Division.

Kean, L.G. & Albada, K.F. (2004, May) *The Effectiveness of anti-smoking public service announcements: Do emotional appeals really work?* Paper presented at the annual conference of the International Communication Association, New Orleans, LA.

Albada, K.F. & Kean, L.G. (2002, November) *Online and proximal friendships: Kindred spirits or different beasts?* Paper presented at the annual conference of the National Communication Association, New Orleans, LA.

Albada, K.F. & Kean, L.G. (2002, November) *Nature of relationships and parasocial interaction types.* Paper presented at the annual conference of the National Communication Association, New Orleans, LA.

Kean, L.G. & Albada, K.F. (2002, November) *Methodological issues in family communication research II: Survey research.* Preconference presentation at the annual conference of the National Communication Association, New Orleans, LA.

Godbold, L.C. (2002, April) *Public Relations' Students Develop Campaigns to Raise Funds and Raise Spirits after Terrorist Attacks.* Round table discussion at the annual conference of the Southern States Communication Association, Winston-Salem, NC.

Godbold, L.C. & Albada, K.F. (2001, November). *The influence of television affinity, interpersonal attraction, and communication motives on the development of parasocial and interpersonal friendships.* Paper presented at the annual conference of the National Communication Association, Atlanta, GA.

Godbold, L.C. & Albada, K.F. (2001, May). *The relationship between college students' schema regarding alcohol use, their television viewing patterns and their previous experience with alcohol.* Paper presented at the annual conference of the International Communication Association, Washington, D.C.

Albada, K.F., Godbold, L.C. Robinson, J.D., Skill, T. and Kinsella, C. (2001, May). *Sexually harassing behaviors in prime-time situation comedies, 1990-1998.* Paper presented at the annual conference of the International Communication Association, Washington, D.C.

Godbold, L.C. & Albada, K.F. (2000, November). *The association between television viewing and college students' perceptions, attitudes and behaviors regarding alcohol use*. Paper presented at the annual conference of the National Communication Association, Seattle, WA.

Krcmar, M. & Godbold, L.C. (2000, November). *Uses and gratifications of media violence: Personality correlates of viewing and liking violent genres*. Paper presented at the annual conference of the National Communication Association, Seattle, WA.

Albada, K.F. & Godbold, L.C. (2000, June). *The effects of reinforcement and prior instruction on perceptions of and attitudes toward sexual harassing behaviors*. Paper presented at the annual conference of the International Communication Association, Acapulco, Mexico.

Godbold, L.C. (1999, November). *Conferring resistance to peer pressure among adolescents: Using the inoculation paradigm to discourage alcohol use*. Paper presented at the annual conference of the National Communication Association, Chicago.

Godbold, L.C. (1998, November). *The association between television viewing and adolescents' perceptions, attitudes, and behaviors regarding alcohol use*. Paper presented at the annual conference of the National Communication Association, New York.

Coover, G.E. and Godbold, L.C. (1997, November). *Responses to race representation as a convergence between racial and political identities*. Paper presented at the annual meeting of the National Communication Association, Chicago, IL.

Godbold, L.C. and Krcmar, M. (1997, May). *The attractions of television violence: Personality correlates of interest in violent and injurious content*. Paper presented at the annual meeting of the International Communication Association, Montreal, Canada.

Pfau, M., Lee, W., Godbold, L.C., Hong, Y. Tusing, K.J., Koerner, AF, Penaloza, L.J., and Yang, V.S. (1996, November). *Nuances in inoculation: The role of inoculation approach and receiver ego-involvement, message processing disposition, and gender in the process of resistance*. Paper presented at the annual meeting of the Speech Communication Association, San Diego, CA.

Pfau, M., Tusing, K.J., Koerner, A.F., Penaloza, L.J., Godbold, L.C., Lee, W., Yang, V.S., and Hong, Y. (1996, May). *Enriching the inoculation construct: The role of critical components in the process of resistance*. Paper presented at the annual meeting of the International Communication Association, Chicago, IL.

Godbold, L.C. and Cantor, J. (1995, May). *The relationship between television viewing and adolescents' perception, attitudes and behaviors regarding sexuality*. Paper presented at the annual meeting of the International Communication Association, Albuquerque, NM.

### **Grant Activity and Consulting**

Landrine, H., Matthews, H., Kean, L., Richman, A (2011). Use of computer kiosks for breast cancer prevention and control among rural, African American women. Internally funded grant \$40,000.

Consultant—Walden University. (2008). Course design focusing on Health Communication for Master of Public Health Program. Paid consultancy.

Certified Healthy Carolinians Partnerships. (2005). Pitt Partners for Health. \$10,000 to develop communication strategy to reach high risk, underserved populations regarding health issues in Pitt County. Consultant role: \$2,500. Grant funded.

Consultant—Eastern North Carolina HIV/AIDS Consortium Spring 1999.

### **Honors and Awards**

Achievement in International Teaching Award—ECU Global Affairs, 2019

Outstanding Health Communication Scholar—National Communication Association, 2014

Chancellor's Leadership Academy Fellow—Spring 2012

Scholar-Teacher Award—School of Computer Science and Communication, 2002-2003

Most Inspiring Faculty Member—Dept. of Communication and Broadcasting 2000-2001; 2001-2002

Teacher of the Year—Department of Communication 1998-1999; 1999-2000

### **Invited Presentations**

Developing Faculty in Fixed-Term Positions and Creating an Inclusive Faculty Culture. February 2021, ECU Office of Faculty Excellence, Greenville, NC.

African American women, media content and food consumption. June 2019. Plenary talk. Across Borders VIII: Cultural and Linguistic Shifts in the 21st Century, International conference in Krosno, Poland.

The Media: What we are told, how we are told and what is left out. Spring 2018. Keynote Speaker Terry Sanford High School Global Studies Program Symposium

Civil Discourse. October, 2016. Cupola Conversations. East Carolina University.

Health Disparities and Media: How to reach your audience. September 2014. Recovery and Health Forum sponsored by the Alcohol/Drug Council of North Carolina.

Media Messages: What Do They Say About Race, Health and Food Consumption? Spring 2012. Presentation for Gender to a Tea Women's Studies research series, East Carolina University.

Effective Campaign Planning and Social Marketing. February 2004-2013. Annual Presentation to Master of Public Health class, Department of Public Health, Brody School of Medicine, East Carolina University.

Media Content and Media Use and the African American Woman. October 2008. Creative Conversations: Addressing Images of Diversity in Arts, Film and Media. A program of Americans for the Arts. East Carolina University.

Future Directions in Health Education, October 2007. Workshop sponsored by Eastern Area Health Education Center. Greenville, NC.

Spotlight on Health Communication Programs and Research, September 2007. Annual Conference of the North Carolina Society of Public Health Educators. Wilmington, NC.



Effective Campaign Planning and Healthy Weight Marketing Issues, April 2005.

Presentation at Second Annual Healthy Weight Summit, Theme: “Harnessing the Power of Communication: Marketing and Its Influences on Childhood Obesity.” East Carolina University

Research report from Impact ECU Assessment and Evaluation Sub-committee Regarding Alcohol and Drug Use on Campus, Spring/Fall 2002.

Presentation to Provost’s Council of Deans and Directors, East Carolina University.

Presentation to Division of Student Life, East Carolina University.

Presentation to Impact ECU steering committee, East Carolina University.

Portrayals of Women in the Mass Media, March 2002.

Barnes and Noble Women’s History Month Tea

Half-day workshop on Volunteer Recruitment and Retention in the Hospital Setting, March, 2002. North Carolina Society for Directors of Volunteer ServicesHow to Plan a Mass Media Campaign, March, 2001

Pitt Association of Volunteer Administrators bi-monthly meeting

**Service****University**

Panelist and Mentor, New Chairs Orientation Series, ECU Office of Faculty Excellence, 2020-2021

Member, Undergraduate Curriculum Committee, 2002-2005, 2018-2019

Member, Global Affairs Committee, 2017-present

Reviewer, ECU Achievement in International Service Award, 2017-present

Reviewer, ECU Achievement in International Teaching Award, 2020-2021

Chair, Search Committee, Director of School of Theatre and Dance, College of Fine Arts and Communication, 2017

Chair, Honors College EC Scholars interview process, 2016-2019

Member, Student Academic Appellate Committee, 2015-2017

Chair, Ethnic Studies Film Series Committee, 2014-2015; Fall 2015

Member, Provost Search Committee, 2014-2015

Member, Enrollment Management Committee, 2014-2015

Chair, Search Committee, Director of the School of Music, College of Fine Arts and Communication, Fall 2013

Chair, Fine Arts and Communication core, Center for Health Disparities, 2010-2013

Member, Department of Public Health faculty member search committee, 2013

Member, ECU Public Information Officer search committee, 2010

Member, College of Fine Arts and Communication Dean five-year review evaluation team, 2009

Reviewer, Office of Academic Programs, new degree program proposals 2008-2009

Secretary, Education Policies and Planning Committee, 2008-2009

Member, Health Disparities Research Center Writing Group, 2007

Member, ECU Strategic Planning Committee 2003, 2004-2005

Steering Committee member, Impact ECU; Initiative on Substance Use 2001-2004

Co-chair, Assessment and Evaluation Subcommittee, Impact ECU 2001-2004

Member, University Committee on Academic Standards 2001-2002

Member, ECU Graduate Faculty 1998-present

**School**

Chair, School of Communication Assessment Committee, 2014-2015

Chair, Graduate Program Committee, 2003-2007

Member, Graduate Program Committee, 2001-2003  
Chair, Personnel Committee, 2004-2005, Summer 2006  
Member, Personnel Committee, 2000-2003, Fall 2005, Summer 2006  
Member, Search Committee, Dean, College of Fine Arts and Communication, 2003-2004  
Chair, Faculty Search Committees, 2001-2002, 2002-2003  
Member, Departmental Chair Search Committee, Spring 1999  
Member, Faculty Search Committees, 1999, 2002-2003, 2004-2005

### **Profession**

Judge, Delaware Press Association Communications Contest, Spring 2014, 2015, 2017, 2018, 2019  
Grant Reviewer, Bureau of Tobacco Free Florida and ORAU, BTFF Application Review, Fall 2014  
Reviewer, National Communication Association Annual Conference  
Reviewer, American Public Health Association Annual Conference  
Reviewer, Association of Education of Journalism and Mass Communication Annual Conference  
NIH Challenge Grant Reviewer June 2009  
External Reviewer for tenure decision 2007, 2009

### **Editorial Board Member**

*Health Communication*  
*Media Watch*

### **Journal Reviewer**

*Journal of Appalachian Health*  
*Communication Research*  
*Communication Reports*  
*Communication Studies*  
*Frontiers in Public Health Services and Systems Research*  
*Health Communication*  
*Howard Journal of Communications*  
*Human Communication Research*  
*Journal of Public Health Management and Practice*  
*Journal of Health Communication*  
*Media Psychology*  
*Public Health Nutrition*  
*Pediatrics*  
*Western Journal of Communication*

### **Community**

Board of Trustees, Member, The Oakwood School, 2021  
Member, Emerald Loop Resource Team and Steering Committee, 2021  
Blue Jean Ball executive committee, The Oakwood School, 2016, 2017  
Parent Ambassador, The Oakwood School, 2016-2019  
Parents' Group Chair, Greenville Montessori School, 2012-2014  
Planning Committee Member, Second Annual Healthy Weight Summit, 2005

### **Professional Memberships**

National Communication Association  
International Communication Association  
Association for Education in Journalism and Mass Communication