



**July 14, 2022**

Agenda Item:

VIII. Approval of Minutes

Responsible Person:

Scott Shook  
Chair

Action Requested:

Notes:

Board of Trustees Meeting Minutes from:

April 29, 2022

June 14, 2022

**ECU Board of Trustees**  
**April 29, 2022**

**MINUTES**

The East Carolina University Board of Trustees met on Friday, April 29, 2022 at 9:00 am as part of their regularly scheduled meeting series. 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**

Mr. Shook introduced Air Force ROTC Cadets Andrew DiCuirui, an engineering major from San Antonio, TX and Rachel Davis, a Political Science major from Wake Forest, NC to lead the Pledge of Allegiance.

**ROLL CALL**

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

PRESENT

Cassie Burt  
Leigh Fanning  
Tom Furr  
Dave Fussell  
Van Isley  
Fielding Miller  
Angela Moss  
Jason Poole  
Jeffrey Roberts  
Jim Segrave  
Scott Shook  
Vince Smith  
Chandler Ward

ABSENT

## **READING OF ETHICS STATEMENT**

In compliance with the State Government Ethics Act, Secretary Smith read the conflict-of-interest statement. No conflicts were identified.

## **CONSENT AGENDA**

Chairman Shook presented the consent agenda for consideration. Hearing no concerns, Chair Shook asked for a motion to approve the consent agenda. The motion was made 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.”

## **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.”

### **RECOGNITION**

Trustee Fanning presented a resolution to the board honoring Interim Provost Grant Hayes.

### **A RESOLUTION**

**Whereas**, Dr. Grant Hayes came to East Carolina University in 2015 as the Dean of the College of Education, and

**Whereas**, Grant Hayes, an accomplished scholar, brought to East Carolina University experience as a professor and administrator at the University of Central Florida and James Madison University, and

**Whereas**, Grant Hayes was appointed acting, then later interim Provost and Senior Vice Chancellor for Academic Affairs in 2019, and

**Whereas,** Grant Hayes has spent the last 30 years as an innovative leader, teacher, professor, and administrator who is recognized for empowering faculty and students to seek creative solutions to some of the most pressing educational issues.

**Whereas,** during a time when higher education is undergoing great change, Grant Hayes has remained constant, yet innovative and creative, and

**Whereas,** Grant Hayes played a key roles in important areas of East Carolina University, such as navigating COVID, enhancing diversity, equity and inclusion efforts and the implementation of strategic enrollment management, and

**Whereas,** Grant Hayes places value on the individual and has supported a culture of care at a time when students and faculty faced very real challenges and stressors, and

**Now Therefore Be It Resolved,** the ECU Board of Trustees expresses its appreciation and gratitude for the leadership of Dr. Grant Hayes for his unwavering support, dedication, and commitment to East Carolina University.

A motion to approve the resolution was made, seconded and approved with no negative votes.

Trustee Fanning presented a motion in honor of Interim Vice Chancellor for Research, Economic Development, and Engagement, Dr. Mike Van Scott.

## **A RESOLUTION**

**Whereas,** Michael Van Scott joined the Brody School of Medicine in 1990 where he rose through the ranks to a professor of physiology and then joined the Division of Research and Graduate Studies in 2013; and

**Whereas,** during his time in the Research Division, Mike Van Scott served twice as the interim Chief Research Officer for a total of six years in that role, growing grants and contracts to over \$75,000 million annually; and

**Whereas,** Mike Van Scott has been instrumental in building the physical, administrative and cultural infrastructure to support that growth; and

**Whereas,** Mike Van Scott has played a large role in consolidating research, community and economic engagement activities into the Division of Research, Economic Development and Engagement, to leverage the creativity and expertise of faculty across disciplines to address the opportunities and challenges of Eastern North Carolina and beyond; and

**Whereas,** Mike Van Scott is known as a trusted, effective collaborative partner across the institution; and

**Whereas,** because of his unwavering support to the mission of East Carolina University, Mike Van Scott has been often selected to lead important complex initiatives such as the launch of Intersect East and the fiscal sustainability efforts.

**Now Therefore Be It Resolved,** the ECU Board of Trustees expresses its appreciation and gratitude to Michael Van Scott for his leadership, dedication, and commitment to East Carolina University.

A motion to approve the resolution was made, seconded and approved with no negative votes.

#### **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**

Chairman 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**

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

Mr. Segrave had one item for board consideration. Mr. Segrave moved the board accept the recommendations from the Board of Visitors for reappointments and new member appointments, with the addition of three individuals, as follows: Reappointments: Pam Baldwin, Brad Congleton, Lewis Gale and Toby Thomas. New member appointments were proposed as follows: Christina Bowen, Tom Campbell, Scott Chase, Richard Cobb, Terrance Copper, Barnanne Creech, Phil Kirk, Nichole Kloss, Phil Tetterton, Andrew Wasilick and Scott West.

The motion was seconded and approved with no negative votes.

Mr. Segrave moved the board accept the officer recommendations from the Board of Visitors: Chair, Alisa Chapman; Vice Chair, Preston Mitchell; Secretary, Dutch Holland.

The motion was seconded and approved with no negative votes.

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

Mr. Shook called on Trustee Smith, Chair of the Audit, Risk Management, Compliance and Ethics committee to present the report on behalf of the committee. A full text version of the report is listed as “Attachment H.”

## **FINANCE AND FACILITIES**

Mr. Shook called on Trustee Poole, Chair of the Finance and Facilities committee, to present the reports on behalf of the committee. A full text version of the report is listed as “Attachment I.”

Mr. Poole had one item for board consideration. Mr. Poole moved the board approve the all funds budget as presented in board materials. The motion was seconded and passed with no negative votes. This item is listed as “Attachment J.”

## **UNIVERSITY AFFAIRS**

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

Interim Provost Dr. Grant Hayes presented the candidates for the conferral of degrees.

Mr. Ward moved the candidates for degrees, as approved by the Chancellor and the Faculty Senate, be authorized for conferral at the annual Spring Commencement ceremony on Friday, May 6, 2022. The motion was seconded and approved with no negative votes.

## **HEALTH SCIENCES**

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

Trustee Furr will have one item coming out of closed session for board consideration.

## **CLOSED SESSION**

Trustee Smith moved the board go into closed session to prevent the disclosure of confidential information under N.C. 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 Committee.

The motion was seconded with no negative votes.

The board moved into closed session.

## **ACTIONS FROM CLOSED SESSION**

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

Trustee Segrave moved that the board approve a salary increase of 5% funded from the ECU Foundation for Vice Chancellor Chris Dyba, as presented board materials. The motion was seconded and passed with no negative votes. This item is listed as “Attachment M.”



Trustee Furr moved that the board approve the initial appointment with tenure of Dr. Bimbola Akintade, the new Dean of the College of Nursing, as presented in board materials. The motion was seconded and passed with no negative votes. This item is listed as “Attachment N.”

### **UNFINISHED BUSINESS**

There was no unfinished business.

### **NEW BUSINESS**

Mr. Shook called on Mr. Poole to provide a brief summary of revisions to Board of Trustee bylaws to align with *The Code*.

Mr. Poole shared the provisions allow virtual participation to count towards quorum, attendance and voting at committee meetings, special called and emergency meetings. In person attendance is required at regular full board meetings to count as being present, for a quorum or to vote.

Mr. Poole moved the board approve the revisions to the ECU Board of Trustees bylaws as presented in board materials. The motion was seconded and passed with no negative votes. This item is listed as “Attachment O.”

Mr. Shook announced the appointment of the Board of Trustees nominating committee.

Mr. Isley will chair the committee, Mrs. Fanning and Mr. Furr will serve as members of the committee.

## **ADJOURNMENT**

Hearing no further business to come before the board, Mr. Shook asked for a motion to adjourn the meeting. The motion was made, seconded and passed with no negative votes.

The meeting was adjourned.

Respectfully Submitted,

Megan Ayers  
Assistant Secretary to the Board of Trustees

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**A G E N D A**  
April 28, 2022

- |      |   |                          |
|------|---|--------------------------|
| I.   | Call to Order   | Scott Shook<br>Presiding |
| II.  | Pledge of Allegiance  |                          |
| III. | Roll Call   | Vince Smith<br>Secretary |
| IV.  | Conflict of Interest  |                          |
| V.   | Consent Agenda  |                          |
|      | A. Minutes  |                          |
|      | 1. February 11, 2022  |                          |
|      | 2. March 16, 2022   |                          |
|      | B. Athletics & Advancement Committee  |                          |
|      | 1. Endowment Fund Board appointment – Mr. Matt Crisp                            |                          |
|      | 2. Naming – Dr. David Dosser Therapy Room in the Family Therapy Clinic Building |                          |
|      | C. Finance & Facilities Committee   |                          |
|      | 1. Advanced Planning Increase – Fleming HVAC and bathroom                       |                          |
|      | 2. Designer Selection – Medical Education Building                              |                          |
|      | D. Health Sciences Committee  |                          |
|      | 1. ECUP Compensation Plan   |                          |
|      | 2. SoDM Compensation Plan   |                          |
|      | 3. Initial Appointment as Chair with Tenure – Dr. Michael Lang                  |                          |
|      | 4. Initial Appointment with Tenure – Dr. Lisa Moreno-Walton                     |                          |
|      | 5. Incentive Payments in the SoDM   |                          |
|      | 6. Nonsalary Compensation for Dr. Frances Okala                                 |                          |
|      | 7. Health Sciences Division Tenure  |                          |
|      | E. University Affairs Committee   |                          |
|      | 1. Center for STEM Education Designation  |                          |
|      | 2. Nonsalary Compensation – ECU Tuscany   |                          |
|      | 3. Academic Affairs Division Tenure   |                          |

- VI. **Chancellor's Report** **Philip Rogers**  
Chancellor
- VII. **Report from the Student Body** **Chandler Ward**  
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 Jim Segrave, Committee Vice 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**
  - A. ECU Board of Trustees Bylaw Revisions
  - B. Appointment of BOT Nominating Committee
- XVI. **Adjourn**

April 29, 2022

Thank you, Mr. Chairman. It's nice to be with all of you this morning and it's my pleasure to welcome the Board to our April meeting. I want to thank all of you for yet another productive day of committee meetings yesterday and for your ongoing commitment to the work of ECU. My remarks today are centered on a season of celebration and they focus on my deep gratitude for those whose service permit us to deliver on our mission each and every day.

Just one week from today, we gather as a university community in Dowdy-Ficklen stadium to celebrate one of my favorite days of the academic year...our spring commencement. We anticipate awarding over 5,400 credentials this spring and summer, which is comparable (nearly identical) to the prior spring and summer. Next week's related events are special not only for our graduates, but also for their families and for our university. Whatever path each graduate followed to reach this special moment, I remind us that they chose ECU as the place to take the next step in their personal and professional journey. Each individual story is one of challenge and hope, resilience and opportunity, perseverance, and ultimately transformation. You hear me say this often: Our calling is to fulfill our mission and commitments such that these students can leave this place with a world class, affordable education that prepared them to take the next step forward in life. In the pace of our daily activities it can be easy to wonder if our work makes a difference. If you want reassurance that it truly does, then join us next week and witness our graduates celebrate with friends who are more like family now (but not that long ago were strangers), and watch our graduates embrace those in their lives who supported them all throughout the journey. If our cup is a little depleted at the end of a long academic year, these are the moments when they are refilled, resulting in renewed purpose in our calling and renewed optimism for our future.

And, of course, as we reflect on the 2021-22 academic year, it's fitting to pause and celebrate some of our "wins" over this time...wins that have allowed us to

build trust/confidence with key stakeholders across the state and that have allowed us to demonstrate our value-added ROI to the people of NC:

- Perhaps the single most important strategic action of the year was finalizing the joint operating agreement that resulted in the formation of ECU Health. In recent weeks we celebrated another milestone in this relationship with the unveiling of the ECU Health brand logo. Over the coming months this logo will appear in hospitals and clinics across eastern North Carolina. While this is a visible sign of progress, please also know the team has been busy across multiple work streams designing and fine-tuning the clinical integration strategy for the future state, which will improve the quality of care throughout the region.
- State leaders also made historic investments this year in the UNC System and ECU, including funds for salary increases, repair and renovations, and capital projects, with a special authorization of \$215M for a new med education building (Spkr Moore - largest capital investment east of I-95).
- In launching the public phase of our comprehensive campaign and through the generosity of Pirate Nation, we surpassed last year's \$6.5M Pirate Nation Gives fundraising goal with pledges this year of more than \$8.4 million from more than 1,500 individual donors. We are well on our way to meeting our historic fundraising goal (TOTAL OF XM alone over last year).
- Blue Cross & Blue Shield of NC awarded ECU \$1.54 million to provide telepsychiatry services at Elizabeth City State University and we're moving forward with a \$3 million non-recurring BOG approved legislative request during the upcoming short session to expand these services more broadly.
- Our leadership in online learning continued with U.S. News and World Report rankings of [online graduate programs](#) in business, criminal justice, education, and nursing. ECU was also ranked [sixth in the nation](#) and first in North Carolina in the inaugural ranking of America's Top Online Colleges by Newsweek. We'll look to expand on this rich tradition in the coming year

- And, of course, there are other achievements we can highlight this year, including for the third year in a row the [Miller School](#) of Entrepreneurship was recognized among the top 50 undergraduate schools for entrepreneurship by Princeton Review; ECU ranked as a top performer in [social mobility](#) in the U.S. News and World Report's 2022 Best College rankings; and we were also recognized by Washington Monthly in their [Best Bang for the Buck](#) schools.
- Just tip of the iceberg.

My point is simple, ECU is a special place, powered by talented people with a deep commitment to our mission. We have a very good story to tell here at ECU - this board has supported that story, contributed to that story, and I know will bind together in the coming year to continue our unbroken track of rising to meet our state's most pressing needs.

Finally, let me close with a word of gratitude to three senior leaders attending their final Board of Trustees meeting in their current roles. Dr. Ron Mitchelson and Dr. Michael Van Scott are retiring at the end of June - and Dr. Grant Hayes will end his service as Interim Provost in early July. Under our current organizational structure, the positions occupied by these three leaders comprise what we refer to as the Academic Council. They are at the center of academic policy and strategy and have guided their respective divisions through this transition period. Each leader has served with distinction, with integrity, with a steadfast commitment to our mission, with grace, with good humor, and with the One ECU lens that permits them to be true institutionalists (and especially valuable to me as a new chancellor). I've been the beneficiary of their talents and good counsel, and I am deeply grateful to Ron, Grant, and Mike for their leadership and service. Please join me in recognizing them for their service.

Mr. Chairman, the Board previously recognized Ron with a resolution when he thought we were allowing him to retire last year. I understand the Board now has a resolution to honor Mike and Grant for their service.

**SGA Report to the BOT**  
**April 29, 2022**

**As you all know**, today will be my last Board of Trustees meeting and it certainly comes with some mixed emotions. **Just a few weeks ago**, we were able to install Ryan as the new SGA President, and about 24 hours later I was excited to hand over the **SGA email password** and I could not have been happier but fast forward a couple weeks to today and I already miss it. I **loved diving** into the details on projects, conversations with student leaders, historical data that has framed where we are today and how we got here, and of course my favorite part, meeting back in person with constituents across the community and the University (even you guys here on the Board of Trustees). **The closing of my term** also comes with the passing of the last formal piece of **legislation from the ASG** level that highlights the list of accomplishments and platforms that were advocated for by each of the UNC System Schools. **Chancellor Rogers and his leadership** team have certainly been busy this year, and I am excited to say ECU SGA has been too. **Over the past year**, myself and my awesome team have advocated for the following:

- **Student access** by creating an individual travel sponsorship program for the first time in SGA's history allowing students to present their research at conferences across the country
- **Student veterans** and first responders by serving as the primary sponsor for the installation of the 20<sup>th</sup> Anniversary 9/11 memorial statue
- **The local community** by Hosting ECU's first ever Blood Bowl vs NC State in partnership with the Blood Connection



- Donations kept here in Eastern NC

- Student and fan engagement in collaboration with the athletics campus to bring *Treasure Island* to life, a student organization tailgate lot that led to the second highest student attendance in ECU football history on a Thursday night win vs USF late this past October
- Mental health resources by sponsoring the ECU Counseling Center teletherapy program and actively promoting the centers resources to ECU students and organizations that saw over 2,200 website clicks via the SGA Instagram page
- Starting the conversation about suicide with the first annual Out of the Darkness Walk for Suicide Prevention which raised over \$5,000 in partnership with the American Foundation for Suicide Prevention
- Student safety through the pending execution of a third party late-night rideshare program that provides rides to students both on and off campus even after ECU transit operations cease

- 2 bids

- In-person events through the allocation of over \$300,000 to our various student organizations and University partnerships
- SGA transparency and education by implementing marketing strategies that increased our average engagements per post by over 512% on Instagram
- Civic engagement with the registration of over 2,000 (2004) student voters and the hosting of the Greenville Mayoral Debate just this past week

- Student rights to be back in the classroom free of masks collaborating, engaging, and smiling for this first time in years, returning a sense of normalcy to these 18-22 year old's lives
  - Mixed emotions, dividends on mental health
- And last but certainly not least, student rights for individual college ceremonies for the 2022 graduating class. I am very excited, along with the rest of the ECU student body to bring those back this year and I thank chancellor Rogers, Chris Stansbury and others for their work on this front to once again return an aspect of normalcy to these graduates final weeks
  - Took my last final, 10 days at the beach

**Over the past semester** I have been enrolled in a course called strategic management with doctor Eric Taylor in the College of business, and this has really been one of my favorite classes really that I've ever taken the ECU. **We study the flow** of business and how firms operate whether that be discussion about financial ratios, turnover ratios, Pestel Analysis, competitive advantages, or key success factors you name it and we probably looked at it. **At the beginning of the year** we were assigned a firm to analyze and our final assignment was to make a strategic recommendation to the firm and order to improve their service, revenue streams, etcetera. **Similarly, I feel** as if I operate in the same role with you all making strategic recommendations on behalf of the student body as necessary. **After a year in the world of higher education**, today I'm hoping to share the main strategic issue that ECU currently faces and possible

solutions worth exploration. **I know I am** a 22-year-old that's only been in the world of higher education for one year, at least at this scale, but I hope you are able to draw some insight from the following remarks.

**It comes as no surprise** that enrollment and the changing demographics across the higher education landscape are not only the biggest challenge that ECU faces, but all schools across the entire country. **While this is certainly** a loaded million question, a possible solution may actually turn out to be something that this University has actively participated in since its founding over 100 years ago. **Collaboration and community partnerships.** **It's time ECU** stops recruiting students to ECU and starts recruiting them to Greenville.

**Throughout my time here** at ECU I've been blessed to sit on the Uptown board of directors, the neighborhood service organization, the Greenville Rotary Club, and a handful of other community organizations and its important to note that they all more or less operate around the same thing: the number of ECU students on campus and of those students, how many are retained after college, working here in the local community. **Correct me if I'm wrong**, but that sounds a lot like ECU's goals if you ask me. **As an industry constantly that's navigating** the world of fiscal sustainability and asks to do more with less, why not align our efforts where we can. **Does the city of Greenville** have all the same missions and goals as East Carolina. No. And I am not trying to make that leap, but as we have seen with the clinical integration between Vidant and ECU, the introduction of Intersect East, and our new biotech building, there are certainly ample opportunities for sustainable growth.

**To my surprise**, I do not believe ECU currently capitalizes on some of the key SuccessFactors of Greenville, particularly in the Uptown district right here in our backyard. **There's little to** no highlights of pirate fest, concerts over at the town Commons (last night), a list artists such as waka flocka, pauly D, and fattywap (I know you don't know any of those names but trust me our students do as every single one of those concerts sold out in 24 hours except Pauly D-it sold out in 48 hours). **Sup dogs has** solidified itself as the best bar in the nation three times and just a few weeks ago hosted a concert for over 4500 people, almost 100% of which were ECU students. **If Shaq ever came to Greenville**, I would tell every prospective student we had about it. (Social media as a tool & campaign video- just under 48k) **I know the promotion** of these events is often complex navigate but I will ask you this, if you thought of your fondest college memory right now it probably didn't take place in the classroom. **That's why we're** all here in the first place, but it's not the only reason we stay. **And it's not just** about the promotion of the fun events downtown but also the Greenway that runs along the river, the grand opening of Wildwood park, and most importantly job opportunities. **Students that engage** with the city of Greenville are more likely to remain in Greenville to work and that is a fact. Students have absolutely zero reason to stay here in the city of Greenville if ECU and the city don't do a proper job of showcasing all of its benefits. The beefits are here and are only growing to grow, but I students don't know. Students struggle to proactively go out and explore some of these benefits so if we want to retain young talent, we need to bring the opportunities to them.

**As you can probably** tell I could talk about this topic for hours, but I truly believe is important discussion that could prove beneficial to both the city and of course East Carolina University. **In summary**, with increased social media collaboration, continuing to align efforts for economic development, and facilitating more conversations with businesses and ECU students, I believe we can reach the true potential of ECU. Potential as we all know, this entire community depends on. Not only one ECU that Chancellor Rogers refers to, but one city.

Returning for MBA, would love to work on some of these initiatives.

Thank you

Leigh- vice chair

Vince- audit and student advocate

Scott

Chancellor

All other trustees- don't need a pat on the back, not here for the title, leaders in

NC

Megan, Alton, Kimrey

**Chair of the Faculty Report to the BOT  
April 29, 2022**

This will be the last time I bring greetings on behalf of the ECU faculty. The president of the SGA and the Chair of the Staff Senate serve for only one year. The Chair of the Faculty, although elected yearly, traditionally serves for two. Let me tell you a secret, if someone is in this position for less or more than 2 years, something is deeply wrong at ECU. This leadership rotation at the student, faculty and staff level might seem extreme to you, but in my opinion, it is the only way to grow a diverse body of leaders.

I assume that all of you have seen the report that the AAUP released yesterday about the UNC System, [“Governance, Academic Freedom, and Racism in the UNC System.”](#) The report describes and I quote “a pervasive and overtly partisan political control of the system” end of quote. Full disclosure, I have served in AAUP in many positions from local to national. I will be honored if you approach me with questions about AAUP. In the fall, I willingly accepted to be interviewed by the special team. I will be perfectly honest with you, I told them, 18 months ago, I would have given you a scathing report about ECU, but we are in a different place now. One question they asked me: Does racism exist at ECU or the UNC system? YES, that is why we created the Commission on Diversity, Equity, and Inclusion. Another question: in the past, has the Board of Trustees interfered with ECU governance? YES, the Stanton Smith era is a dark moment in our history. Nothing is peaches and cream over here (pun intended), but I am tired of being click bait for the national press. I want the administration, the Trustees, and the faculty to work together, quietly, meaningfully.

And work we have done. This is what we, faculty, Trustees, and administration have dealt with this past year: Revisions to Part 8 of the Faculty Manual, the selection of a new provost, the reorganization of the university, a pandemic, budget cuts, ECU Health. Part 8 of the Faculty Manual equal to the reorganization of the university? Absolutely! 50% of the faculty at ECU thank you for approving a revision that offers them more job security and closer ties between job performance and contract length

Some of these tasks have been daunting. However, from a faculty perspective, the most important tasks that we, the faculty, the administration, and the trustees accomplished together, always take place at this time of year: the awarding of degrees to ECU students and the granting of permanent tenure to a select group of well deserving faculty members. The investment that ECU makes in these faculty members is significant, that is why you, the Board of Trustees, with the authority and responsibility to oversee the financial health of the university, are the final and definitive signature in a long list of

recommendations that started in October in a meeting of the tenured faculty in their respective departments. Their names are in front of you because we, their peers, and the administrators who supervise them believe that they are excellent in teaching, research, and service. That they are key to the success of our academic enterprise. And because of that we tell them that unless they neglect their duties or the university experiences significant financial distress, their position is secured at ECU. Those select few names get to you after a 6 year process and 3 different dossier where they have documented their growth.

Who is getting permanent tenure today? I don't know all of them, but I know Almitra and Juan, my colleagues in the Department of Foreign Languages and Literatures.

Almitra is a military brat from Eastern North Carolina, who never exhibited any interests in learning Spanish until her elderly grandmother moved in with them. Love is what first made her want to be fluent in the language. Now she studies the unique challenges in language acquisition that Heritage speakers such as herself experience.

Juan is from a tiny village in Galicia, Spain. Spanish is not his first language either. He works on comparative textual media of manuscript and digital cultures; affects, religion, and aesthetics in relation to subjectivity; and race in medieval texts and modern historiography related to the Middle Ages.

Those of us in Foreign Language Education at the University level suffer from the incorrect perception that we only teach conjugations of verbs and lists of vocabulary. Yes, we teach a foreign language, but above all, we teach about a different culture in a foreign language. With our work we provide a much-needed skill to our students: the capability to function in multicultural, multiracial, multilingual world. Nursing professors teach others how to save lives. Foreign language professors teach others how to live productive and successful lives. Both are needed in a university. And in order to do our work well, we must have the protection of tenure. First, because we must have the freedom to address complex, sensitive and at times unpopular topics without fear of persecution. The classroom must be a safe space to explore and examine ideas with care and objectivity. Employers want employees with analytical and problem-solving skills, team players in a diverse group. That is what happens in the classroom. At least in Almitra's and Juan's classrooms, which I have observed on more than one occasion.

How would Almitra and Juan celebrate today, the date in which tenure was finally awarded to them? My husband got an expensive watch with the date engraved on it. I got a tattoo, others get jewelry, or buy a car, or make a down payment for a house, knowing that their livelihood is now more secure.

Parenthood might have been delayed until the tenure decision, ... Today you become part of a higher education ritual that exists in its current form since 1940. A ritual that ensures that this old institution will continue providing first rate education for the foreseeable future. We, the faculty, administration, and Trustees make sure of it.

As Chair of the Faculty, it makes me proud to be here with you in this room when you approve their names. Students will celebrate next Friday. Faculty will be celebrating today. That is what I love the most in my job, the constant renewal, the constant joy, the constant growth.

You will have noticed that I have not said a single word in Spanish, that is because I saved them for the end. This song was very popular when I was a little girl. I sang it often, it made me feel cosmopolitan. I am not a good singer but what the heck, it is my last day with you. Here it goes: Adiós amigos, goodbye my friends, ciao ciao amigos, arrivederci, auf Wiedersehen. Thank you.



# Staff Senate Report to the BOT

April 29, 2022

The 2021-2022 Staff Senate term will be ending in May. We will be electing new executive committee members next month and start our new term in June. The Senate goals this year were to increase Staff Senate's visibility across campus to improve communication efforts with staff, elevate the participation of Staff Senate's role in university initiatives, and proactively engaged in activities that strengthen the Staff Senate's role in University Shared Governance. Our Communications and Marketing Committee and Secretary Kristin Wooten were instrumental in improving our communication efforts through email announcements, social media postings and website updates. We also would like to send a special thanks to our Creative Services staff and News Services staff who worked with us on some of our major events this term. We are serving on several university initiatives including summer enrollment efforts to connect with students, and parents early in the admissions cycle to improve the yield rate, the Chancellor's Commission on Diversity, Equity and Inclusion, Fiscal Sustainability Report, and other advisory committees to support ECU's mission. We also are happy to announce that we will be working with the newly elected SGA president to appoint another SGA representative to serve as Staff Senate's Parliamentarian and we passed a Bylaw to add a Faculty Senate ex-officio member to continue to collaborate and stay informed of each other's efforts and concerns. Thank you to SGA's President Chandler Ward and Faculty Chair Puri Martinez your

collaboration this term. It was a pleasure working with and we look forward to continued relations with SGA and Faculty Senate.

Last month, we participated in the UNC System Strategic Plan Refresh Virtual Town Hall. We advocated that Goal 1.1 Human Capital be reprioritized to create a systemwide culture that promotes staff retention. This goal is critical to preserving the institutional knowledge, optimal performance, and morale for our staff. We recommended that retention to be collected monthly and that we conduct stay interviews to gain insight on why staff like working at ECU. We know that implementing flexible work arrangement policies, providing fully remote work opportunities, investing in staff leadership and professional development, providing mental health support, and creating pathways of advancement are some practices to assist in retention efforts. We hope that our feedback helps with developing creative solutions to foster a quality workplace for ECU staff and staff throughout the system.

Regarding diversity, equity, and inclusion as it pertains to staff, the Office of Equity and Diversity presented on the diversity of our staff and campus climate in March. Regarding the sex of our staff, 69% of our staff identify as female and 31% identify as male. When we look at the racial demographics of our staff, 62% who identify as White followed by 23% who identify as Black or African American, and 8% who identify as Hispanics and the remaining percentage either selected other or another minority racial group. This provides an opportunity to reexamine our recruitment practices to ensure we are making good faith efforts to recruit diverse staff. We learned that majority of the ECU staff were satisfied with diversity at ECU. However, when we look at historically marginalized

communities, they were more likely to be dissatisfied. For example, staff with disabilities are more dissatisfied than people without disabilities. Women as well as BIPOC staff are significantly more dissatisfied than their majority peers. We are currently working with the Office of Equity and Diversity and Harriot College Council on Anti-Racism and Equity to develop a bystander series to decrease these experiences at ECU. We hope that we can combine our efforts with the Chancellor's Diversity, Equity, and Inclusion subcommittee that focuses on enhancing our campus climate and culture. We would like to thank Chancellor Rogers, Parking Services, Dr. David Loy, Brendon Hildreth, and all other who were apart of updating accessible icon. Also, Dean, Darnell, Board member Vince Smith (especially your advocacy for our student who are in the military and veterans) and LaKeisha Alston Forbes in your work with leading Chancellor's Commission on Diversity, Equity, and Inclusion Steering Committee. We believe that these efforts will help with make ECU to be the employer of choice in our region and help fulfill our mission of student success, public service, and regional transformation.

As I conclude my report, I would like to express my appreciation of our Staff Senators who are committed to serving their division and students at the university. This term the Senate was able to:

- Partnered with the Office of Equity and Diversity and our Employee Resource Groups to make sure staff were informed of the different ERGs and how they work to foster a diverse and inclusive workplace
- Provided over 1500 School Supplies to ECU Community School
- Donated 75 Coats during the Winter Coat Drive to ECU Community School

- Parented with 13 local businesses for our Wellness Walk at Lake Laupus
- Hosted our first ECU Women's in Leadership panel where VC Hardy, VC Coleman, and Dr, Gwendolyn Tyson Director of the Counseling Center for the College of Nursing shared their leadership journeys and lessons their learned in their professional careers
- Awarded 10 Staff Emeritus Awards
- Hosted the 6th Annual Ballard Lesson in Leadership Event with our keynote Dr. Rebekah Rogers. We had over 300 participants either in-person or virtual from Vidant and other UNC institutions like NC State University, NC A&T University, and Elizabeth City State University.
- Held Staff Appreciation Week providing Staff Appreciation Meals, facilitated a Pirate Perks panel, awarded 8 Outstanding Staff Awards for each division, and discounted baseball tickets.
- Emailed thank you notes to our NC Senators and Representatives
- Provided a total of 6 scholarships for staff and children of staff totaling \$4,500 in helping with their educational goals/

Over the summer months, we will be setting our goals for the 2022-2023 term. We meet every third Thursday virtually at 3PM. Chairman and members of the Board we invite you to attend when you have the opportunity. Again, Thank you, Chairman Shook, Members of the Board, and Chancellor Rogers as always for your continued support of ECU Staff. This concludes my report.

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

April 29, 2022

Wanda Montano, Chair

Good morning!

Purple!

Gold!!

It's always a pleasure to see each of you and I bring greetings on behalf of our entire membership.

As with Chandler and Puri, this is also my last meeting as Chair of the Board of Visitors. I also appreciated the theme of diversity and inclusion that ran through the remarks of the previous speakers.

Since my last update in February, the BoV held its Spring 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, participated in the 26th Pirates Aboard event. Approximately 1900 accepted students and their families attended. The BoV provided Greeters to assist the students and their parents, and also provided parents with an opportunity for engagement with an alum. The BoV also hosted a Panel Discussion session on Post-graduation Benefits of Being a Pirate. We featured two current legacy students as well as 4 BoV panelists, including the President of the Alumni Association.

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. Alisa will report to you at your September meeting how many of these students yielded.

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.

As you know, the Board has as its core philanthropy the underwriting of four Access Scholars. We supported these four scholars with financial underwriting, mentoring and goodie bags throughout the year.

Our third committee, the Nominations Committee, under the authority delegated in our By-laws from the Board of Trustees to the Executive Committee, and from the Executive Committee to the Nominating Committee, considered nominations for New Members.

Acting on this delegated authority, the Board recommended new members to the Board of Trustees, which was considered at yesterday's Advancement Committee meeting. The Committee also

recommended a new slate of officers for the next year. Those Officers, as presented yesterday are Alisa Chapman as Chair, Preston Mitchell as Vice Chair, and Major General (retired) William “Dutch” Holland, for Secretary. I commend this slate of Officers to you for appointment.

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 was held in Manteo at the Coastal Studies Institute on April 22<sup>nd</sup>. Thanks to Dr. Corbett and his staff for an outstanding experience for our members. We didn’t get to jump in the basket, though, Chancellor!

The University has embraced our work and supported the BoV throughout this year. No matter the faculty or staff person from whom we sought knowledge, mentoring and input, it was enthusiastically and freely given. Thank you to each of these individuals.

For the Chancellor, as I said last week at our meeting, our success has been predicated on your willingness to engage the Board and use our talents and skills to support ECU. I thank you for that engagement and for helping me to increase my knowledge and involvement, which helped me be a better leader of the BoV.

For Dr. Hayes and Dr. Mitchelson, your support of the BoV was invaluable. I always knew that you had my back.

Thanks to my Executive Committee of Alisa Chapman and Preston Mitchell. Our successes this year was a Team effort.

And our committee chairs were highly engaged and productive. A very public thank you to Ryan Beeson, Toby Thomas, Terrence Powell, Duane Holder, Johna Faulconer and Dutch Holland. ECU is truly fortunate to have such dedicated alumni who are unapologetically aspirational for our students, our region and clearly service to ECU and in their home communities.

Thank you for the opportunity to serve as Chair of the Board of Visitors, and for the honor of serving East Carolina.

Go Pirates! Aargh!

Respectfully submitted,

Wanda Montano ‘74  
Chair, ECU Board of Visitors

**Athletics & Advancement Committee**  
**April 28, 2022**

The Athletics and Advancement Committee met on April 28, 2022.

The meeting was opened with the reading of the Conflict-of-Interest Statement.

A motion was made to approve the minutes from the February 10, 2022 meeting. After a second and no discussion the minutes were approved.

Advancement

Mr. Chris Dyba reported that East campus has a goal of \$20M and current fundraising dollars reflect \$31.6M which is remarkable. West campus has not paced as well but with the recent integration fundraising dollars will go up and there are currently some big gifts in the works.

He reported on Pirate Nation Gives (PNG), ECU's day of giving. This day usually coincides with Founders week; this year it coincided with the Chancellor's installation. PNG brought in \$8.5M across all priorities. The university had 274 new donors (those without any previous transaction) and almost 1300 repeat donors. Social media played a large part in this day. Numbers were captured from March 9 to March 24 yielding over 160,000 impressions and over 20,000 video views. Additionally, the PNG hashtag averaged 48 mentions/day with over 4 million impressions. During that week, the campaign celebration was held at Minges. He thanked those that attended for celebrating the evening and noted that so far, for this campaign, we have raised nearly \$392M with \$60M of it being from this fiscal year. He reminded the board of the Pursue Gold campaign pillars: Creating Golden Opportunities, Championing Research, Sustaining Our Values and Building Our Future.

Due to a recent resignation of an ECU Foundation board member Mr. Dyba presented the recommendation that Matt Crisp serve a three-year term on the ECU Endowment board. The committee approved the recommendation to appoint Mr. Matt Crisp to serve a three-year term on the ECU Endowment Fund Board. This item was approved as part of the consent agenda this morning.

Athletics

Mr. Jon Gilbert reviewed the metrics for Athletics. He reported that the Annual Fund is doing well which is tied to football tickets. The football ticket sales goal is 14,500 and he thinks they may exceed that goal. Trade Club and tower will be sold out. A question was raised about the best year ever with football ticket sales; that was 2008-2009. It is unlikely that goal will be reached again due to the changes in the TV platform. Linear networking allows more people to watch and there is no longer a black out with the local market. A question was raised about reducing the size of the stadium as has been done at other schools. Mr. Gilbert stated we offer a range of pricing which allows for individuals to purchase seating in different areas of the stadium. A question was also raised about converting the old club level into loge boxes. He stated that the change would cost several hundred thousand dollars. And shared that there is more demand for suites over loge boxes.

He reported that May 12 there will be a campaign event. Currently there are numerous conversations with donors about opportunities to invest. There will be no bonds for any of the facility projects; therefore, the monies for each project must be on hand before the building begins. He anticipates some sizeable, monumental gifts.

He reminded the board that we will have 4 home football games to start the season. The time of the NC State game has not been set and should be announced in late May or early June. He assured the board that he is seeking a late afternoon or night game.

The NIL intent was for student athletes to benefit. It turns out that it has come to essentially pay to play. A question was raised about an LLC independent company outside of the institution. He felt that doing so would create donor fatigue. Someone posed the question about financial literacy through all of this, and Mr. Gilbert shared the ECU NIL committee helps student athletes understand it.

Mr. Gilbert discussed the NCAA transformation committee and the massive forthcoming deregulation late summer or early fall. Each conference will vote on how to spend their funds (i.e.: number of coaches/scholarships); however, there will be limitations due to equity issues. The liability and decision making will fall within each conference. There will be no such thing as competitive equity with the NCAA. He shared that the industry is changing at a rapid pace.

The anticipated date of completion of the 7,000 square foot weight room is October or November.

He reminded the board of the upcoming Armada dates.

#### BOV

Ms. Wanda Montano recognized outgoing members of the Board, presented a slate of new members and recommended the slate of officers beginning July 1, 2022. I will have a motion at the end of this report.

#### Naming

The committee approved one naming opportunity – the Family Therapy Room in the Family Therapy Clinic in honor of Dr. David Dossier. That item was a part of the consent agenda this morning.

Mr. Chairman, I have one item for board consideration:

Coming out of the Athletics and Advancement Committee, I have an amended motion. I move the board accept the recommendations from the Board of Visitors for reappointments and new member appointments, with the addition of THREE (rather than 4) more individuals, as follows:

Reappointments: Pam Baldwin, Brad Congleton, Lewis Gale and Toby Thomas

New Member Appointments: Christina Bowen, Tom Campbell, Scott Chase, Richard Cobb, Terrance Copper, Barnanne Creech, Phil Kirk, Nichole Kloss, Phil Tetterton, Andrew Wasilick and Scott West

I move the board also accept the officer recommendations from the Board of Visitors as follows:  
Chair – Alisa Chapman; Vice Chair – Preston Mitchell; Secretary – Dutch Holland.

###



**AFTER CLOSED SESSION**

Upon the recommendation of the Chancellor in conjunction with the ECU Foundation Board, I move the board approve a salary increase of 5% funded from the ECU Foundation for Vice Chancellor Chris Dyba, as presented in the board materials.

## Report of the Audit, Risk Management, Compliance, and Ethics Committee for April 28, 2022

### Operational Metrics Review

The committee reviewed the operational metrics related to Internal Audit, Healthcare Compliance, Research Compliance, and Athletics Compliance. All metrics are in the “green” year to date.

### Action Items

Chief Audit Officer Wayne Poole presented the fiscal year 2023 annual audit plan and discussed the process for developing the plan. The committee approved the plan as presented; it does not require approval by the full board.

### Informational Items

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

Vice Chancellor Coleman briefed the committee on the risk identification and prioritization exercise which was recently completed. This process included staff, faculty, students, and administration and resulted in the register of top risks and emerging risks being updated. Ms. Coleman presented the updated risk register, which has been accepted by the Chancellor and Executive Council and is required to be submitted to the UNC System Office.

#### **Employee Workforce Risks and Resources – Ms. Sara Lilley**

Ms. Lilley provided an update on employee well-being and assistance programs. These programs are valuable tools in managing the risks related to the University workforce. The workforce is currently the top risk in the enterprise risk register.

#### **Healthcare Compliance/Office of Institutional Integrity – Ms. Michelle Deville**

Ms. DeVille provided an update on the recent activities of the Office of Institutional Integrity. These activities include healthcare billing compliance, HIPAA compliance, and other ECU data compliance responsibilities.

#### **Update on University Employee Code of Conduct – Mr. Wayne Poole**

Mr. Poole briefed the committee on the status of the draft University-wide Employee Code of Conduct. This document is intended to address a gap between ECU’s compliance infrastructure and the federal guidelines for organizational compliance programs. Mr. Poole advised us that feedback has been received from the Faculty Senate and from other employee groups and is being incorporated into the document. Mr. Poole advised that the Faculty Senate wishes to review the document again when they resume business in the Fall of 2022. Because of the compliance implications, I requested that the document be brought to this Board for review and approval at our July 2022 meeting.

### Other

The committee also received a briefing on one recent audit, and an update on the University’s Information Security Program.

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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 | April 28, 2022**  
**Highlights**

- I. **Minutes from February 10, 2022 - Approved**
- II. **Review of Operational Metrics** - Stephanie Coleman, VC for Administration & Finance, provided info that the State expenses are trailing compared to normal spend plan; Unrestricted fund balance is currently \$4 M better than plan. Administration & Finance Auxiliary changes - is \$2 M better than plan and Student Affairs auxiliary Dining is behind \$2M. Tuition revenue is doing well compared to budget and prior year. Mandatory fees continue to trend above budget plan. Athletics Financial Performance is \$1.2M better than budget; had a good baseball season in ticket sales and other revenues have offset the shortfall from football sales, and expenses are on target. ECUP Financial Performance contract revenue is behind by \$2M; UPL payment is behind. Anticipate a loss for the year.
- III. **All Funds Budget** - Stephanie Coleman, VC for Administration & Finance, thanked the University Budget Director and her staff and all departments and divisions that worked tirelessly on completing this task. VC Coleman shared the FY23 Budget Development Timeline, Shared Operating Revenues and expenses in comparative format for actual FY21 and budgeted FY23. She shared the All Funds Budget for FY23. The next steps and future opportunities were provided. I'll have a motion at the end of this report.
- IV. **Annual Safety Report** - Bill Koch, Associate VC for Campus Safety and Auxiliaries, and Chief Barnwell shared crime trends information. The Officers now carry Narcan and it's also available in the Student Health Center. The UNC System is piloting the Safe Zone Mental Health App and the ECUPD Chief and the Dean of Students have met with vendor and are working on deployment plan.
- V. **Advance Planning Increase for Fleming HVAC and Bathroom** - Bill Bagnell, Associate VC for Campus Operations, provided Action Item #1 to Increase in Advance Planning Fleming Residence Hall Renovation of HVAC System and Bathrooms. Action Item #2 Designer Selection Approval on Brody School of Medicine (New Medical Education Building). This item was approved as a part of the consent agenda this morning.
- VI. **BOT Designer Selection Medical Education Building** - Bill Bagnell, Associate VC for Campus Operations, requested Action Item #1 Designer Selection Approval on Brody School of Medicine (New Medical Education Building). This item was also approved as part of the consent agenda this morning.
- 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. Stephanie Coleman, VC for Administration & Finance, provided the Annual HR Compliance Report.
  - E. Stephanie Coleman, VC for Administration & Finance, provided the Report of Related Persons.
  - F. Bill Bagnell, Associate VC for Campus Operations, provided information to the Committee on the Designer Selections since last board meeting.
  - G. Bill Bagnell, Associate VC for Campus Operations, provided information to the Committee on Approved BOT Delegated Capital Projects \$300K - \$750K.
  - H. Bill Bagnell, Associate VC for Campus Operations, provided information to the Committee of Capital Projects submitted for BOG approval.

- I. Bill Bagnell, Associate VC for Campus Operations, provided information to the Committee on the Capital Projects Updates.
- J. Stephanie Coleman, VC for Administration & Finance, provided the Statement of Bonded Indebtedness as of December 31, 2021.

**VIII. OTHER - N/A**

Mr. Chairman, I have one motion coming out of the Finance and Facilities Committee:

I move the board approve the All Funds Budget as presented in board materials.

# All Funds Budget Model

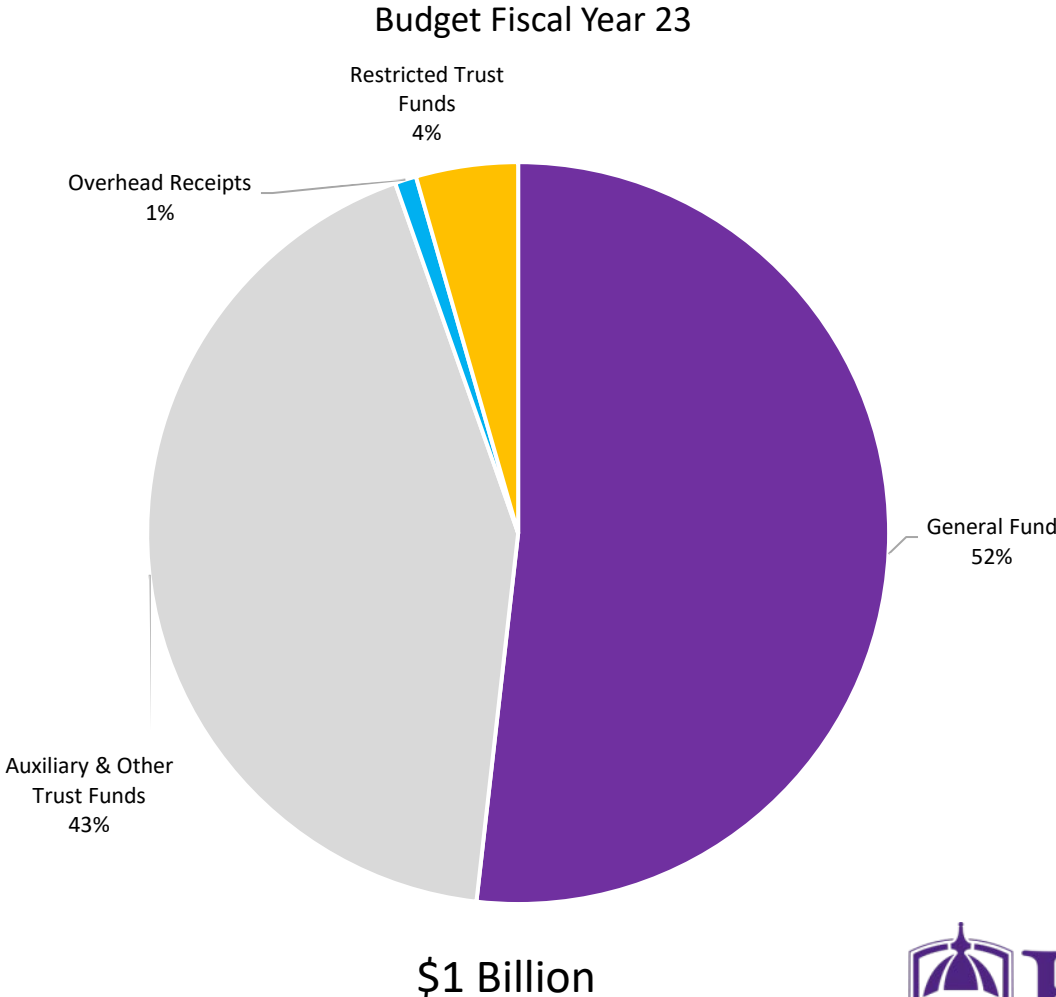
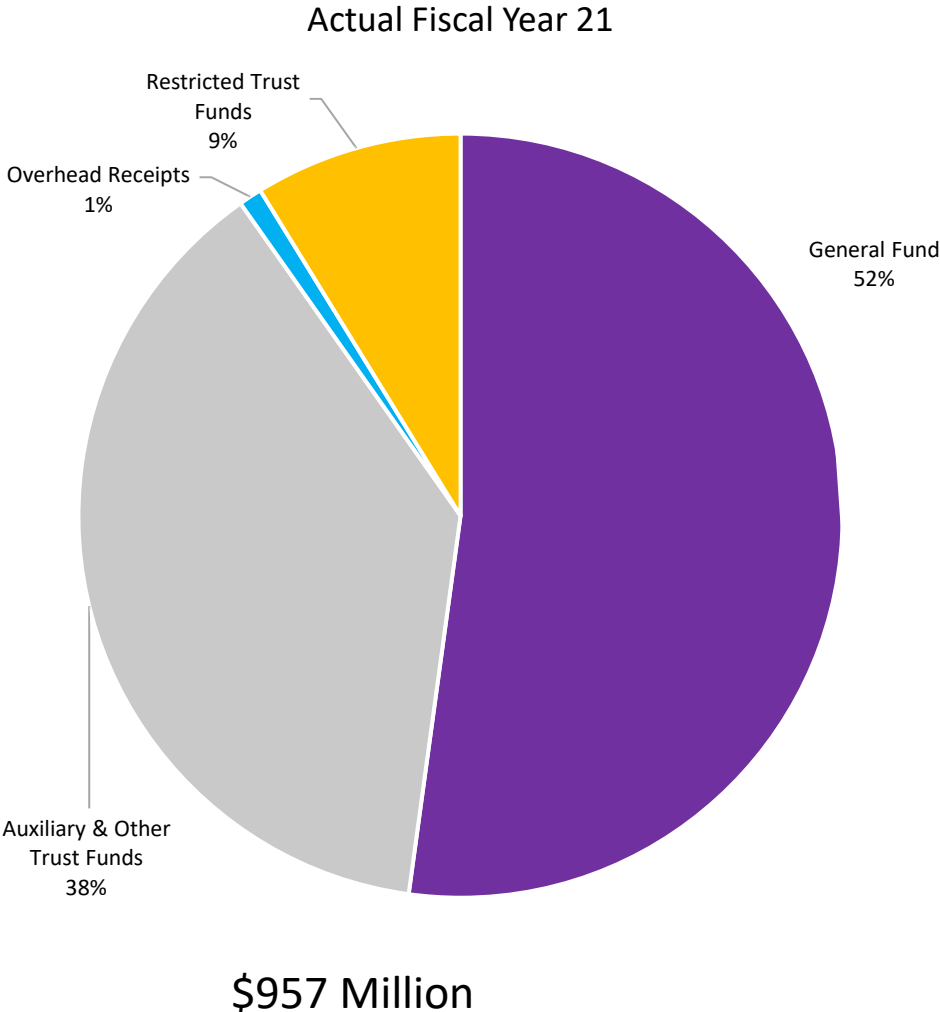
Stephanie Coleman

Vice Chancellor for Administration and Finance

# FY23 Budget Development Timeline

September 16, 2021	FY2023 All-Funds Budget Guidance from System Office issued
October 2021	Meetings with financial leaders in each division
December 2021	Provided campus guidelines, templates, and historical data trends to divisions
February 28, 2022	Budgets due to University Budget Office
Beginning March 13, 2022	Review and discussion of budgets with Chancellor
April 11, 2022	Final Budget Decisions
April 14, 2022	Final Budget Documents Completed
April 29, 2022	BOT Reviews Budget at meeting
May 25, 2022	BOG Reviews Budget at meeting

# Operating Revenues



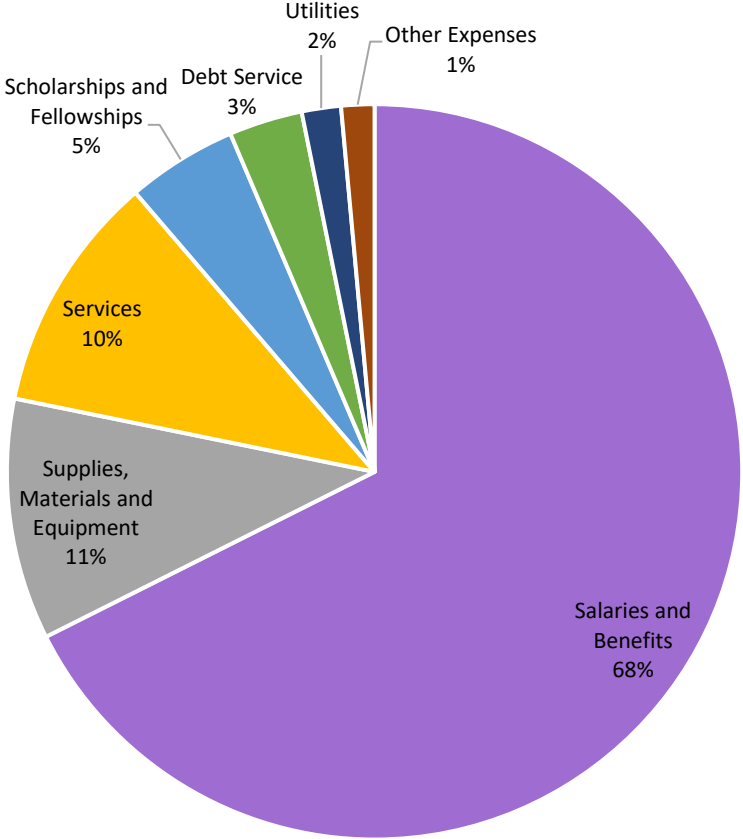
# Revenue changes between actual FY21 and budgeted FY23

- General Fund
  - Appropriations
    - Salary increases for state funded employees 2.5% increase for both years FY22 and FY23
    - Increase in employee benefit cost
    - Change in enrollment funding model (FY21, FY22 and FY23)
    - Operating funds for new Life Sciences Building
  
- Auxiliary & Other Trust Funds
  - COVID significantly impacted Sales and Service (housing, dining, and parking)
  - Reduction in federal and state aid due to COVID 19
  
- Restricted Trust Funds
  - FY21 had unprecedented investment returns
  - Reduction in federal and state aid due to COVID 19



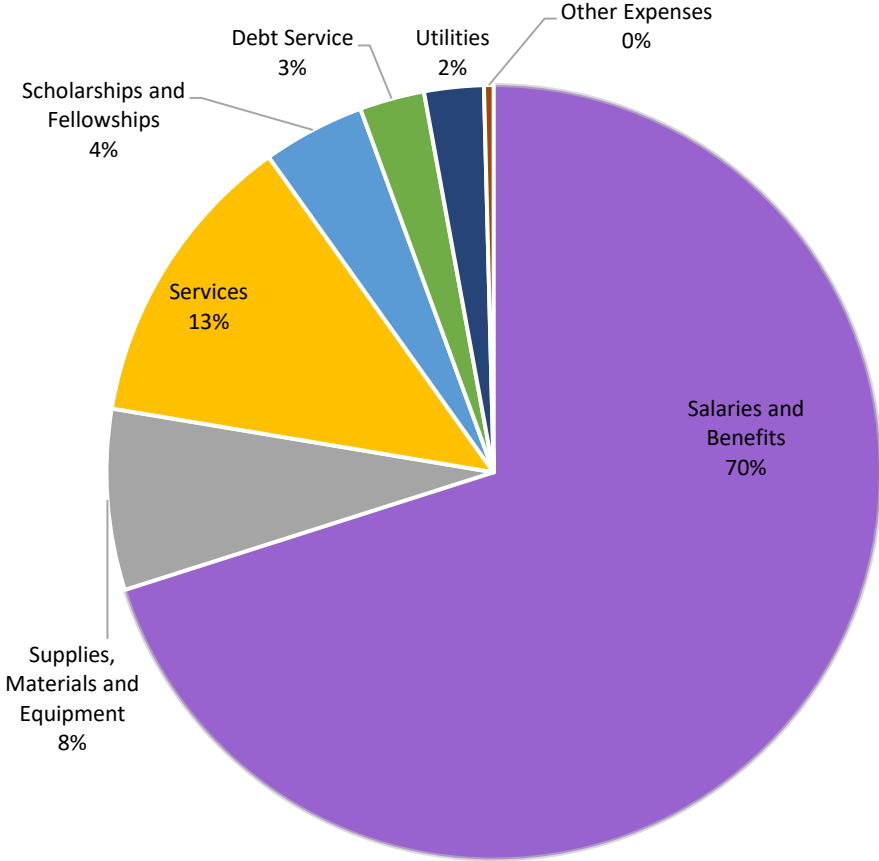
# Operating Expenses

Actual Fiscal Year 2021



\$903 Million

Budget Fiscal Year 2023



\$1 Billion

# Expense differences between actual FY21 and budgeted FY23

## ➤ All Fund Types

- Salaries, Wages and Benefits
  - Salary increases for state funded employees 2.5% increase for both years FY22 and FY23
  - Increase in employee benefit cost

## ➤ General Fund

- Changes in enrollment funding (FY21, FY22 and FY23)
- Operating funds for new Life Sciences Building received in FY22

## ➤ Auxiliary & Trust Funds

- Auxiliaries return to pre-COVID service levels

## ➤ Restricted Trust Funds

- Less student aid as a result of federal emergency relief funds

# All Funds Budget Model for Fiscal Year 2023

East Carolina University FY 2022-23 All-Funds Budget (With Internal Sales and Transfer Eliminations)						
		General Fund	Auxiliary & Other Trust Funds	Overhead Receipts	Restricted Trust Funds	Total
Revenues	State Appropriations	\$ 346,139,581	\$ -	\$ -	\$ -	\$ 346,139,581
	Tuition & Fees	\$ 165,456,844	\$ 62,110,607	\$ -	\$ -	\$ 227,567,451
	Sales & Services	\$ 5,238,988	\$ 92,048,891	\$ -	\$ -	\$ 97,287,879
	Patient Services	\$ -	\$ 261,557,378	\$ -	\$ 29,457	\$ 261,586,835
	Contracts & Grants	\$ 1,520,262	\$ 5,246,314	\$ 9,345,361	\$ 42,688,955	\$ 58,800,892
	Gifts & Investments	\$ -	\$ 5,760,896	\$ -	\$ 1,825,926	\$ 7,586,822
	Other Revenues	\$ 700,370	\$ 2,459,201	\$ -	\$ -	\$ 3,159,571
<b>Revenues Total</b>		<b>\$ 519,056,044</b>	<b>\$ 429,183,287</b>	<b>\$ 9,345,361</b>	<b>\$ 44,544,338</b>	<b>\$ 1,002,129,030</b>
Expenses	Salaries and Wages	\$ 306,583,169	\$ 194,330,476	\$ 3,995,309	\$ 20,026,663	\$ 524,935,617
	Staff Benefits	\$ 104,041,331	\$ 63,729,868	\$ 1,597,622	\$ 6,383,881	\$ 175,752,702
	Supplies, Materials, & Equipment	\$ 22,492,282	\$ 48,004,291	\$ 1,918,835	\$ 3,050,897	\$ 75,466,305
	Services	\$ 29,895,235	\$ 78,796,747	\$ 766,703	\$ 15,528,438	\$ 124,987,123
	Scholarships & Fellowships	\$ 27,531,035	\$ 13,841,111	\$ -	\$ 1,320,192	\$ 42,692,338
	Debt Service	\$ -	\$ 27,054,721	\$ -	\$ -	\$ 27,054,721
	Utilities	\$ 23,369,716	\$ 1,460,843	\$ -	\$ 22,252	\$ 24,852,811
	Other Expenses	\$ 3,191,276	\$ 816,784	\$ -	\$ 800	\$ 4,008,860
<b>Expenses Total</b>		<b>\$ 517,104,044</b>	<b>\$ 428,034,841</b>	<b>\$ 8,278,469</b>	<b>\$ 46,333,123</b>	<b>\$ 999,750,477</b>
Net Transfers		(1,952,000)	(6,065,245)	(487,205)	(21,228)	\$ (8,525,678)
Net income		\$ 0	\$ (4,916,799)	\$ 579,687	\$ (1,810,013)	\$ (6,147,125)

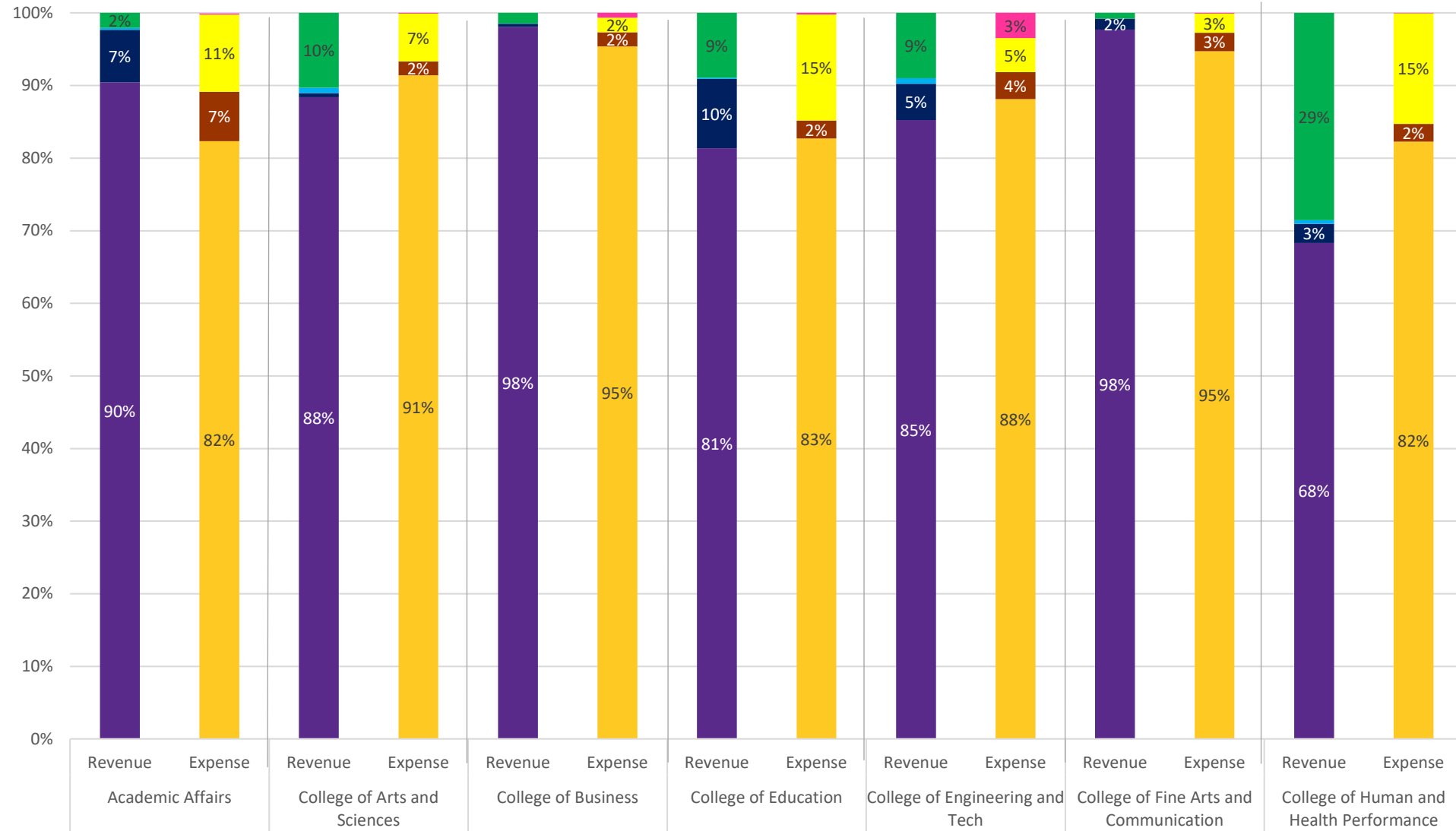
# All Funds Budget

<b>Colleges and Academics</b>
Academic Affairs
College of Arts and Sciences
College of Business
College of Education
College of Engineering and Tech
College of Fine Arts and Commun
College of Human and Health Per
Health Sciences
College of Allied Health
College of Nursing
School of Dental Medicine
School of Medicine
Library

<b>Administrative Units</b>
Advancement
Business Affairs
Facilities
Financial Aid
Human Resources
Information Technology
Public Safety
Sponsored Research
Student Affairs
University Administration

<b>Auxiliaries</b>
Athletics
Dining
Housing
Other Auxiliaries
Parking
Student Health

# Percentage of Revenue and Expense by Category - Academic Affairs

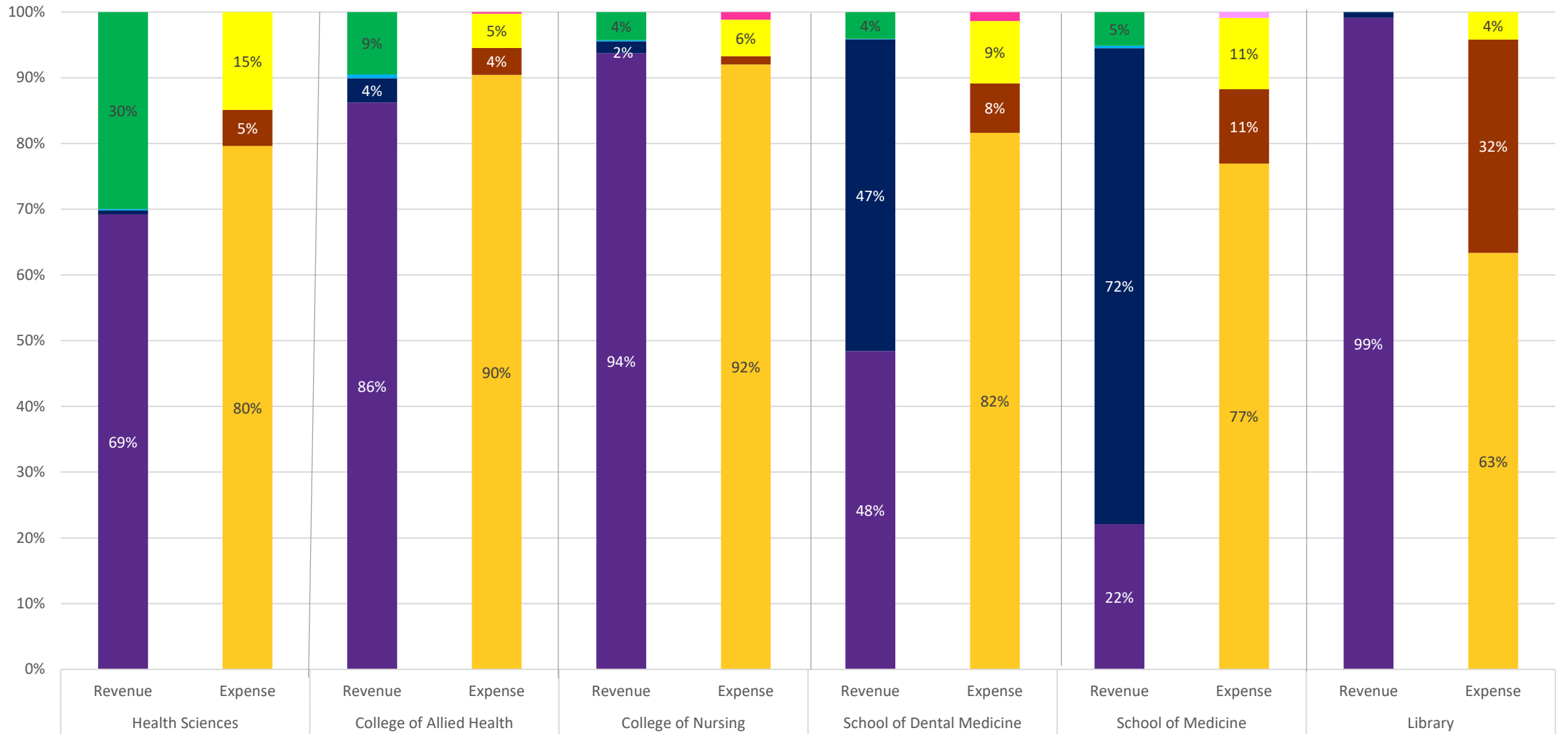


Percentages of 1% or less are not labeled in chart

- General Fund
- Auxiliary & Other Trust Funds
- Overhead Receipts
- Restricted Trust Funds
- Salaries and Benefits
- Supplies, Materials and Equipment
- Services
- Scholarships and Fellowships
- Other Expenses, Utilities, Debt Service



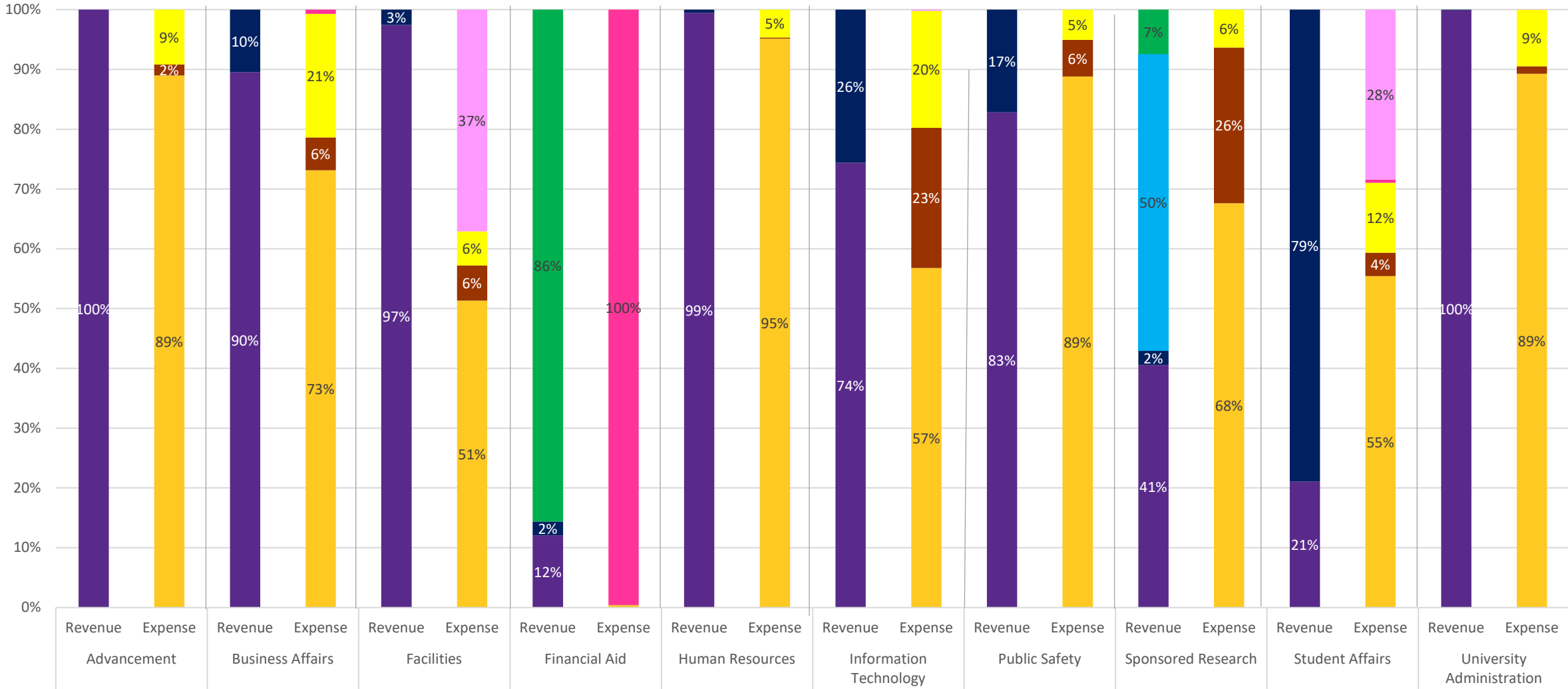
# Percentage of Revenue and Expense by Category – Health Sciences and Library



Percentages of 1% or less are not labeled in chart

- General Fund
- Auxiliary & Other Trust Funds
- Overhead Receipts
- Restricted Trust Funds
- Salaries and Benefits
- Supplies, Materials and Equipment
- Services
- Scholarships and Fellowships
- Other Expenses, Utilities, Debt Service

# Percentage of Revenue and Expense by Category – Other Units

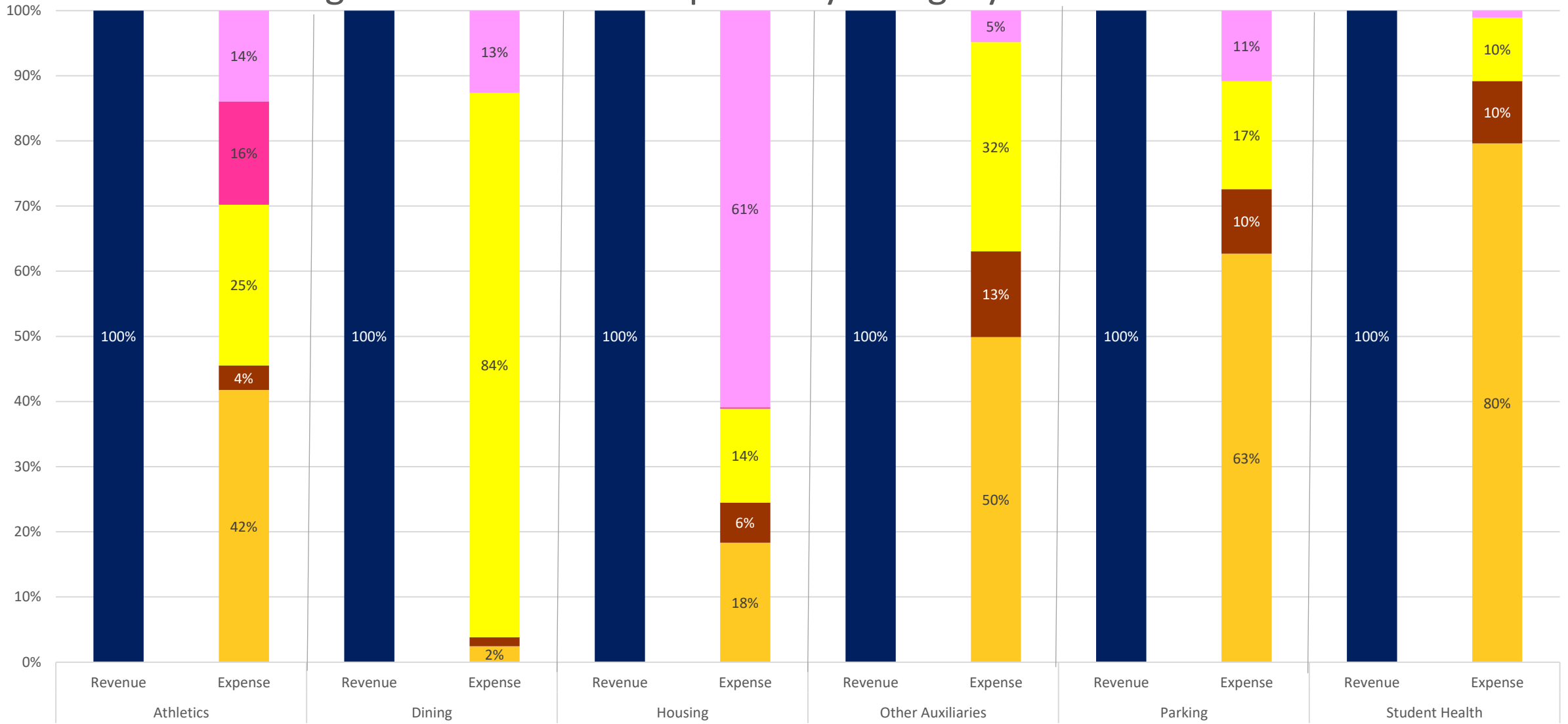


Percentages of 1% or less are not labeled in chart

- General Fund
- Auxiliary & Other Trust Funds
- Overhead Receipts
- Restricted Trust Funds
- Salaries and Benefits
- Supplies, Materials and Equipment
- Services
- Scholarships and Fellowships
- Other Expenses, Utilities, Debt Service



# Percentage of Revenue and Expense by Category – Auxiliaries



Percentages of 1% or less are not labeled in chart

- General Fund
- Auxiliary & Other Trust Funds
- Overhead Receipts
- Restricted Trust Funds
- Salaries and Benefits
- Supplies, Materials and Equipment
- Services
- Scholarships and Fellowships
- Other Expenses, Utilities, Debt Service





# Next Steps & Future Opportunities

- **BOG will review and approve in May**
- **Implementation of New Budget Tool (Anaplan)**
  - Mapped to align with all-funds budget template
  - Will facilitate multi-year forecasting (under various scenarios)
  - Implementation should be completed this Spring
- **Incorporate New Strategic Plan Priorities into future budget plans**

# Questions

## University Affairs Meeting – Board of Trustees - April 28, 2022

**BOT Committee Members Attending:** Fanning (chair), Ward, Furr, Roberts and Smith

- **Operational Metrics**

- Research Metrics – Mike Van Scott – we have exceeded our goal for the last two years and are on track for passing that this year
- Student Affairs – Virginia Hardy – Counseling continues seeing students as semester ends and into summer even with less staff. Trying to recruit more counselors for the fall.
- Student Affairs – Virginia Hardy – housing is lagging a bit behind but have between March 30<sup>th</sup> and April 25<sup>th</sup> we have 2,436 housing commitments. Returning students will have the option for single rooms soon and we are focusing of options for transfer students too. If they have paid their deposits, we are letting them pick their rooms now.
- Academic Affairs – Grant Hayes – As of Monday, April 25<sup>th</sup> we are down (year to date) by 3.9% in applications (most all of this is in-state students). Out of state new freshman applications are up. New freshman enrollment deposits are down 7.4%, transfer applications are down 8%, and transfer deposits are down 10%.

- **Student Enrollment and Recruitment Update – Stephanie Whaley**

- She shared some information about our Admitted Students Events (Pirates Aboard) – 1,240 in Fall 2021 and 1,900 in Spring 2022. We had about 6,000 total guests in March 2022. We also hosted multiple Admitted Student Fridays and Hoist the Colors events with 499 students attending those events, which gave us a 48% increase for admitted student events from last year to this one.
- Stephanie shared the various ways to communicate with students in many ways (emails, texts, social media, digital, videos, etc.). Tik Tok has been an added element for outreach. Digital advertising is stepping up and have options for things like Hulu and Roku.
- ECU has been doing Yield Encouragements with things like No Quarter Flags, License Plate Mailers, Yard Signs and T-Shirts.
- We expect to see the largest bump over the weekend around May 1<sup>st</sup>. There are 7,000 fewer high school seniors graduating in NC – so to be only a couple hundred behind is pretty impressive.

- **Patents and Commercialization**

- Chancellor Rogers offered opening remarks about how ECU is improving in these categories. Marti Van Scott explained more about the specifics at ECU. The three categories include intellectual property, industry testing and licenses. Many of our research endeavors are multidisciplinary in nature which is a trend we need to continue to do as go forward. We are pushing beyond just having new inventions or patents created but are also looking to make sure they are

functional and worthy of the funding support each receives. We have gone from having one start up business every other year to multiple per year.

- Carlisle Rogers talked about the future for innovation. Topics include natural resources, digital, educational, collaborative IP, biomedical accelerator, and reagents. He shared examples of issues in North Carolina (skin cancer, west nile virus, opioids and athlete health) and how we have faculty members combatting these issues and have all created startups.
- **Pirate Entrepreneurship Challenge Student Winner**
  - Michael Harris from the Miller School talked about the Entrepreneurship Challenge being created but is open to the entire campus. More the 375 teams have received more than \$400,000 in prizes in 5 years. He introduced the winner of the year five challenge. The student winner, Jamarus Payton, shared his story and how he won the challenge. He created Carolina Chicken and Waffles and talked about how the concept came to being. The mobile idea allows his company is to reach more diverse communities in eastern NC. He is looking to expand and partner with breweries and grow his franchises in Wilmington, Rocky Mount, Jacksonville, Greenville, and other areas.

The committee approved three items that were on the consent agenda this morning:

- The Division of Academic Affairs promotion and tenure recommendations
- Nonsalary compensation for the ECU Tuscan Program
- Center for STEM Education Designation

### **Conferral of Degrees**

And finally, Interim Provost Grant Hayes presented the candidates for the conferral of degrees. Mr. Chairman, I believe Chandler Ward has a motion for this item.

MOTION: I move that the candidates for degrees, as approved by the Chancellor and the Faculty Senate, be authorized for conferral at the annual Spring Commencement on Friday, May 6, 2022.

**Health Sciences Committee**  
**April 28, 2022**

- Minutes from the February 10, 2022 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. Sylvia Brown presented an overview of the College of Nursing that included their COVID-19 response, graduation data, highlighted accomplishments, and addressed the challenges the college faces.
- Ms. Taylor Nelson, College of Nursing student, is one of the first two graduates of the new BSN to PhD program. She discussed her love of ECU's spirit, nurse pride, sense of community, mentorship focus, and passion for service.
- Dr. Waldrum provided an update on the brand rollout, JOC formation, planning initiatives to drive improvement, and work around financial integration. He also highlighted several accolades for the BSOM in the recent months.
- Dr. Amanda Williams presented the proposed ECU Physicians Compensation Plan and the School of Dental Medicine Incentive Plan. Both of those items were included as part of the consent agenda this morning.
- The committee approved several personnel related items that were included in the consent agenda this morning. Those included
  - The initial appointment as chair with tenure for Dr. Michael Lang
  - The initial appointment with tenure for Dr. Lisa Moreno-Walton
  - Incentive payments in the School of Dental Medicine
  - Nonsalary compensation for Dr. Frances Okala
  - Health Sciences promotion and tenure recommendations.

Mr. Chairman, I will have one item coming out of closed session for board consideration, but for now that concludes my report.

**AFTER CLOSED SESSION**

I move the board approve the initial appointment with tenure for Dr. Bimbola Akintade, the new Dean of the College of Nursing, as presented in board materials.



**MEMORANDUM**

**TO:** ECU Board of Trustees

**FROM:** Ms. Kitty H. Wetherington *KittyHwether*  
Associate Vice Chancellor for Human Resources and  
Chief Human Resources Officer

**DATE:** April 19, 2022

**RE:** Approval to Offer a Pre-emptive Retention Increase

Chancellor Rogers is seeking your approval to offer Mr. Christopher Dyba a pre-emptive retention increase of \$14,880 to be effective May 1, 2022. Mr. Dyba is critical to the consistent outstanding performance of the Division of University Advancement. His leadership contributed to a record-breaking Pirate Nation Gives this year and the development of innovative programs such as crowd fundraising while also building and maintaining relationships with donors and campus stakeholders through the pandemic. It is vital to retain Mr. Dyba as retention and consistency are one of the pillars of successful fundraising. A recommended salary of \$312,479 is a \$14,880 (5%) increase over Mr. Dyba's 12-month June 30, 2021 base salary of \$297,599.

Attachments

cc: Dr. Philip Rogers  
Chancellor

Ms. Stephanie Coleman  
Vice Chancellor for Administration and Finance

**Department of  
Human Resources**

210 East First Street  
Mail Stop 205  
East Carolina University\*  
Greenville, NC 27858-4353

**252-328-9847** main  
**252-328-9918** fax

**Administration**  
328-9884  
328-9918 fax

**ADA Coordinator**  
737-1018  
328-9918 fax

**Benefits**  
328-9887  
328-9918 fax

**Classification and  
Compensation**  
328-9847  
328-9917 fax

**Employee Relations**  
328-9819  
328-9917 fax

**Employment**  
328-9847  
328-9918 fax

**HR Information Systems**  
328-9847  
737-5818 fax

**Learning and Organizational  
Development**  
737-5824  
328-9917 fax

*East Carolina University is a  
constituent institution of the  
University of North Carolina.  
An equal opportunity  
university.*



April 20, 2022

Philip Rogers, EdD, Chancellor  
East Carolina University  
Greenville, NC 27858

Dear Chancellor Rogers:

I would appreciate your consideration of the enclosed recommendation for the initial appointment of Professor with permanent tenure for Bimbola F. Akintade, PhD, MBA, MHA, CCRN, ACNP-BC, NEA-BC, FAANP. Dr. Akintade is scheduled to join East Carolina University as the Dean, College of Nursing July 1, 2022. Upon approval of the ECU Board of Trustees, we are requesting Dr. Akintade be granted permanent tenure at the rank of Professor in the Department of Advanced Nursing Practice and Education.

Dr. Akintade is an accomplished administrator, educator, nurse, and researcher. He earned his PhD and his MS from the University of Maryland, Baltimore and both his MBA and MHA from the University of Maryland University College. He also holds a Post Master’s Certificate as a Telehealth Facilitator.

He currently serves as a tenured Associate Professor and as Associate Dean of the Nursing Master’s Program at the University of Maryland, Baltimore. His previous academic appointments include, but are not limited to, Program Director of the Adult Gerontology Doctor of Nursing Practice Specialty and the Clinical Nurse Specialist MSN at the University of Maryland, Baltimore. In addition, Dr. Akintade has 20 years of clinical nursing experience.

His university level service includes a wealth of committees, task forces, and work groups including the Strategic Plan Steering Committee and the Graduate School Student Appeal Task Force for the University of Maryland, Baltimore and the Essentials Curriculum Revision Task Force and the Senior Academic Team for the UMB School of Nursing.

Dr. Akintade’s scholarly activity includes numerous presentations, workshops, publications, grant awards, and book chapters.

For your convenience, attached are the following documents:

- Dr. Bimbola Akintade’s curriculum vitae
- ECU Personnel Action Summary Form for the Board of Trustees

If you approve, we will make arrangements for this recommendation to be placed on the agenda for the April 28, 2022, ECU Board of Trustees meeting.

Sincerely,

Ron Mitchelson, PhD  
Interim Vice Chancellor, Division of Health Sciences

Enclosures

Approve

Do Not Approve

Philip Rogers, EdD, Chancellor

4-21-22

Date

**EAST CAROLINA UNIVERSITY PERSONNEL ACTION SUMMARY FORM**  
*(Administrator completes Section I. and faculty member (appointee) completes Section II.)*

Section I. To be completed by the appropriate administrator(s).

Name of Appointee: **Bimbola F. Akintade, PhD, MBA, MHA, CCRN, ACNP-BC, NEA-BC, FAANP**

Department: **Department of Advanced Nursing Practice and Education**

School/College: **ECU College of Nursing**

Current Rank or Title: **N/A**

Proposed Rank or Title: **Dean, College of Nursing and Professor, Department of Advanced Nursing Practice and Education.**

Indicate Type of Action: *(select all that apply)*

- Administrative Appointment:
- New Faculty Appointment:
- Promotion:
- Conferral of Tenure:
- Other:   
*(describe)*

Distinguished Professorship:  
*(provide name of professorship)*

Effective Date of Action: **July 1, 2022**

Contract Period:            Administrative Appointment:    9 mo.             12 mo.   
    Faculty Appointment:            9 mo.             12 mo.

Salary: **\$275,000**            Source(s): State Funds: **\$275,000**            \*Non-State Funds:

*\*Indicate Sources of non-state funds generically ( i.e., grants, receipts, trust funds, endowments, medical faculty practice plan, etc.):*

Prior Recommendations/Personnel Actions:  
*(please check appropriate responses)*

Source	Recommended	Not Recommended	Not Applicable
Appropriate Unit Personnel Committee	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chair/Unit Head	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Director	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dean	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Provost/Vice Chancellor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chancellor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Board of Trustees	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



1. Education Background: *(indicate degree, date earned and institution, note additional study & training)*

**EDUCATIONAL**

2019 Philadelphia University/ Thomas Jefferson University; Post Master's Certificate: Telehealth Facilitator

2012 University of Maryland University College MBA

2011 University of Maryland Baltimore PhD

2011 University of Maryland University College MHA

2005 University of Maryland Baltimore: Acute Care MS Nurse Practitioner/Clinical Nurse Specialist

2003 University of Maryland Baltimore BSN

2001 Prince Georges Community College AS

**CERTIFICATES**

2018 – Present American Nurses Credentialing Center: Nurse Executive Advanced Board Certification (NEA-BC), #2017024261

2004 – Present American Association of Critical Care Nurses: Adult Critical Care Registered Nurse (CCRN), #00666609

2006 – Present American Nurses Credentialing Center: Acute Care Nurse Practitioner Board Certification (ACNP-BC), #0037575

2007 – Present American Heart Association: Advanced Cardiac Life Support

2007 – Present American Heart Association: Basic Life Support

**CURRENT LICENSES**

2002 – Present Maryland Registered Nurse, #R155797

2007 – Present Maryland Registered Nurse Practitioner – Acute Care, #R155797

2006 – Present District of Columbia Registered Nurse, #RN1008139

2006 – Present District of Columbia, Advanced Practice Nurse #RN1008139

2018 – Present American Nurses Credentialing Center: Nurse Executive Advanced Board Certification (NEA-BC), #2017024261

2004 – Present American Association of Critical Care Nurses: Adult Critical Care Registered Nurse (CCRN), #00666609

2006 – Present American Nurses Credentialing Center: Acute Care Nurse Practitioner Board Certification (ACNP-BC), #0037575

2007 – Present American Heart Association: Advanced Cardiac Life Support

2007 – Present American Heart Association: Basic Life Support

**LEADERSHIP DEVELOPMENT**

2021 American Association of Colleges of Nursing: Diversity Leadership Institute

2015 Sigma Theta Tau International: Nurse Faculty Leadership Academy

2. Teaching and other professional experience: *(Show inclusive dates, rank and/or title, institution or agency, and indicate first appointment at current institution with rank and any changes to date)*

**PROFESSIONAL EXPERIENCE**

2020 – Present University of Maryland Baltimore Associate Dean Program Master's Program University/Health Care Agency Position

2020 – Present University of Maryland Baltimore: Associate Professor

2017 – 2020 University of Maryland Baltimore: Assistant Professor Health Services Leadership and Management Program

2015 – 2017 University of Maryland Baltimore: Adult Program Director Gerontology Acute Care Nurse Practitioner/ Clinical Nurse Specialist (AGACNP/CNS) Doctor of Nursing Practice Specialty

2013 – 2015 University of Maryland Baltimore: AGACNP/ Program Director CNS Master of Science (MS) Specialty

2012 – 2013 University of Maryland Baltimore: AGACNP/ Co-Program Director CNS MS Specialty

2011 – 2012 University of Maryland Baltimore: AGACNP/ Assistant Professor CNS MS Specialty

2005 – 2006 Prince Georges Community College Adjunct/Clinical Faculty

**CLINICAL EXPERIENCE**

2020 – Present University of Maryland Medical Center: Acute Care Nurse Post Anesthesia Care Unit Practitioner

2020 – Present University of Maryland Capital Region Health: Acute Care Nurse Trauma Surgical Intensive Care Unit Practitioner

2015 – 2017 University of Maryland Capital Region Health: Acute Care Nurse Trauma Surgical Intensive Care Unit Practitioner

2013 – 2016 University of Maryland Medical Center: Acute Care Nurse Cardiac Surgery Intensive Care Unit Practitioner

2006 – 2013 MedStar Washington Hospital Center: Acute Care Nurse Surgical Critical Care Department Practitioner

2009 – 2012 Luminis Health Doctors Community Medical Acute Care Nurse Center: Medical/Surgical Intensive Care Unit Practitioner

2007 – 2009 Luminis Health Doctors Community Medical Acute Care Nurse Center: Rapid Response Team Practitioner University/Health Care Agency Position

2002– 2006 Luminis Health Doctors Community Medical Registered Nurse Center: Medical/Surgical Intensive Care Unit

### 3. Scholarly & Creative Activities:

<i>Type</i>	<i>Number</i>
<i>Book Chapters Completed</i>	<u>5</u>
<i>Book Chapters in Progress</i>	<u>4</u>
<i>Invites/Peer Reviewed Presentations- State/Regional/National</i>	<u>31</u>
<i>Invited/Peer Reviewed Presentations-International</i>	<u>6</u>
<i>Presentations Facilitated- International</i>	<u>8</u>
<i>Expert Review of Book Chapters Prior to Publication</i>	<u>4</u>
<i>Media/Alternative Communications</i>	<u>15</u>
<i>Poster Presentations</i>	<u>19</u>
<i>Peer Referred Journals in Progress</i>	<u>9</u>
<i>Peer Referred Journals Completed</i>	<u>16</u>
<i>Keynote Speaker</i>	<u>2</u>
<i>Grant funded activities</i>	<u>5</u>

### 4. Membership in professional organizations:

- National Association of Nigerian Nurses in North America (2021)
- National Association of School Nurses (2021)
- American Association of Colleges or Nursing (2020 – Present)
  - Organizational Leadership Network Member (2020 – Present)
  - Practice Leadership Network Member (2020 – Present)
- Doctor of Nursing Practice of Color (2018 – Present)
  - Research Committee Chair (2020 – Present)
  - Finance Committee Member (2020 – Present)
  - Board Member (2019 – Present)
- International Nursing Association of Clinical Simulation (2013 – Present) and Learning
- American Academy of Nurse Practitioners (2013 – Present)
- National Organization of Nurse Practitioner Faculty (2013 – Present)
  - Diversity Special Interest Group (2021 – Present)
  - Abstract Reviewer (2018 – Present)
  - Acute Care Special Interest Group (2013 – Present)
- Maryland Nurses Association (2012 – Present)
- Preventive Cardiovascular Nurses Association (2012 – Present)
- American Association of Men in Nursing (2012 – 2017)
  - Faculty Mentor (2012 – 2017)
- Sigma Theta Tau International (2012 – 2016)
  - Award Submission Reviewer (2012 – 2016)
- Council for the Advancement of Nursing Science (2010 – Present)
- Southern Nursing Research Society (2010 – Present)
- American Association of Critical Care Nurses (2007 – Present)
- Nurse Practitioners Association of Maryland (2005 – Present)
- American Heart Association (2004 – Present)

- Council on Cardiovascular and Stroke Nursing Leadership Committee; Member (2020 – Present)

## **OTHER MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS**

- American College of Healthcare Executives (2015 – Present)
- 9th Cardiovascular-Thoracic Critical Care Conference; (2012)
  - Arrhythmia Expert Panel Member

### **5. Professional service on campus:**

#### **UNIVERSITY OF MARYLAND, BALTIMORE**

- UMB Strategic Plan Steering Committee: Member (2021 – Present)
- Health Sciences/Human Services Library Academic Success (2021 – Present) Advisory Group: Member
- Education, Accreditation and Assessment Committee: Member (2020 – Present)
- Best Practices in Assessment Group: Member (2020 – Present)
- Graduate School Student Appeal Task Force: Member (2013 – 2015)
- UMSON New Essentials Curriculum Revision Task Force (2021 – Present)
  - Task Force Co-chair (2021 – Present)
  - Steering Committee Member (2021 – Present)
  - MSN Co-lead (2021 – Present)
- Student Civility and Professionalism Task Force (2021 – Present)
- Pathway to Nursing and Professionalism Initiative (2020 – Present)
- SAFE REDCaps Faculty, Staff and Student Coordinator (2020 – 2021)
- Governance Council (2020 – Present)
- Academic and Student Affairs Council (2020 – Present)
- Evaluation Advisory Committee (2020 – Present)
- Senior Academic Team (2020 – Present) • Deans and Chairs (2020 – Present)
- Entry Level Nursing Curriculum Committee (2020 – Present)
- Masters Specialty Directors Committee (2020 – Present) ◦ Chair (2020 – Present)
- Master's Curriculum Committee (2020 – Present)
- Progression Committee (2020 – Present)
- Simulation Committee (2020 – Present)
- Entry Level Nursing Advisory Board (2020 – Present)
- Admissions Deferral Review Committee (2020 – Present)
- Bill and Joanne Conway MSN Student Mentor (2020 – Present)
- Preceptor Benefit Workgroup (2018 – Present)
- Diversity and Inclusion Council (2015 – Present)
- Faculty Council (2014 – 2016)
- DNP Scholarly Project Revision Taskforce (2013 – 2014)
- Technology Strategic Plan Task Force (2013 – 2016)
- Advisory Board for Advanced Practice Nursing (2013 – 2017)
- Entry level to DNP taskforce (2011 – 2014)
- 125th Anniversary Planning Committee (2013 – 2014)
- UMSON Clinical Simulation Sub-Committee (2012 – 2016)
- Preceptor and Student Task Force (2012 – 2016)
- Diversity Committee (2011 – 2015)

#### **INTER-UNIVERSITY ACTIVITIES**

- External Reviewer for Advancement, Tenure and Promotion (2020 – Present)

## 6. Professional service off campus:

### **STATE AND OTHER ORGANIZATIONAL SERVICE**

- American Association of Colleges of Nursing (2021 – Present)
  - Thought Leaders Discussion: Clinical Nurse Leader Program: Member (2022 – Present)
  - Inaugural Essentials Implementation Steering Committee: Member (2021 – Present)
- Maryland Healthcare Disparities Convening Planning (2021 – Present) Committee: Member
- The Johns Hopkins Hospital Nurse Residency Advisory Board (2021 – Present)
- Prince George's Community College Nursing Department (2021 – Present) Advisory Council: Member
- Maryland Deans and Directors: Member (2021 – Present)
- Maryland Health Care Commission: (2020 – Present) Commissioner, Telehealth Policy Workgroup Member

### **INTERNATIONAL ACTIVITIES**

- Nigerian Nurse Practitioner Implementation Investigative (2019 – Present) Taskforce
  - Chair (2019 – Present)
- Health For Nigeria (2019 – Present)
  - Nurse A School Program: Lead (2020 – Present)
  - Founder (2019 – Present)
  - Board of Directors: Member (2019 – Present)
  - Advisory Board: Member (2019 – Present)
- University of Medical Sciences, Ondo State Nigeria
  - Fundraising Committee: Member (2016 – Present)
- Federal Government College Idoani Alumni Association
  - North American Signature Chapter Board of Directors: Member (2019 – Present)
  - Healthcare Society: Chair (2019 – Present)
  - Global President (2016 – 2019)
  - National Executive Council: Chair (2016 – 2019)
  - Leadership Committee: Chair (2016 – 2019)
  - Business Society Steering Committee: Member (2016 – 2019)
  - Healthcare Society Steering Committee: Member (2016 – 2019)

## CURRICULUM VITAE

**Bimbola F. Akintade PhD, MBA, MHA, CCRN, ACNP-BC, NEA-BC, FAANP**

**Home Address:** 14602 Dawn Court, Bowie, Maryland 20721

**Home Phone:** (301) 358-2130

**Cell:** (240) 354-4977

**Email:** [bim\\_001@yahoo.com](mailto:bim_001@yahoo.com)

### EDUCATIONAL PREPARATION

Completed	College/University or Program	Degree
2019	Philadelphia University/ Thomas Jefferson University: Telehealth Facilitator Certificate	Post Master's Certificate
2012	University of Maryland University College	MBA
2011	University of Maryland Baltimore	PhD
2011	University of Maryland University College	MHA
2005	University of Maryland Baltimore: Acute Care Nurse Practitioner/Clinical Nurse Specialist	MS
2003	University of Maryland Baltimore	BSN
2001	Prince Georges Community College	AS

### LEADERSHIP DEVELOPMENT

Completed	Program
2021	American Association of Colleges of Nursing: Diversity Leadership Institute
2015	Sigma Theta Tau International: Nurse Faculty Leadership Academy

### PROFESSIONAL EXPERIENCE

#### *Academic Appointments*

Date(s)	University/Health Care Agency	Position
2020 – Present	University of Maryland Baltimore Program	Associate Dean Master's Program

<b>Date(s)</b>	<b>University/Health Care Agency</b>	<b>Position</b>
2020 – Present	University of Maryland Baltimore:	Associate Professor
2017 – 2020	University of Maryland Baltimore: Health Services Leadership and Management Program	Assistant Professor
2015 – 2017	University of Maryland Baltimore: Adult Gerontology Acute Care Nurse Practitioner/ Clinical Nurse Specialist (AGACNP/CNS) Doctor of Nursing Practice Specialty	Program Director
2013 – 2015	University of Maryland Baltimore: AGACNP/ CNS Master of Science (MS) Specialty	Program Director
2012 – 2013	University of Maryland Baltimore: AGACNP/ CNS MS Specialty	Co-Program Director
2011 – 2012	University of Maryland Baltimore: AGACNP/ CNS MS Specialty	Assistant Professor
2005 – 2006	Prince Georges Community College	Adjunct/Clinical Faculty
<b><i>Clinical Positions</i></b>		
2020 – Present	University of Maryland Medical Center: Post Anesthesia Care Unit	Acute Care Nurse Practitioner
2020 – Present	University of Maryland Capital Region Health: Trauma Surgical Intensive Care Unit	Acute Care Nurse Practitioner
2015 – 2017	University of Maryland Capital Region Health: Trauma Surgical Intensive Care Unit	Acute Care Nurse Practitioner
2013 – 2016	University of Maryland Medical Center: Cardiac Surgery Intensive Care Unit	Acute Care Nurse Practitioner
2006 – 2013	MedStar Washington Hospital Center: Surgical Critical Care Department	Acute Care Nurse Practitioner
2009 – 2012	Luminis Health Doctors Community Medical Center: Medical/Surgical Intensive Care Unit	Acute Care Nurse Practitioner
2007 – 2009	Luminis Health Doctors Community Medical Center: Rapid Response Team	Acute Care Nurse Practitioner

<b>Date(s)</b>	<b>University/Health Care Agency</b>	<b>Position</b>
2002 – 2006	Luminis Health Doctors Community Medical Center:Medical/Surgical Intensive Care Unit	Registered Nurse

#### **CURRENT LICENSES**

2002 – Present	Maryland Registered Nurse, #R155797
2007 – Present	Maryland Registered Nurse Practitioner – Acute Care, #R155797
2006 – Present	District of Columbia Registered Nurse, #RN1008139
2006 – Present	District of Columbia, Advanced Practice Nurse # RN1008139

#### **CURRENT CERTIFICATIONS**

2018 – Present	American Nurses Credentialing Center: Nurse Executive Advanced Board Certification (NEA-BC), #2017024261
2004 – Present	American Association of Critical Care Nurses: Adult Critical Care Registered Nurse (CCRN), #00666609
2006 – Present	American Nurses Credentialing Center: Acute Care Nurse Practitioner Board Certification (ACNP-BC), #0037575
2007 – Present	American Heart Association: Advanced Cardiac Life Support
2007 – Present	American Heart Association: Basic Life Support

#### **AWARDS/HONORS**

##### *Honors*

2020	Fellow of the American Association of Nurse Practitioners
2019	Graduate Student Association's Graduate Research Conference, Best Poster Award
2013	Preventive Cardiovascular Nurses Association 19 <sup>th</sup> Annual Symposium, Second Best Poster Award
2012	Preventive Cardiovascular Nurses Association 18 <sup>th</sup> Annual Symposium, Best Poster Award
2005	Who's Who Among Students in American Universities and Colleges



2005 Inductee, Sigma Theta Tau International Pi Chapter

2004 National Honor Society in Psychology (Psi Beta)

#### *Awards*

2014 Sigma Theta Tau International Nurse Faculty Leadership Academic Fellowship, \$1,500

2013 Nurse Educator Doctoral Grant (NEDG), Nurse Support Program II, Health Services Cost Review Commission and Maryland Higher Education Commission, \$30,000

2013 Preventive Cardiovascular Nurses Association 18<sup>th</sup> Annual Symposium Research Presentation, \$250

2012 Preventive Cardiovascular Nurses Association 17<sup>th</sup> Annual Symposium Research Presentation, \$250

2011 Sigma Theta International Doctoral Dissertation Award, \$1,500

#### **SIGNIFICANT WORKSHOPS, INSTITUTES AND RETREATS ATTENDED**

<b>Date(s)</b>	<b>University/Organization</b>	<b>Role</b>
2022	University of Maryland School of Nursing New Essentials Curricular Revisions Taskforce Retreat	Co-facilitator
2021	University of Maryland Upper Chesapeake Hospital Center, Baltimore MD: Coaching Advancement to All Providers Using Leadership Tools (CATAPULT) Advanced Practice Provider Mentorship Workshop #2	Co-facilitator
2021	University of Maryland Upper Chesapeake Hospital Center, Baltimore MD: CATAPULT Advanced Practice Provider Mentorship Workshop #1	Co-facilitator
2018	Maryland Higher Education Commission; Baltimore, MD: Certified Nurse Educator (CNE) Workshop	Attendee
2014	University of Maryland Baltimore: Debriefing with Good Judgment Faculty Workshop	Attendee
2013	National Organization of Nurse Practitioner Faculty 39th Annual Meeting. SMARTER- NPS: The use of High-Fidelity Simulation to Bridge the Gap between ACNP Student Performance and Competency Workshop	Facilitator

**PUBLICATIONS, PRESENTATIONS, AND OTHER CREATIVE EFFORTS***Peer-Reviewed Journal*

Bullock, L. M., **Akintade, B.**, Indenbaum-Bates, K., G., & Appleby, T. Development, and Implementation of a Novel Advanced Practice Provider Mentorship Model. *Journal of Nurse Practitioners* (Accepted).

**Akintade, B.**, Idzik, S., Gourley, B., Bullock, L., Indenbaum-Bates, K., Novak, K., Moshonisiotis, S., Hicks, G., & Appleby, T. Development and Implementation of an Academic-Practice Partnership for Nurse Practitioners in Rural Maryland. *Maryland Nurse Journal*. 2021 Oct. 27; 23(1): 14-15.

Avadhani, A., Cardinale, M., & **Akintade, B.** COVID-19 Pneumonia: What Advanced Practice Clinicians Should Know. *The Nurse Practitioner Journal*. 2021 July 2; 46 (7): 22-28.

Gaa, C. & **Akintade, B.** Implementing Delirium Screening in an Intermediate Care Unit. *Journal of Doctoral Nursing Practice*. *Journal of Doctoral Nursing Practice*. 2021 May 20; 10.1891/JDNP-D-20-00035.

**Akintade, B.**, Idzik, S., Gourley, B., Montgomery, K., Indenbaum-Bates, K., Novak, K., Hicks, G., & Appleby, T. Academic-Practice Partnership in Rural Maryland: Opportunities for APRN Training and Employment. *Journal of Nursing Administration*. 2021 Apr 1; 51(4): 227-231.

Outen, K. & **Akintade, B.** Implementation of the Confusion Assessment Method for Non-Critically Ill Adult Patients. *Critical Care Nursing Clinics*. 2019 Dec; 31(4): 475-480.

Wilson, T. Haut C. & **Akintade B.** Improving Health Care Provider Communication in End-of-Life Decision-Making. *AACN Advanced Critical Care*. 2017 Summer; 28(2): 124-132.

Dordunoo D., Thomas, S. A., Friedmann, E., Russell, S. D., Newhouse, R. P., & **Akintade, B.** Inpatient Unit Heart Failure Discharge Volume Predicts All-cause 30-Day Hospital Readmission. *Journal of Cardiovascular Nursing*. 2017 May-Jun; 32(3): 218-225.

**Akintade B.**, Chapa, D., Friedmann, E., & Thomas, S. A. The Influence of Depression and Anxiety Symptoms on Health-Related Quality of Life in Patients with Atrial Fibrillation and Atrial Flutter. *Journal of Cardiovascular Nursing*. 2015 Jan-Feb; 30(1): 66-73.

Chapa, D. W., **Akintade, B.**, Schron, E., Friedmann, E., & Thomas, S. A. Gender Differences in Mortality, Stroke, and Hospitalization among Patients with Atrial Fibrillation: A Systematic Review. *Heart & Lung*. 2015 May-Jun; 44(3): 189-98.

Chapa, D. W., **Akintade, B.**, Schron, E., Friedmann, E., & Thomas, S. A. Is Health-Related Quality of Life a Predictor of Hospitalization or Mortality Among Women or Men with Atrial Fibrillation? *Journal of Cardiovascular Nursing*. 2014 Nov-Dec; 29(6): 555-64.

Chapa, D. W., **Akintade, B.**, Son, H., Woltz, P., Hunt, D., Friedmann, E., Hartung, M. K., & Thomas, S. A. Pathophysiological Relationships between Heart Failure and Depression and Anxiety. *Critical Care Nurse*. 2014 Apr; 34(2): 14-25.

Haut, C., Fey, M., **Akintade, B.**, & Klepper, M. Using High-Fidelity Simulation to Teach Acute Care Pediatric Nurse Practitioner Students. *Journal of Nurse Practitioners*. 2014 April; 10(10): 87-92.

**Akintade, B.**, Chapa, D. W., Schron, E., Thomas, S. A., & Friedmann, E. Does Quality of Life Predict One-year Hospitalization among Women and Men with Atrial Fibrillation? *Heart & Lung*. 2013 July-Aug; 42(4): 290-300.

Chapa, D. W., **Akintade, B. F.**, Schron, E., Friedmann, E., & Thomas, S. A. Predictors of Mortality in Men and Women with Atrial Fibrillation. *Journal of Cardiovascular Nursing*. 2013 Jul; 1(28): 305-306.

Woltz, P. C., Chapa, D. W., Friedmann, E., Son, H., **Akintade, B.**, & Thomas S. A. Effects of Interventions on Depression in Heart Failure: A Systematic Review. *Heart & Lung*. 2012 Sep-Oct; 41(5): 469-83.

#### *Peer-Reviewed Journal Articles in Progress*

**Akintade, B.**, Indenbaum-Bates, K. & Idzik, S. The Sustainable Academic-Clinical Alliance: A Model to Improve Academic-Practice Partnerships. *Journal of Nursing Administration*. 2021 (submitted).

Idzik, S., **Akintade, B.**, Gourley, B., Indenbaum-Bates, K., Novak, K., Hicks, G, Appleby, T., & Tran, T. Development and Implementation of a Collaborative Nurse Practitioner Clinical Training Program. *Nurse Education in Practice*. 2021 (submitted).

**Akintade, B.**, Idzik, S., Gonzalez, J., & Palmore, N. Mentoring and Departmental Support to Improve Recruitment and Retention of Minority faculty. *Journal of Doctoral Nursing Practice* (in progress).

**Akintade, B.**, Idzik, S., & Gonzalez, J. Intentional Diversity in Academia: Exploring Equitable Strategies to Recruit, Admit and Enroll Students of Color in Nursing Programs. *Journal of Professional Nursing* (in progress).

**Akintade, B.** & Lowery, Y. The Pathway to Success Through Professional Mentorship: The Mentee Perspective. *Journal of Nurse Education* (in progress).

Lowery, Y., & **Akintade, B.** Professional Mentorship: A Pathway to Success. *Nurse Leader* (in progress).

Fornili, K., **Akintade, B.**, Gourley, B., Idzik, S., & Indenbaum-Bates, K. Academic-Practice Partnership in Rural Maryland: Opportunities and Impact of APRNs on Behavioral Health. *Journal of Nurse Practitioners*. 2021 (in progress).

Gourley, B., **Akintade, B.**, Idzik, S., Fornili, K., & Indenbaum-Bates, K. Development and Implementation of an APRN Fellowship Program: Needs Assessment. *Journal of Nurse Practitioners*. 2021 (in progress).

**Akintade B. F.**, Chapa, D., Friedmann, E., & Thomas, S. A. Depression and Anxiety Symptoms in Patients with Atrial Fibrillation and Atrial Flutter after Successful Catheter Ablation Procedures. *Journal of Cardiovascular Nursing*. 2021 (in progress).

### *Book Chapters*

**Akintade B. F.** & Barkley, T. W., Jr. (2021 & 2015). Pneumothorax. In T. W. Barkley & C. M. Meyers (Eds.), *Practice Considerations for Adult-Gerontology Acute Care Nurse Practitioners* (3<sup>rd</sup> ed., pp. 294 - 296) and (2<sup>nd</sup> ed., pp. 293 - 295). West Hollywood, California: Barkley & Associates.

**Akintade B. F.** & Barkley, T. W., Jr. (2021 & 2015). Managing the Surgical Patient. In T. W. Barkley & C. M. Meyers (Eds.), *Practice Considerations for Adult-Gerontology Acute Care Nurse Practitioners* (3<sup>rd</sup>ed., pp .872 - 878) and (2<sup>nd</sup> ed., pp. 871 – 877). West Hollywood, California: Barkley & Associates.

**Akintade B. F.** & Meyers, C. M. (2021 & 2015). Measures of Oxygenation and Ventilation. In T. W. Barkley & C. M. Meyers (Eds.), *Practice Considerations for Adult-Gerontology Acute Care Nurse Practitioners* (3<sup>rd</sup> ed, pp. 227 - 234) and (2<sup>nd</sup> ed., pp. 226 – 233). West Hollywood, California: Barkley & Associates.

Chapa, D. W. & **Akintade B.F.** (2018). Psychosocial Aspects of High Acuity and Critical Care. In T. M. Hartjes (Eds.), *Core Curriculum for High Acuity, Progressive, and Critical Care Nursing* (7<sup>th</sup> ed., pp 700 - 723). St. Louis, MO: Elsevier Health Sciences.

Jeffries, P. R., Swoboda, S. M. & **Akintade B. F.** (2016). Clinical Simulations: An Experiential, Student-Centered Pedagogical Approach. In D. M. Billings & J. A. Halstead (Eds.), *Teaching in Nursing: A guide for Faculty* (5<sup>th</sup>ed., pp. 351 - 379). Philadelphia, PA: Elsevier Health Sciences.

### *Book Chapters in Progress*

**Akintade B. F.** (2021). Rhabdomyolysis. In Fuller, V. & McCauley, P. (Eds.), *Textbook for the Adult-Gerontology Acute Care Nurse Practitioner: Evidence-Based Standards of Practice*. Springer Publishing, New York (Submitted).

**Akintade B. F.** (2021). Esophagitis. In Fuller, V. & McCauley, P. (Eds.), *Textbook for the Adult-Gerontology Acute Care Nurse Practitioner: Evidence-Based Standards of Practice*. Springer Publishing, New York (Submitted).

**Akintade B. F.** (2021). Surgical Abdomen/Acute Abdominal Pain (appendicitis, acute cholecystitis, cholangitis, peritonitis, intussusception, bowel infarction, obstruction, perforation, diverticulitis). In Fuller, V. & McCauley, P. (Eds.), *Textbook for the Adult-Gerontology Acute Care Nurse Practitioner: Evidence-Based Standards of Practice*. Springer Publishing, New York (Submitted).

**Akintade B. F.** (2021). Anorectal Disorders (rectal abscess, anal fissure, hemorrhoids). In Fuller, V. & McCauley, P. (Eds.), *Textbook for the Adult-Gerontology Acute Care Nurse Practitioner: Evidence-Based Standards of Practice*. Springer Publishing, New York (Submitted).

#### *Expert Review of Book Chapters Prior to Publication*

Wiegand, D. L. (2016). *AACN Procedure Manual for Critical Care, 7<sup>th</sup> edition*. **Review of Chapters: Arterial Pressure Based Cardiac Output Monitoring, Esophageal Cardiac Output Monitoring, Esophageal Cardiac Output Monitoring Assist, Non-Invasive Cardiac Output Monitoring, Arterial and Venous Sheath Removal, Tissue Oxygen Monitoring, and Implantable Venous Access Device: Access, Deaccess, and Care**. Elsevier Health Sciences, Philadelphia, PA.

Baird, M. S. & Bethel, S. (2016). *Manual of Critical Care Nursing: Nursing Interventions and Collaborative Management 7<sup>th</sup> edition*. **Review of Chapters including Endocrinologic, Hematologic, and Immunologic Disorders**. Elsevier Health Sciences, Philadelphia, PA.

Kent K. M. (2014). *Critical Care Registered Nurse (CCRN) Certification Review*. **Review of Chapters: Cardiovascular, Endocrine, Hematology, Immobility, Neurological, Pulmonary, and Renal Function**. Springer Publishing Company, New York, NY.

Landrum, M. (2012). *Fast Facts for the Critical Care Nurse: Critical Care in a Nutshell*. **Review of Chapters including Cardiac Specialty Equipment and General Cardiac Care and post Coronary Artery Bypass Graft**. Springer Publishing Company, New York, NY.

#### *Invited/Peer-Reviewed Presentations (State/Regional/National)*

**Akintade, B.**, Bullock, L., Appleby, T., & Indenbaum-Bates, K. Development and Implementation of a Novel Advanced Practice Provider Mentorship Model. Accepted for presentation at the NONPF 48th Annual Conference, Minneapolis, MN, April 2022.

Idzik, S., **Akintade, B.**, & Gonzalez, J. Intentional Diversity in Academia: Exploring Equitable Strategies to Recruit and Admit Students of Color in Nursing Programs. Presented at the American Association of Colleges of Nursing (AACN) Doctoral Education Conference, Virtual, January 2022.

**Akintade, B.** Future of The Second-Degree Entry-Level Master's Program: Beyond the Essentials. Presented at the Big 10 Level 1 Essentials Meeting, Virtual, November 2021.

**Akintade, B.,** Idzik, S., & Corazzini, K. The Future of Nursing 2020-2030 and its Impact on Graduate Education. Presented at the University of Maryland Medical Center Advanced Practice Provider Grand Rounds, Virtual, September 2021.

**Akintade, B.** & Lowery, Y. How to Turn Your Abstract into a Poster. Presented at the Doctor of Nursing Practice of Color Pathway to Publication Series, August 2021.

**Akintade, B.,** Bullock, L., Appleby, T. & Indenbaum-Bates, K. Coaching Advancement to All Providers using Leadership Tools. Presented at the University of Maryland Medical Center Advanced Practice Provider Grand Rounds, August 2021.

**Akintade, B.,** Black, V., Fiala, A., Garcia, J., & Rosha, R. Increasing Diversity Among Nursing Faculty. Presented at the AACN HRSA 2021 Advancing Nursing Workforce Diversity Impact Summit, June 2021.

**Akintade, B.,** Idzik, S., Fornili, K., Montgomery, K., Gourley, B., Novak, K., & Indenbaum-Bates, K. Development, and Implementation of a Collaborative Nurse Practitioner Clinical Training Program: Updated. Presented at the DOCs Inc. National Conference, August 2021.

**Akintade, B.,** Bullock, L., Appleby, T. & Indenbaum-Bates, K. Development and Implementation of a Novel Advanced Practice Provider Mentorship Model. Presented at the Maryland Action Coalition Leadership Summit, May 2021.

**Akintade, B.,** Idzik, S., Fornili, K., Gourley, B., Bullock, A., Novak, K., & Indenbaum-Bates, K. Development and Implementation of a Collaborative Nurse Practitioner Clinical Training Program. Presented at the MNA Year of the Nurse '2020 in 2021' Nursing Education Summit "Educating for the Future of Nursing," Saturday, April 17, 2021.

**Akintade, B.** Nursing Advocacy in the State of Maryland. Presented at the Nurse Leadership Institute Intensive Training, University of Maryland School of Nursing, January 2021.

**Akintade, B.** Diabetic Ketoacidosis. Presented at the Upper Chesapeake Fellowship Lecture Series, University of Maryland Upper Chesapeake Medical Center, Bel Air, MD, July 2018.

**Akintade, B.** Atrial/Ventricular Arrhythmias. Presented at the Upper Chesapeake Fellowship Lecture Series, University of Maryland Upper Chesapeake Medical Center, Bel Air, MD, March 2018.

**Akintade, B.** Development and Implementation of a Collaborative Nurse Practitioner Clinical Training Program. Presented at the Nurse Support Program II Project Director's Meeting, Baltimore, MD, June 2018.

**Akintade, B.** & Avadhani, A. The Integration of a Hybrid Multi-Competency Advanced Acute Care Management Simulation in an Adult Gerontology Acute Care Nurse Practitioner Curriculum. Presented at the National Organization of Nurse Practitioner Faculty 42nd Annual Meeting in Seattle, WA, April 2016.

**Akintade, B.** Congestive Heart Failure: Assessment, Diagnosis and Management. Presented at the Maryland Academy of Advanced Practice Clinicians Primary and Acute Care Update, in Cumberland, MD, June 2016.

**Akintade, B.** Hemodynamics, Cardiovascular Physiology and Waveform Analysis. Invited to Present at the American Association of Critical Care Nurses- Chesapeake Bay Chapter Annual "Futures" Symposium for Critical Care Nurses, Towson, MD, March 2016.

**Akintade, B.** Family Presence During Resuscitation Efforts: Reviving the Discussion. Presented at the Lunch and Learn Lecture Series at Sinai Hospital, Baltimore, MD, June 2015.

Avadhani, A. **Akintade, B.** Standardized Patients in AGACNP Simulations. Presented at the National Organization of Nurse Practitioner Faculty 41<sup>st</sup> Annual Meeting, Baltimore, MD, April 2015.

**Akintade, B.** Insertion, Use and Interpreting Waveforms using Pulmonary Artery Catheters. Lung Rescue Educational Session. Presented at the University of Maryland Shock Trauma, Baltimore, MD, August 2014.

**Akintade, B.** Hemodynamic Monitoring in Trauma Patients. University of Maryland Shock Trauma Educational Session. Presented at the University of Maryland Shock Trauma, Baltimore, MD, August 2014.

Haut, C., Fey, B., & **Akintade, B.** Simulation vs Classroom Learning: Are They Equal? Presented at the National Organization of Nurse Practitioner Faculty 40th Annual Meeting, Denver, CO, April 2014.

Fey, M., **Akintade, B.**, & Farrar, J. From Objectives through Evaluation and Debriefing: Using a Modified Version of the SMARTER Methodology to Develop Simulations for Nurse Practitioners and Undergraduate Nursing Students. Presented at the 12th Annual International Nursing Simulation/Learning Resource Centers Conference, Las Vegas, NV, June 2013.

**Akintade, B.**, Farrar, J., Cohen, C., Fey, M., & Von Rueden, K. SMARTER- NPS: The Use of High-Fidelity Simulation to Bridge the Gap between ACNP Student Performance and Competency. Presented at the National Organization of Nurse Practitioner Faculty 39th Annual Meeting, Pittsburgh, PA, April 2013.

**Akintade, B.**, Fey, M., & Rosen, M. Simulation Module for Assessment of Responses to Targeted Events and Reactions in Nurse Practitioner Students (SMARTER-NPS) Approach. Presented at Lunch and Learn at University of Maryland School of Nursing, Baltimore, MD, February 2013.

**Akintade, B.** & Fey, M. Developing Diagnostic Reasoning Skills in Nurse Practitioner Students through Simulation. Presented at the Maryland Nurses Association 109<sup>th</sup> Annual Convention, Columbia, MD, September 2012.

**Akintade, B.** Psychosocial, Clinical, and Demographic Predictors of Quality of Life in Pharmacologically Managed and Catheter Ablation Atrial Fibrillation and Atrial Flutter Patients. Presented at the Sigma Theta Tau Pi Chapter Annual Business Meeting, Baltimore, MD, June 2011.

**Akintade, B.** Thoracic Compartment Syndrome. Presented to Critical Care Nursing Staff at Washington Hospital Center, Washington, DC, May 2008.

**Akintade, B.** Utilizing and Trouble Shooting Pacemakers. Presented to Critical Care Nursing Staff at Washington Hospital Center, Washington, DC, October 2007.

**Akintade, B.** Methemoglobinemia Case Study. Presented to Critical Care Nursing Staff at Doctors Community Hospital, Lanham, MD, January 2005.

**Akintade, B.** Central Venous Pressure Monitoring. Presented to Critical Care Nursing Staff at Washington Hospital Center, NW, DC, September 2005.

#### *Invited/Peer-Reviewed Presentations (International)*

**Akintade, B.** Sustainable Solutions to Healthcare Challenges in Nigeria: Notable Lessons from Health For Nigeria, April 2022, Lagos, Nigeria.

**Akintade, B.** Mentoring in the Healthcare Sector for Sustainable Development. Invited to present virtually at the Katherine OXFORD International Healthcare Conference and Exhibition, April 2022, Lagos, Nigeria.

**Akintade, B.** Overcoming the Trauma of SGBV, Getting Professional Help. Presented virtually at the Moving Beyond Gender Limitations, Breaking the Silence Culture Series, November 2021, Lagos, Nigeria.

**Akintade, B.** 12-Lead Electrocardiogram (ECG) Assessment: An Introduction for Healthcare Providers. Presented virtually at the Health for Nigeria Monthly Lecture Series, April 2021, Lagos, Nigeria.

**Akintade, B.** Covid-19 Vaccination: Educating and Reassuring the Minority Community Regarding Vaccine Safety. Presented virtually at the Annual Reliance Clinical Conference, March 2021, Abuja, Nigeria.

**Akintade, B.** Advancing the Private Health Sector During and Beyond the Pandemic. Presented virtually at the 23<sup>rd</sup> Annual General Meeting & Scientific Conference, February 2021, Abuja, Nigeria.

#### *Presentations Facilitated (International)*

Palmore, N. Rethinking Emotional Intelligence in Multicultural Contexts. Presented virtually at the Health for Nigeria Monthly Lecture Series, February 2022, Lagos, Nigeria.



Lowery, Y. Professional Mentorship: A Pathway to Success. Presented virtually at the Health for Nigeria Monthly Lecture Series, January 2022, Lagos, Nigeria.

Idzik, S. Nurse Practitioners: An Opportunity to Bridge the Healthcare Gap in Nigeria. Presented virtually at the Health for Nigeria Monthly Lecture Series, November 2021, Lagos, Nigeria.

Asiyanbi, D. COVID-19: Dispelling the Myths and Misconceptions. Presented virtually at the Health for Nigeria Monthly Lecture Series, October 2021, Lagos, Nigeria.

Akintade, O. Communicating for Development and Impact. Presented virtually at the Health for Nigeria Monthly Lecture Series, September 2021, Lagos, Nigeria.

Storr, C. Importance of Data Collection and Analysis. Presented virtually at the Health for Nigeria Monthly Lecture Series, August 2021, Lagos, Nigeria.

Duyile, O. Financial Literacy: A Key Component for Development. Presented virtually at the Health for Nigeria Monthly Lecture Series, July 2021, Lagos, Nigeria.

Adeyera, B. Basic Life Support. Presented virtually at the Health for Nigeria Monthly Lecture Series, June 2021, Lagos, Nigeria.

#### *Poster Presentations*

**Akintade, B.** Minority Faculty Recruitment and Retention Through Mentorship and Departmental Support. Presented at the Inaugural DNPs of Color Virtual Conference, Alexandria, VA, October 2021.

**Akintade, B.** Mentoring and Departmental Support to Improve Recruitment and Retention of Minority Faculty. Presented at the AACN HRSA 2021 Advancing Nursing Workforce Diversity Impact Virtual Summit, NW, Washington DC, June 2021.

**Akintade, B.,** Idzik, S., Fornili, K., Montgomery, K., Gourley, B., Novak, K., & Indenbaum-Bates, K. Development and Implementation of a Collaborative Nurse Practitioner Clinical Training Program: Updated. Presented at the AANP National Virtual Conference, Arlington, VA, August 2021.

**Akintade, B.,** Idzik, S., Fornili, K., Montgomery, K., Gourley, B., Novak, K., & Indenbaum-Bates, K. Development and Implementation of a Collaborative Nurse Practitioner Clinical Training Program: Updated. Presented at the Maryland Action Coalition Leadership Summit, Baltimore, MD, May 2021.

**Akintade, B.,** Idzik, S., Fornili, K., Montgomery, K., Gourley, B., Novak, K., & Indenbaum-Bates, K. Development and Implementation of a Collaborative Nurse Practitioner Clinical Training Program: Updated. Presented at the Maryland Action Coalition Leadership Summit, Baltimore, MD, May 2020.

Skaanland, A. & **Akintade, B.** Interdisciplinary Rounds in the Intensive Care Unit: Closing the Collaboration Gap with Increased Nurse Participation. Presented at American Thoracic Society 2020 International Conference, Philadelphia, PA, May 2020.

Gaa, C. & **Akintade, B.** Implementing Delirium Screening in an Intermediate Care Unit. Presented at National Association of Clinical Nurse Specialists, New Orleans, LA, March 2020.

Skaanland, A. & **Akintade, B.** Increasing Nurse Participation During Interdisciplinary Rounds. Presented at National Association of Clinical Nurse Specialists, New Orleans, LA, March 2020.

**Akintade, B.**, Idzik, S., Fornili, K., Montgomery, K., Gourley, B. & Indenbaum-Bates, K. Development and Implementation of a Collaborative Nurse Practitioner Clinical Training Program. Presented at the Maryland Action Coalition Leadership Summit, Baltimore, MD, May 2019.

Burnham, A. & **Akintade, B.** Interunit Implementation of a Standardized Nurse Handoff Method in Cardiac Surgery. Presented at the Graduate Student Association's Graduate Research Conference, Baltimore, MD, March 2019.

Ivusich, K. & **Akintade, B.** The Implementation of Nocturnal Earplugs and Eye Masks to Improve Sleep in the Cardiac Surgery Intensive Care Unit. Presented at the University of Maryland Medical Center Clinical Practice & Patient Safety Summit, Baltimore, MD, May 2019.

Ivusich, K. & **Akintade, B.** The Implementation of Nocturnal Earplugs and Eye Masks to Improve Sleep in the Cardiac Surgery Intensive Care Unit. Presented at the Graduate Student Association's Graduate Research Conference, Baltimore, MD, March 2019.

Zorbach, B. & **Akintade, B.** Implementation of a Terminal Weaning Protocol in a Critical Care Unit. Presented at the Graduate Student Association's Graduate Research Conference, Baltimore, MD, March 2019.

**Akintade, B.**, Jeffries, P., & Patterson, B. From Expert Clinician to Academic Leadership: My Journey Through the Sigma Theta Tau International Nurse Faculty Leadership Academy. Presented at the 43<sup>rd</sup> Biennial Sigma Theta Tau International Conference, Las Vegas, NV, November 2015.

Friedmann, E., Schron, E., Chapa, D., **Akintade, B.**, & Thomas, S. Does Quality of Life Predict One-year Hospitalization among Women and Men with Atrial Fibrillation? Presented at the American Association of Heart Failure Nurses (AAHFN) 9th Annual Conference, Quebec, Canada, June 2013.

**Akintade, B.**, Thomas, S., Chapa, D., & Friedmann, E. Depression, Anxiety and Quality of Life in Patients with Atrial Fibrillation/Atrial Flutter. Presented at Preventive Cardiovascular Nurses Association 19<sup>th</sup> Annual Symposium, Las Vegas, NV, May 2013.

Chapa, D., **Akintade, B.**, Schron, E., Friedmann, E., & Thomas, S. Predictors of Mortality in men and women with Atrial Fibrillation. Presented at Preventive Cardiovascular Nurses Association 19<sup>th</sup> Annual Symposium, Las Vegas, NV, May 2013.

**Akintade, B.**, Chapa, D., Thomas, S., & Friedmann, E. Risk Factors for poor Health Related Quality of Life with Patients with Atrial Fibrillation/ Atrial Flutter. Presented at the State of the Science Congress on Nursing Research conference, NW, Washington DC, September 2012.

**Akintade, B.**, Chapa, D., Thomas, S., & Friedmann, E. Predictors of Health-Related Quality of Life in Patients with Atrial Fibrillation/ Flutter. Presented at Preventive Cardiovascular Nurses Association 18<sup>th</sup> Annual Symposium, Las Vegas, NV, April 2012.

### *Keynote Speaker*

Katherine OXFORD International Healthcare Conference and Exhibition, theme: Mentoring in the Healthcare Sector for Sustainable Development, Lagos, Nigeria, April 2022.

Prince Georges Community College, Spring Registered Nursing Graduation Ceremony Commencement, Largo, MD, May 2018.

### *Media Communication*

Interviewed by WJZ-TV, “Nursing Programs Send Students into The Workforce To Help Combat Workforce Shortage” by Rachael Cardin, December 2021.

Interviewed by WBFF-TV, “University of Maryland nursing students to graduate early, hit COVID front lines this week” by Daniel Lampariello, December 2020.

**Akintade, B.** Recruiting and Supporting a Diverse Student Body. Published in *The Elm (publication of the University of Maryland, Baltimore)*, August 2020.

Interviewed and quoted in the *Diamondback (University of Maryland College Park Magazine)*, “The frontline”: Some system nursing students will graduate early to join COVID-19 fight - by Chloe Goldberg, Spring 2020.

Interviewed by WMAR-TV, “Some UMD nursing students could graduate early to help fight COVID-19” by Dave Detling, Spring 2020.

Interviewed by WBFF-TV, “Some UMD nursing students could graduate early to help fight COVID-19” by Daniel Lampariello, Spring 2020.

Interviewed and quoted in *CBS Baltimore*, “Baltimore Nurse Credits Affordable Care Act with Rapid Job Growth in Nursing Field” by Sarah Lugardo, October 20, 2014.

Interviewed and quoted in the *University of Maryland School of Nursing Magazine*, “Acutely Equipped” by Laurie Legum, Summer 2012.

Interviewed and quoted in the *University of Maryland School of Nursing Magazine*, “Standardizing Simulation Education” by Jennifer Walker, Fall 2013.

Interviewed and quoted in *The University of Maryland School of Nursing Graduate Program Brochure*, “Critical Care, Trauma and Emergency Nursing; Combined Clinical Nurse Specialist (CNS)/ Acute Care Nurse Practitioner” by Patricia Adams, August 7, 2006.

Interviewed and quoted in the *University of Maryland School of Nursing Magazine*, “International Students Bring Academic Skills and Diversity to School of Nursing” by Pat Adams, Fall 2005.

Interviewed and quoted in *The Owl*, “Checking Vitals” by Jessica Ford, September 7, 2005. Interviewed and quoted in *The Washington Post Magazine* “An Innovation in Excellence” by Susan Sharp, April 3, 2005.

Interviewed and quoted in *The Gazette*, “Nursing in the 21<sup>st</sup> Century” by Sheila Hamilton, January 5, 2005.

#### *Alternative Media*

**Akintade, B.**, Grant, E., & McDaniel, V. “Men and Minorities in Nursing and Demolishing Racism,” on *Melt the Ice: Operation Flow Podcast*, interviewed by Marsha Stone, July 2021.

**Akintade, B.** “Exploring a Path to Leadership Through Inspiration and Story,” on the *National League for Nursing Podcast: Nursing EDge Unscripted - The Surface Track*, interviewed by Drs. Michelle Moulton and Rachel Onello, June 2021.

#### COMPETITIVELY FUNDED GRANT ACTIVITIES

**Akintade, B. (Principal Investigator).** The Maryland Health Services Cost Review Commission (HSCRC) and the Maryland Higher Education Commission (MHEC) for the Nurse Support Program II (NSPII); “Development and Implementation of a Collaborative Nurse Practitioner Clinical Training Program,” **\$945,866.00**, 2016–2021(Completed).

**Akintade, B. (Contributor).** The Maryland Health Services Cost Review Commission (HSCRC) and the Maryland Higher Education Commission (MHEC) for the Nurse Support Program II (NSPII); “RUSH (Recruit, Unite, Support, Hire): Promoting Entry-level Nurses to PhD-prepared Faculty,” **\$1,394,340**, 2016–2021(Completed).

**Akintade, B. (Principal Investigator).** Dean’s Teaching Scholar Program: “The Role of Simulation for Acute Care and Family Nurse Practitioner Students in Learning Coordination of HealthCare,” **\$5,000**, 2015-2016 (Completed).

**Akintade, B. (Contributor).** The Health Services Cost Review Commission of the Maryland and the Maryland Higher Education Commission; “The Doctor of Nursing Practice: A Project to Increase Maryland’s Nursing Faculty,” **\$507,770.28**, 2011-2013 (Completed).

**Akintade, B. (Contributor).** Dean's Teaching Scholar Program: "Does High Fidelity Patient Simulation Result in Improved Ability to Manage the Child with Sepsis?" \$5,000, 2011-2013 (Completed).

## UNIVERSITY, PROFESSIONAL AND SERVICE ACTIVITIES

### *Editor, Editorial Boards and Reviews*

- Managing Editor, *Journal of DNP* (2022 – Present)
- Editor-in-Chief, *Journal of DNPs of Color* (2021 – Present)
- Editorial Board Member, *Journal of DNP* (2021)
  - *Guest Editor (2021)*
- Editorial Board Member, *SAGE Nursing Video Collection* (2018 – Present)
- Editorial Board Member, *Geriatric Medicine and Care Journal* (2017 – Present)
- Editorial Board Member, *Madridge Journal of Nursing* (2017 – Present)
- Editorial Board Member, *Journal of Cardiovascular Nursing* (2015 – Present)
- Reviewer, *American Nurse Journal* (2021 – Present)
- Reviewer, *Archives of Gerontology and Geriatrics* (2020 – Present)
- Reviewer, *Journal of Cardiovascular Nursing* (2014 – Present)
- Reviewer, *Clinical Cardiology* (2014 – Present)
- Reviewer, *Journal of Professional Nursing* (2014 – Present)
- Reviewer, *American Nurse Today* (2014 – Present)
- Reviewer, *Heart and Lung* (2013 – Present)
- Reviewer, *American Heart Journal* (2012 – Present)

### *Membership and Leadership in Professional Organizations*

- National Association of Nigerian Nurses in North America (2021)
- National Association of School Nurses (2021)
- American Association of Colleges or Nursing (2020 – Present)
  - *Organizational Leadership Network Member (2020 – Present)*
  - *Practice Leadership Network Member (2020 – Present)*
- Doctor of Nursing Practice of Color (2018 – Present)
  - *Research Committee Chair (2020 – Present)*
  - *Finance Committee Member (2020 – Present)*
  - *Board Member (2019 – Present)*
- International Nursing Association of Clinical Simulation and Learning (2013 – Present)
- American Academy of Nurse Practitioners (2013 – Present)
- National Organization of Nurse Practitioner Faculty (2013 – Present)
  - *Diversity Special Interest Group (2021 – Present)*
  - *Abstract Reviewer (2018 – Present)*
  - *Acute Care Special Interest Group (2013 – Present)*
- Maryland Nurses Association (2012 – Present)
- Preventive Cardiovascular Nurses Association (2012 – Present)
- American Association of Men in Nursing (2012 – 2017)

- *Faculty Mentor (2012–2017)*
- Sigma Theta Tau International (2012 – 2016)
  - *Award Submission Reviewer (2012–2016)*
- Council for the Advancement of Nursing Science (2010 – Present)
- Southern Nursing Research Society (2010 – Present)
- American Association of Critical Care Nurses (2007 – Present)
- Nurse Practitioners Association of Maryland (2005 – Present)
- American Heart Association (2004 – Present)
  - *Council on Cardiovascular and Stroke Nursing Leadership Committee; Member (2020 – Present)*

## SERVICE TO THE STATE, UNIVERSITY OF MARYLAND AND THE HEALTHCARE PROFESSION

### *State and Other Organizational Service*

- American Association of Colleges of Nursing (2021 – Present)
  - Thought Leaders Discussion: Clinical Nurse Leader Program: *Member (2022 – Present)*
  - Inaugural Essentials Implementation Steering Committee: *Member (2021 – Present)*
- Maryland Healthcare Disparities Convening Planning Committee: *Member* (2021 – Present)
- The Johns Hopkins Hospital Nurse Residency Advisory Board (2021 – Present)
- Prince George's Community College Nursing Department Advisory Council: *Member* (2021 – Present)
- Maryland Deans and Directors: *Member* (2021 – Present)
- Maryland Health Care Commission: *Commissioner, Telehealth Policy Workgroup Member* (2020 – Present)

### *University of Maryland, Baltimore*

- UMB Strategic Plan Steering Committee: *Member* (2021 – Present)
- Health Sciences/Human Services Library Academic Success Advisory Group: *Member* (2021 – Present)
- Education, Accreditation and Assessment Committee: *Member* (2020 – Present)
- Best Practices in Assessment Group: *Member* (2020 – Present)
- Graduate School Student Appeal Task Force: *Member* (2013 – 2015)

### *UMB School of Nursing Leadership Search Committee Membership*

- Assistant/Associate Professor, for the Institute for Educators: *Chair* (2022)
- Specialty Director, Clinical Nurse Leader Program: *Chair* (2021)
- Assistant Professor, Institute for Educators: *Member* (2020)
- Director, Diversity, Equity, and Inclusion: *Member* (2020)
- Specialty Director, Clinical Nurse Leader Program: *Member* (2015)



- Director, Simulation Laboratory: *Member* (2015)
- Assistant Dean, PhD Program: *Member* (2014)
- Assistant Director, Office of Admissions: *Member* (2014)

### *UMB School of Nursing*

- UMSON New Essentials Curriculum Revision Task Force (2021 – Present)
  - *Task Force Co-chair (2021 – Present)*
  - *Steering Committee Member (2021 – Present)*
  - *MSN Co-lead (2021 – Present)*
- Student Civility and Professionalism Task Force (2021 – Present)
- Pathway to Nursing and Professionalism Initiative (2020 – Present)
- SAFE REDCaps Faculty, Staff and Student Coordinator (2020 – 2021)
- Governance Council (2020 – Present)
- Academic and Student Affairs Council (2020 – Present)
- Evaluation Advisory Committee (2020 – Present)
- Senior Academic Team (2020 – Present)
- Deans and Chairs (2020 – Present)
- Entry Level Nursing Curriculum Committee (2020 – Present)
- Masters Specialty Directors Committee (2020 – Present)
  - *Chair (2020 – Present)*
- Master's Curriculum Committee (2020 – Present)
- Progression Committee (2020 – Present)
- Simulation Committee (2020 – Present)
- Entry Level Nursing Advisory Board (2020 – Present)
- Admissions Deferral Review Committee (2020 – Present)
- Bill and Joanne Conway MSN Student Mentor (2020 – Present)
- Preceptor Benefit Workgroup (2018 – Present)
- Diversity and Inclusion Council (2015 – Present)
- Faculty Council (2014 – 2016)
- DNP Scholarly Project Revision Taskforce (2013 – 2014)
- Technology Strategic Plan Task Force (2013 – 2016)
- Advisory Board for Advanced Practice Nursing (2013 – 2017)
- Entry level to DNP taskforce (2011 – 2014)
- 125th Anniversary Planning Committee (2013 – 2014)
- UMSON Clinical Simulation Sub-Committee (2012 – 2016)
- Preceptor and Student Task Force (2012 – 2016)
- Diversity Committee (2011 – 2015)

### *Other Membership in Professional Organizations*

- American College of Healthcare Executives (2015 – Present)
- 9<sup>th</sup> Cardiovascular-Thoracic Critical Care Conference; (2012)
  - *Arrhythmia Expert Panel Member*

*Inter-university Activities*

- External Reviewer for Advancement, Tenure and Promotion (2020 – Present)

*International Activities*

- Nigerian Nurse Practitioner Implementation Investigative Taskforce (2019 – Present)
  - *Chair (2019 – Present)*
- Health For Nigeria (2019 – Present)
  - *Nurse A School Program: Lead (2020 – Present)*
  - *Founder (2019 – Present)*
  - *Board of Directors: Member (2019 – Present)*
  - *Advisory Board: Member (2019 – Present)*
- University of Medical Sciences, Ondo State Nigeria
  - *Fundraising Committee: Member (2016 – Present)*
- Federal Government College Idoani Alumni Association
  - *North American Signature Chapter Board of Directors: Member (2019 – Present)*
  - *Healthcare Society: Chair (2019 – Present)*
  - *Global President (2016 – 2019)*
  - *National Executive Council: Chair (2016 – 2019)*
  - *Leadership Committee: Chair (2016 – 2019)*
  - *Business Society Steering Committee: Member (2016 – 2019)*
  - *Healthcare Society Steering Committee: Member (2016 – 2019)*

*Service to the Community*

- Food and Care for All: *Meals and Healthcare Volunteer* (2020 – Present)
- Member of the Rapha Health Ministry, Redeemed Christian Church (2009 – Present)
- Nurse practitioner role, Redeemed Christian Church Biazo Health Fair (2009 – Present)
- Guidance and Career Counselor, Redeemed Christian Church (2009 – Present)
- Redeemed Christian Church, Homeless Food Drive (2005 – Present)

*Consulting*

- American Nurses Credentialing Center Credentialing Expert Faculty Consultant (2012 – 2016)
- Consultant, Administrative and Executive Setup for Applesoft Homecare Services LLC, Arlington Texas (2011 – 2013)

**TEACHING ACTIVITIES***Courses and Classroom Instruction (Doctoral Program)*

- NDNP 810: DNP Project Identification (DNP) (2018 – Present)



- NDNP 811: DNP Project Development (DNP) (2018 – Present)
- NDNP 812: DNP Project Implementation (DNP) (2018 – Present)
- NDNP 813: DNP Project Evaluation and Dissemination (DNP) (2019 – Present)
- NDNP 814: Practice Leadership within Complex Adaptive Healthcare Systems (DNP) (2017 Fall)
- NDNP 817: Practicum: Interprofessional Leadership in a Complex Adaptive System (DNP) (2017 Fall)
- NDNP 820: Diagnosis and Management 1: Intro to Diagnostic Reasoning (DNP) (2015 Fall)
- NDNP 821: Diagnosis and Management 1(Clinical): Intro to Diagnostic Reasoning (DNP) (2015 Fall)

***Courses and Classroom Instruction (Graduate Program)***

- NURS 690: Managerial Healthcare Finance (HSLM) (2018 – Present)
- NURS 692: Administration of Nursing and Health Services (2019 – 2020)
- NRSNG 785: Professional Writing (Masters/ DNP) (2017 – 2018)
- NURS 834: Translating Evidence to Practice (DNP) (2017 – 2018)
- NRSNG 795: Biostatistics for Evidence-based Practice (2018 Spring)
- NURS 462: Leadership and Management (HSLM) (2018 Spring)
- NPHY 620: Pathophysiological Alterations in the Critically Ill (AGACNP/CNS Specialty) (2012 – 2015)
- NURS 623: Advanced Assessment of the Critically Ill Adult (AGACNP/CNS Specialty) (2012 – 2015)
- NURS 647: Diagnosis and Management of Common Acute Care Problems (AGACNP/CNS Specialty) (2012 – 2015)
- NURS 726: Diagnosis and Management of Complex Acute Care Problems (AGACNP/CNS Specialty) (2012 – 2015)
- NURS 727: Advanced Acute Care Management (AGACNP/CNS Specialty) (2012 – 2015)

***Guest Lecturer (UMB School of Nursing)***

- NURS 315/501: Pathopharmacology of the Critically Ill (2013 – 2015)  
Topic: Disorders of cardiac Function (Undergraduate Program)
- NURS 723: Clinical Pharmacology and Therapeutics Across (2013 – 2014)  
the Life Span Topics: Acute Coronary Syndrome and Heart Failure (Master's Program)
- NPHY 625: Advanced Pathophysiology for Nurse Anesthesia (2015 Spring)  
Topics: Valvular Heart Disease and ECG Interpretation (DNP Program)

**STUDENT DOCTORAL AND THESIS COMMITTEE MEMBERSHIP*****PhD Dissertation***

- Crystal L. DeVance-Wilson; Prescription Medication Adherence among Socioeconomically Diverse Black American Men. Dissertation Defense: Spring 2019; University of Maryland, School of Nursing: *Member*
- Thiruppavai Sundaramurthi; Caregiver characteristics predicting Length of Hospital Stay and Readmission of Hematologic Stem Cell Transplant Recipients. Dissertation Defense: Spring 2015; University of Maryland, School of Nursing: *Member*
- Meg Russo; Palliative Care Investigating Subjective Well Being of Individuals with Class III & IV Heart Failure: Dissertation Defense: Spring 2015; University of Maryland, School of Nursing: *Member*
- Dzifa Dordunoo; Predictors of 30-day Hospital Readmission among Patients with Heart Failure. Dissertation Defense: Fall 2014; University of Maryland, School of Nursing: *Member*
- Jose Gonzalez; Organizationally Ready: An Analysis of the Cultural Competence for Military Health Care Professionals. Dissertation Defense: Fall 2014; Trident (Military) University International: *External Member*
- Vicki Freedenberg; Anxiety, Depression, and Quality of Life of Adolescents with Cardiac Disease Particularly Implanted Cardioverter-Defibrillators. Dissertation Defense: Spring 2013; University of Maryland, School of Nursing: *Member*

***DNP Scholarly Project***

- Cheli Miga; Development and Evaluation of a Mechanical Circulatory Support Guideline for the Post-Operative Management of Left Ventricular Assist Device Patients in an Acute Care Facility. Scholarly Project Completion: Fall 2015; University of Maryland, School of Nursing: *Chair*

- Timothy Meyenburg; The use of Albumin in Volume Resuscitation in the Stable Post-Operative Cardiac Surgery Patient population. Projected Scholarly Project Completion: Fall 2015; University of Maryland, School of Nursing: *Chair*
- Susan Phelps; Development of Clinical Guidelines for the Use of a Hemodynamic Transesophageal Echocardiography Management System. Scholarly Project Completion: Fall 2015; University of Maryland, School of Nursing: *Chair*
- John Hagan; The role of Multidisciplinary Teams in Early Extubation in Critical Care Adults in The Medical Intensive Care Unit. Scholarly Project Completion: Fall 2016; University of Maryland, School of Nursing: *Member*
- Ray Zarate; Development of a Guideline for Procalcitonin as a Guide for Antibiotic Therapy. Scholarly Project Completion: Fall 2016; University of Maryland, School of Nursing: *Member*
- Tracey Wilson; Healthcare Provider Communication in End-of-Life Decision Making in the Critically Ill Patient. Scholarly Project Completion: Spring 2015; University of Maryland, School of Nursing: *Member*
- Titilola Iyun; Decreasing Door-to-EKG Times: Evaluation of an Evidence-Based EKG prioritization Rule. Scholarly Project Completion: Fall 2014; University of Maryland, School of Nursing: *Member*
- Norma Flores; the Impact of In-patient Education, Medication Counseling and Follow-up Phone Calls on the 30-day Readmission and Mortality Rates of Heart Failure Patients. Scholarly Project Completion: Spring 2013; University of Maryland, School of Nursing: *Member*

#### *Master's Thesis*

- Nduka Kaliku; The Effect of Clinical and Social Factors on Hypertension Risk in Young African American Males. Thesis Defense: Spring 2013; Howard University, School of Nursing: *External Member*

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**Bimbola F. Akintade PhD, MBA, MHA, CCRN, ACNP-BC, NEA-BC, FAANP**



# THE UNIVERSITY OF NORTH CAROLINA SYSTEM

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## BOARD OF GOVERNORS

**Randall C. Ramsey, Chair**  
**UNC SYSTEM OFFICE**  
140 Friday Center Drive  
Chapel Hill, NC 27517

**Date:** March 31, 2022

**From:** Randall C. Ramsey, Chair

**To:** Board of Trustees: Chairs, Secretaries

**Re:** Board of Trustees Expectations and Best Practices

Dear Board Chairs and Secretaries of the Boards:

This letter is a reminder of the attendance and participation expectations for boards of trustees. It also makes a request of each of you.

Regular attendance at board meetings is required. Under Section [200.7](#) of the UNC Policy Manual, if a member of a board of trustees of a constituent institution is, for any reason other than ill health or service in the interest of the state or nation, absent for three successive regular meetings of the board, he or she is deemed to vacate his or her board seat automatically.

In-person attendance for board meetings is essential for effective governance. There is no substitute for face-to-face discussion in providing the meaningful oversight the law requires and expects of us. As we emerge from the COVID-19 pandemic, and return to normalcy, it is time to refocus our efforts on excellence in service. Under [Chapter II of The Code](#) of the University of North Carolina, the Board of Governors presides in-person over university business in *full* Board meetings. Under *The Code*, our rules of procedure allow for virtual meetings only in certain circumstances. Committees may meet virtually. For full Board meetings, though, we maintain an in-person standard unless the Board is holding a special or emergency meeting.

Please act decisively to encourage more in-person deliberation by your board members. Under [Chapter IV of The Code](#), the Board of Governors delegates authority to the boards of trustees to establish their respective rules of procedure. Specifically, I request that boards of trustees use that delegated authority to adopt *at least* the standard followed by the Board of Governors. This standard would stipulate that board of trustees members attend in-person regular, full-board meetings. Many of your boards already adhere to this standard—indeed, some of your boards limit virtual attendance to only special or emergency meetings and do not allow virtual attendance at regular committee meetings.

Board of Trustees: Chairs, Secretaries  
March 31, 2022  
Page 2 of 2

Boards of trustees lead their respective universities by example. As you are aware, the UNC System relayed to institutions the expectation of a return to in-person, normal campus operations. Your board plays a critical role in shepherding this expectation to your campuses, and fulfilling our primary mission of student success. My request is that you mirror the meaningful and active in-person presence already asked of your campus leadership and broader campus community.

After considering my request here, please notify the UNC System Office of your board's current practices and intentions for future meeting procedures. I have asked Assistant General Counsel Mary Griffin Inscoe to collate and summarize responses. Ms. Inscoe's email is [mginscoe@northcarolina.edu](mailto:mginscoe@northcarolina.edu).

Thank you for your continued commitment to the active governance of our System. Your continued leadership from the front makes our System second to none.

Sincerely,

A handwritten signature in black ink, appearing to read "Randall C. Ramsey", with a stylized flourish at the end.

Randall C. Ramsey, Chair

**BYLAWS OF THE BOARD OF TRUSTEES  
OF  
EAST CAROLINA UNIVERSITY  
Adopted - 7/8/93**

**ARTICLE I.  
ORGANIZATION**

**Section 101 Membership**

(A) EAST CAROLINA UNIVERSITY shall have a Board of Trustees composed of thirteen (13) persons chosen as follows: (a) eight elected by the Board of Governors of The University of North Carolina, (b) four appointed by the General Assembly, two of whom shall be appointed upon the recommendation of the President Pro Tempore of the Senate, and two of whom shall be appointed upon the recommendation of the Speaker of the House of Representatives; and (c) the president of the student body ex officio.

(B) In every odd-numbered year, the Board of Governors shall elect four persons to the Board of Trustees and the General Assembly shall appoint one person upon the recommendation of the President Pro Tempore of the Senate, and one person upon the recommendation of the Speaker of the House of Representatives to the Board of Trustees; and the term of office of all such elected or appointed trustees (excluding the ex-officio trustee) shall commence on July 1 of such odd-numbered year and shall be for four years and until the successor is elected or appointed.

(C) Whenever any vacancy occurs in the membership of the Board of Trustees among those appointed by the General Assembly, it shall be the duty of the secretary of the Board of Trustees to inform the General Assembly of the existence of such vacancy, and the vacancy shall be filled as provided in G.S. 120-122, and whenever any vacancy occurs among those elected by the Board of Governors, it shall be the duty of the secretary of the Board of Trustees to inform the Board of Governors of the existence of the vacancy, and the Board of Governors shall elect a person to fill the unexpired term. If for any reason other than ill health or service in the interest of the State or nation, a member fails to be physically present for three successive regular meetings of the Board of Trustees, his/her place as a member shall be deemed vacant.

(D) Any person who has served two full four-year terms in succession as a member of the Board of Trustees shall be ineligible, for a period of one year, for election or appointment to the Board of Trustees but may be elected or appointed to the board of another institution.

(E) No member of the General Assembly or officer or employee of the State, the University of North Carolina (UNC), or of any constituent institution of UNC or spouse of any such member, officer or employee shall be eligible for election or appointment as a member of the Board of Trustees. Any trustee who is elected or appointed to the General Assembly or who becomes an officer or employee of the State, UNC, or of any constituent institution of UNC or whose spouse is elected or appointed to the General Assembly or becomes such an officer or employee shall be deemed thereupon to have resigned as a member of the Board of Trustees.

(F) No person may serve simultaneously as a member of the Board of Trustees and as a member of the Board of Governors. Any trustee who is elected or appointed to the Board of Governors shall be deemed to have resigned as a trustee effective as of that date that his/her term commences as a member of the Board of Governors.

**Section 102 Officer Nominations and Elections**

(A) At the first regular meeting after June 30 of each year, the Board of Trustees shall elect from its membership a chair, a vice chair, and a secretary, each for a term of one (1) year (See G.S. 116-32) and each shall serve until his or her successor is elected. In no event shall officer elections take place before July 1, or before the swearing in of new board members whose terms commence on July 1. Any member of the Board of Trustees who is or who shall be duly appointed and sworn in at the time of the election shall be eligible to serve as an officer, regardless of length of service on the Board of Trustees. Elections shall be conducted such that each member of the Board of Trustees, including newly appointed members, can fully participate in the nomination, consideration, and election of officers. Any nominating committee convening prior to July 1 to determine a slate of officer candidates may include members who have been appointed but have not yet been sworn in but may not include current members whose terms end June 30 and who have not been reappointed. If the term of the chair expires before his or her successor as chair is elected, then the vice chair shall become the interim chair until the chair's successor is elected. If the terms of the chair and the vice chair on the Board of

Trustees both expire on June 30 of that year, the secretary will serve as interim chair until elections are held. If the terms of the chair, the vice chair, and the secretary all expire on June 30 of that year, the assistant secretary of the Board will notify the Executive Committee prior to June 30 of that year and, prior to June 30, the Executive Committee will nominate a trustee to be presented for approval by the Board prior to June 30 to serve as interim chair from July 1 until elections for the year's term are held at the first regular meeting of the Board after June 30.

(B) Officers may serve no more than two full terms in the same office.

(C) Nominations and elections shall be conducted separately and in the following order: chair, vice chair, and secretary. The chair of the nominating committee will place in nomination the officer candidates selected by the nominating committee. Beyond those nominations provided by the nominations committee, any trustee may nominate a candidate for any office.

Once a quorum is established, voting can be by show of hands, voice vote, roll-call vote, or written ballot, at the discretion of the chair of the Board of Trustees. All written ballots must be signed by the trustee casting the ballot, retained by the assistant secretary and open for public inspection until the meeting minutes are approved, and documented in the meeting minutes by listing the vote of each Trustee voting.

(D) If a vacancy occurs in the office of chair during a term, the vice chair shall succeed to the office of chair for the remainder of the unexpired term. Vacancies in the office of vice chair or secretary during their terms shall be filled by election by the Board of Trustees, and persons so elected shall serve for the remainder of the unexpired term.

(E) The Board of Trustees may also elect an assistant secretary from among the members of the Chancellor's staff. Copies of all minutes, papers and documents of the Board of Trustees may be certified by the assistant secretary with the same force and effect as though such certification were made by the secretary of the Board.



**Section 103 Committees**

(A) The Chair, with the approval of the Board of Trustees, shall establish the standing committees of the Board and identify their duties and jurisdiction consistent with any requirements of the UNC Board of Governors. The chair or the Board of Trustees with an approved motion may establish ad hoc committees with specific duties and jurisdictions as needed. No such committee shall have authority to take final action on behalf of or that is binding upon the Board of Trustees if the committee includes members that are not members of the Board of Trustees. The members and chairs of all committees shall be appointed and may be removed by the Chair of the Board of Trustees. Persons appointed to any committee of the Board who are not trustees, including any ex officio (voting) member, shall be subject to conduct requirements that may be established by the Board of Trustees regarding conflicts of interest and other standards similar to those applicable to members of the Board of Trustees.

(B) Every member of the Board of Trustees shall be allowed to attend every meeting of each committee of the Board. The chair of each committee of the Board shall ensure that notice of every meeting is provided to every member of the Board of Trustees, the Chancellor, and the Assistant Secretary of the Board.

**Section 104 Endowment Fund Board**

The Trustees of the Endowment Fund Board shall consist of six members, one of whom shall be the Chair of the Board of Trustees, who shall serve as the ex-officio Chair of the Endowment Fund Board; one of whom shall be the Chancellor; one of whom shall be the Vice Chair of the Board of Trustees; and three of whom shall be elected by the Board of Trustees. One of those elected may be (but need not be) a member of the Board of Trustees and the other two shall be members of the Investment Committee of the ECU Foundation. The terms of the three elected members shall be for staggered three-year terms.

The Trustees of the Endowment Fund Board shall make decisions concerning the receipt and administering of Endowment Fund gifts and property bequests, exclusive always of monies received through State appropriations and from tuition and fees.

The Endowment Fund Board shall function in accordance with North Carolina General Statute 116-36 and regulations of the Board of Governors of the University of North Carolina.

## ARTICLE II

### POWERS AND DUTIES

#### **Section 201 General Powers and Duties**

The Board of Trustees shall promote the sound development of East Carolina University within the functions prescribed for it, helping it to serve the people of the State in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every area of endeavor. The Board of Trustees shall serve as advisor to the Board of Governors on matters pertaining to East Carolina University and shall also serve as advisor to the Chancellor concerning the management and development of the institution.

#### **Section 202 Other Powers and Duties**

The Board of Trustees shall have such other powers and duties, not inconsistent with provisions of The Code of The University of North Carolina or as defined and delegated by the Board of Governors.

## ARTICLE III

### MEETINGS

#### **Section 301 Regular Meetings**

There shall be not fewer than three (3) regular meetings of the Board of Trustees each year. At each regular meeting a tentative date shall be announced for the next regular meeting. The Chair of the Board, in consultation with the Chancellor, is authorized to change the date of any meeting if necessary because of schedule conflicts, provided that immediate notice of the new meeting date is provided to the members of the Board at least seven (7) days in advance of the new meeting date. A notice specifying the time and place of each regular meeting of the Board shall be transmitted electronically or delivered physically by the Secretary or Assistant Secretary to each member of the Board at least seven (7) days in advance of the meeting date. Any matter of business may be considered at a regular meeting of the Board.

**Deleted:** During regular meetings, trustees not physically present will be allowed to fully participate by telephone, video conference or other electronic means that allows for two-way interaction. →

**Section 302 Special and Emergency Meetings**

A special meeting of the Board of Trustees may be called by the Chair and shall be called by the Secretary or Assistant Secretary upon the written request of not fewer than six (6) members of the Board. A special meeting called by the Secretary or Assistant Secretary shall be held within ten (10) days of receipt by the Secretary or Assistant Secretary of the sixth written request for such special meeting. A notice specifying the time and place of a special meeting of the Board shall be provided electronically by the Secretary or Assistant Secretary to each member of the Board at least forty-eight (48) hours in advance of the meeting, but less than forty-eight (48) hours' notice may be given to each member by telephone, electronic mail, or other reliable method of notice in sufficient time for a majority of the board to be reasonably expected to be able to attend when, in the opinion of the Chair, an emergency exists such that generally unexpected circumstances require immediate consideration by the Board. (See G.S. 143-318.12). ~~Any matter of business may be considered at a special meeting of the Board, but only business connected with the emergency may be considered at an emergency meeting for which notice of less than forty-eight (48) hours is given.~~

**Deleted:** Members of the Board of Trustees may attend any special or emergency meeting of the Board or any meeting of its committees by telephone, video conference, or other electronic means with all the rights and privileges of a member physically present so long as (i) all members of the Board attending can communicate simultaneously with one another, including the members attending, but not physically present, and (ii) the arrangements for such a meeting comply with applicable State laws concerning the conduct of electronic meetings of public bodies. ....

**Section 303 Agenda**

(A) At least seven (7) days prior to each regular meeting of the Board of Trustees, a copy of the agenda, including (insofar as is practicable) copies of all reports and other written materials to be presented to the meeting, shall be provided electronically to each member of the Board by the Secretary or Assistant Secretary. Insofar as is practicable, a copy of the agenda of each special meeting of the Board shall be provided electronically to each member of the Board at least four (4) days in advance of the special meeting; however, if such advance mailing is not practicable, the agenda for a special meeting may be transmitted electronically prior to the meeting or presented to the members of the Board as the first order of business at the meeting.

(B) The agenda for every meeting of the Board shall be prepared by the Chancellor or the Chancellor's staff after consultation with the Chair. Every request for inclusion of an item on the agenda of a meeting shall be put in writing and submitted, together with any supporting documents, with the Chancellor sufficiently far in advance of the meeting to permit a determination to be made by the Chancellor with respect to the propriety and practicability of including that item on the agenda for the meeting.

(C) Any member of the Board of Trustees may present to any meeting of the Board any item whether or not the same is on the agenda of the meeting.

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**Section 304 Conduct of Business**

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(A) A quorum of the Board of Trustees or of its several committees shall consist of a majority of the members of the Board or of its several committees. Any member of the Board who is present at any meeting of the board, or who attends a special or emergency meeting of the board or of any meeting of a committee by telephone, video conference or other electronic means that allows for two-way interaction will be counted as present for the purposes of determining a quorum.

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Deleted: Any voting member of a committee who is physically present at any meeting of the committee or who attends by telephone, video conference or other electronic means that allows for two-way interaction will be counted as present for the purposes of determining a quorum....

(B) The Chair shall preside over all regular and special meetings of the Board of Trustees. In the absence of the Chair, the Vice Chair shall preside. Except as otherwise provided in Section 102 of these bylaws, in the absence of both the Chair and the Vice Chair at any properly noticed meeting, a presiding officer shall be elected by and from the membership of the Board of Trustees.

(C) All members of the Board of Trustees may vote on all matters coming before the Board for consideration. Any member of the Board who is present at any meeting of the Board or of a Board committee, or who attends a special or emergency meeting of the Board or Board committee by telephone, video conference or other electronic means that allow for two-way interaction may cast his or her vote. No vote concerning any matter under consideration by the Board or by a committee of the Board may be cast in absentia by mail, facsimile or email. No member may vote by proxy.

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Deleted: Any voting member of a committee who is present at any meeting of the committee or who attends by telephone, video conference or other electronic means that allows for two-way interaction may cast his or her vote....

(D) Except as modified by specific rules and regulations enacted by the Board of Trustees, Robert's Rules of Order Newly Revised (latest edition) shall constitute the rules of the parliamentary procedure applicable to all meetings of the Board of Trustees and its several committees.

**Section 305 Minutes**

(A) The Secretary or Assistant Secretary shall keep minutes of all meetings of the Board of Trustees; shall file, index, and preserve all minutes, papers, and documents pertaining to the business and proceedings of the Board; shall be custodian of all records of the Board; and, when required, shall attest the execution of all legal documents and instruments of East Carolina University.

(B) Within thirty (30) days and after each meeting of the Board of Trustees, the Secretary or Assistant Secretary shall transcribe the minutes of the meeting and provide electronically or via physical delivery a copy to each member of the Board.

**Section 306 Executive Session**

By the vote of a majority of the members present during any meeting when a quorum is present, the Board may hold an executive session closed to the public, subject to applicable State Law.

**Section 307 Keeping Board of Governors Informed**

The Secretary of the Board of Trustees shall keep the Board of Governors, through the Secretary of The University of North Carolina, fully and promptly informed concerning activities of the Board of Trustees, including notice of any changes in the membership of the Board or its committee structure or Bylaws, notices of meetings and a copy of the minutes of all meetings.

**Section 308 Notice and Delivery of Other Information Required by These Bylaws**

Any reference to a requirement stated in these bylaws for notice of meetings or events or transmission of other information such as agendas, proposed bylaw provisions, and reports, may be accomplished by transmission of such information via electronic mail or physical delivery or through posting of the information to an electronic bulletin board to which all Board members have access at the time Board members are provided notice via electronic mail that such posting has occurred.

**ARTICLE IV.**

**RELATIONSHIP OF THE CHANCELLOR TO THE BOARD OF TRUSTEES**

**Section 401 Relationship of the Chancellor to the Board of Trustees**

(A) It shall be the duty of the Chancellor to attend all meetings of the Board of Trustees and to be responsible for keeping the Board of Trustees fully informed on the operation of the institution and its needs.

(B) As of June 30 of each year the Chancellor shall prepare for the Board of Trustees a detailed report on the operation of the institution for the preceding year. The Chancellor shall submit such additional reports to the Board of Trustees as he/she may deem wise or as the Board may require. He/she shall seek the counsel of the Board of Trustees concerning the affairs of the institution.

(C) The Chancellor shall be responsible to the Board of Trustees for enforcing all policies, rules and regulations of the Board of Trustees.

(D) The Chancellor shall be the official medium of communication between the Board of Trustees and all individuals, officials, agencies and organizations, both within and without the institution.

**ARTICLE V**

**AMENDMENT OF BYLAWS**

**Section 501 Amendment of Bylaw**

These Bylaws may be amended at any regular or special meeting of the Board of Trustees by an affirmative vote of a majority of the members of the Board if the substance of the amendment has been filed in writing with the Secretary or Assistant Secretary and a copy has been provided to each member of the Board at least seven (7) days prior to the meeting at which the amendment is to be voted upon.

**ARTICLE VI****SUBORDINATION TO UNIVERSITY CODE****Section 601 Subordination to University Code**

To the extent that any of these Bylaws may be inconsistent with The Code of The University of North Carolina, as the same may be amended from time to time, said Code shall control.

**ARTICLE VII****HONORARY DEGREES, AWARDS AND DISTINCTIONS****Section 701 Authority to Confer Honors**

The Board of Trustees shall be responsible for approving the names of all individuals on whom it is proposed that an honorary degree or any other honorary or memorial distinction be conferred by East Carolina University. Examples of such degrees or honorary or memorial distinctions include, but shall not be limited to, (a) all honorary doctorates and other degrees of every kind, (b) the naming of buildings or rooms or other portions of buildings, streets and other campus property or facilities, or any unit or other organization within the University, and (c) honorary alumni (excluding those certain distinctions provided for in the existing Bylaws of the ECU Alumni Association and the ECU Educational Foundation). Trustee resolutions honoring members of the administration, faculty, alumni and friends of East Carolina University, and the awarding of emeritus status to faculty members is hereby delegated to the Chancellor.

**Section 702 Nominations for Honorary Degrees**

Nominations for the conferral of an honorary degree shall be made in accordance with the following policy and procedure:

(A) The Honorary Degrees, Awards, and Distinctions Committee shall be constituted as follows: Dean of the Graduate School, Chair, ex-officio voting; five (5) faculty members selected by the Faculty Senate; and five (5) trustees selected by the Chair of the Board of Trustees.

The Faculty Senate shall establish terms to be served by their representatives, and the Chair of the Board of Trustees shall establish the terms for representatives of the Board.

(B) The Honorary Degrees, Awards, and Distinctions Committee shall receive nominations each academic year and otherwise identify persons to be nominated for honorary degrees. Nominations for honorary degrees may be made to the Committee by any interested person or organization.

(C) The honorary degrees to be awarded by East Carolina University are:

Doctor of Letters (Litt.D.)

Doctor of Science (D.Sci.)

In exceptional circumstances, other designated degrees may be awarded or a different honorary or memorial distinction designated by the Board of Trustees.

(D) Eminent achievement in scholarship, public affairs, service to the University, service to the State or Nation, or in activities recognized as significant in the educational world, shall constitute the primary basis for an honorary degree from East Carolina University.

(E) Honorary degrees shall be limited to no more than three (3) per year, except as otherwise recommended by the Board of Trustees.

(F) No person shall be eligible to be awarded an honorary degree or other honorary or memorial distinction by East Carolina University while that person is serving as a member of the Board of Governors of The University of North Carolina or of the Board of Trustees of any one (1) of the constituent institutions or as a member of the faculty, staff or administration of The University of North Carolina or of any one (1) of its constituent institutions; and no such person shall be eligible for such an award until after the second academic year after the termination of any such relationship with The University of North Carolina or any of its constituent institutions.

(G) The Honorary Degrees, Awards, and Distinctions Committee shall submit names of nominees approved by it, with supporting documentation, to the Chancellor for review. The Chancellor shall forward the names of the nominees approved by him/her to the Executive Committee of the Board of Trustees. The Executive Committee, in turn, shall review and evaluate each such recommendation, coordinate its action with the Chancellor, and then make its written recommendation to the full Board for action at a regular or special meeting. Each member of the Board shall be given notice of the recommendation of the Executive Committee



either by telephone or by mail at least seven (7) days prior to the date of the meeting at which the recommendation is to be voted upon.

(H) The Board shall consider the recommendations and take action thereon in Executive Session. The Chancellor, after consulting with the Chair of the Board of Trustees, shall make appropriate public disclosure of all recommendations approved by the Board after acceptance of the invitation for conferral of an honorary degree by the person so nominated.

(I) Persons nominated for honorary degrees by the Honorary Degrees, Awards, and Distinctions Committee to the Chancellor and who are not thereafter approved either by the Chancellor or the Executive Committee or the Board of Trustees shall not thereafter be eligible for nomination; provided, however, the Chancellor shall have the authority to extend invitations to nominees approved by the Board to accept the University's honorary degree at such time or times and in such order as he/she may deem appropriate in his/her discretion.

#### **Section 703 Nomination for Other Honors**

The policy and procedure for nominations for the conferral of an honorary degree shall be as provided in Section 702. The policy and procedure for nominations for the conferral of all other honorary or memorial distinctions, as defined in Section 701 above, shall first be made by the Chancellor, individual trustees, or a subcommittee consisting of those members of the Board of Trustees designated by the Chair to serve on the Honorary Degrees, Awards, and Distinctions Committee to the Executive Committee in writing at least thirty (30) days prior to the next regularly scheduled meeting of the Board at which action on such recommendation is desired. The Executive Committee, in turn, shall review and evaluate each such recommendation, conferring and coordinating its action with the Chancellor and appropriate standing Committees, and then make its recommendation to the full Board for action at a regular or special meeting. The recommendations of the Executive Committee shall be mailed to each member of the Board at least seven (7) days prior to the date of the meeting at which the recommendations is to be voted upon. The Board shall consider recommendations and take action thereon in executive session. The Chancellor, after consulting with the Chair of the Board of Trustees, shall make appropriate public disclosure of all recommendations approved by the Board.

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**Scott Shook**

Chairman of The Board of Trustees

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**Vince Smith**

Secretary to The Board of Trustees

Deleted: Vern Davenport

**AMENDMENTS MADE TO THE BYLAWS**

1. Academic Affairs and Student Life Committee expanded to include Research and Graduate Studies. Full name of committee is now Academic Affairs, Research, Graduate Studies, and Student Life Committee.

Approved by the Board of Trustees on September 27, 1996.

2. Section 102, Officers. Election and Terms of.

Approved by the Board of Trustees on March 7, 1997

3. The name of Executive Committee of the Board be changed to the Executive and Audit Committee and that the By-laws of the Board of Trustees be amended by inserting the following between the third and fourth paragraphs:

The Chancellor shall also consult annually with the Executive and Audit Committee at the Board's October meeting concerning East Carolina University's efforts to assure the adequacy of management staff and the existence of sufficient fiscal controls to administer additional authorities authorized under G.S. 116-30.2, 116-30.4 and 143-51.1.

Approved by the Board of Trustees on October 9, 1998.

4. That the Institutional Advancement Committee be added to the Board – see Section 103 E.

That the Endowment Fund Board be revised – Section 104.

Approved by the Board of Trustees on December 10, 1999.

5. The Notice of a Special Meeting of The Board of Trustees be changed from three (3) days to a 48 hours notice to be consistent with the Open-Meetings Law – see page 9 line 3.

Approved by the Board of Trustees on March 16, 2001.

6. The Academic Affairs, Research, Graduate Studies, and Student Life Committee was split into the Academic Affairs and Student Life Committee and the Research, Economic Development and Community Engagement Committee with appropriate changes to the Bylaws to be developed accordingly.

Approved by the Board of Trustees on July 23, 2002.

7. Section 103.B of the Bylaws, formally Academic Affairs, Research, Graduate Studies, and Student Life Committee was split into two divisions with descriptive changes developed approval: Academic Affairs and Student Life Committee, and the Research, Economic Development and Community Engagement Committee, to coincide with the Bylaw amendment that was approved on July 23, 2002.

Approved by the Board of Trustees on October 18, 2002.

8. The name of Institutional Advancement Committee of the Board was changed to the University Advancement Committee.  
Approved by the Board of Trustees on July 30, 2003.
9. 101.C of the Bylaws now states that “. . . If for any reason other than ill health or service in the interest of the State or nation, a member fails to be *physically* present for three (3) successive regular meetings of the Board of Trustees, his/her place as a member shall be deemed vacant.  
Approved by the Board of Trustees on May 7, 2004.
10. 103.F of the Bylaws gives a description of the newly combined Advancement and Naming Committee that replaces the description of the University Advancement Committee.  
Approved by the Board of Trustees on December 16, 2005.
11. The name of the Executive and Audit Committee of the Board was changed to the Executive Committee. 103 A of the Bylaws was modified to reflect the addition of 103 B, a separate Audit Committee. All other sections of 103 are renumbered.  
Approved by the Board of Trustees on May 5, 2006.
12. Section 103 of the Bylaws was revised to define the duty of the Chair of the Board of Trustees to appoint committees and chairs of committees.  
Approved by the Board of Trustees on August 22, 2007.
13. Section 104 of the Bylaws was revised to define the makeup of the Endowment Fund Board to include two members of the ECU Foundation’s Investment Committee.  
Approved by the Board of Trustees on April 15, 2011.
14. Section 102 of the Bylaws was revised to define Officer Nominations and Election Processes.  
Approved by the Board of Trustees on April 19, 2013.
15. Section 103 Committees revised.  
Approved by the Board of Trustees on April 20, 2018
16. Section 101 revised – Specifies the General Assembly appointments (rather than the Governor)  
Section 102 revised – Officer elections  
Approved by the Board of Trustees on September 13, 2019
17. Sections 301 and 302 revised – to allow participation (establishing a quorum and voting) by phone and or any electronic means that all for two – way interaction

Approved by the Board of Trustees on November 22, 2019

18. Sections 301, 302 and 304 revised to align with Chapter II of *The Code* regarding attendance at regular, special and emergency meetings of the Board of Trustees.  
Approved by the Board of Trustees on \_\_\_\_\_.

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**ECU Board of Trustees  
June 14, 2022  
Special Called Meeting**

**MINUTES**

The ECU Board of Trustees met in a special called session on June 14, 2022. The meeting originated from Spilman 105 on the campus of East Carolina University in Greenville, NC.

Chairman Scott Shook called the session to order.

**ROLL CALL**

Mr. Shook called on Ms. Megan Ayers, Assistant Secretary to the Board of Trustees to call the roll. A quorum was established.

**PRESENT**

Ryan Bonnett  
Cassandra Burt  
Tom Furr  
Leigh Fanning  
Dave Fussell  
Van Isley  
Fielding Miller  
Jason Poole  
Scott Shook  
Vince Smith

**ABSENT**

Angela Moss  
Jeffrey Roberts  
Jim Segrave

**READING OF ETHICS STATEMENT**

In compliance with the State Government Ethics Act, Mr. Shook read the conflict of interest statement and asked if anyone had a conflict to disclose. No conflicts were identified.

**ACADEMIC REORGANIZATION**

Mr. Shook called on Chancellor Philip Rogers to introduce the item on academic reorganization. Chancellor Rogers called on Dr. Grant Hayes and Dr. Ron Mitchelson, Academic Council members, to detail the proposed academic reorganization.

Following the discussion, Mr. Poole motioned the Board endorse the academic reorganization as presented by the Academic Council in Board materials. Ms. Fanning seconded the motion. The board voted to approve the motion, with no negative votes. A memo detailing the reorganization is listed as "Attachment A."

#### **COMPENSATION DELEGATIONS OF AUTHORITY**

Mr. Shook called on Chancellor Rogers to introduce the item on compensation delegations of authority. Chancellor Rogers called on Ms. Stephanie Coleman, Vice Chancellor for Administration and Finance to provide details on the item.

Following the presentation, Mr. Poole moved the Board of Trustees amends and restates the delegations of authority related to salary administration as presented in board materials. Ms. Fanning seconded the motion. The board voted to approve the motion with no negative votes. The resolution is listed as "Attachment B."

#### **CLOSED SESSION**

Mr. Shook asked for a motion to move into closed session.

Mr. Poole motioned the board move into closed session: to prevent the disclosure of confidential information under N.C. General Statutes §126-22 to §126-30 (personnel information); and the federal Family Educational Rights and Privacy Act; 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 Committee.

Ms. Fanning seconded the motion. The board voted to approve the motion with no negative votes. The board moved into closed session.

**RETURN TO OPEN SESSION**

Once returned to open session, the board had an item for consideration.

Mr. Poole moved the board approve the employment contract for Mr. Michael Schwartz, Head Men’s Basketball Coach as presented in board materials. Ms. Fanning seconded the motion. The board voted to approve the motion with no negative votes. The employment agreement is listed as “Attachment C.”

**MEETING ADJOURNMENT**

Hearing no further business to come before the board, Mr. Shook asked for a motion to adjourn the meeting. The motion was made and seconded, with no negative votes.

The meeting was adjourned.

###

**Respectfully Submitted,**  
Megan Ayers  
Assistant Secretary to the Board of Trustees



**ACADEMIC COUNCIL**

**Grant Hayes**, PhD, Interim Provost & Senior Vice Chancellor  
Academic Affairs | (252) 328-5419 | [hayesb15@ecu.edu](mailto:hayesb15@ecu.edu)

**Ron Mitchelson**, PhD, Interim Vice Chancellor  
Health Sciences | (252) 744-2265 | [mitchelsonr@ecu.edu](mailto:mitchelsonr@ecu.edu)

**Mike Van Scott**, PhD, Interim Vice Chancellor  
Research, Economic Development, & Engagement | (252) 328-9479 | [vanscottmi@ecu.edu](mailto:vanscottmi@ecu.edu)

**TO:** ECU Board of Trustees  
**FROM:** Academic Council  
**DATE:** June 6, 2022  
**SUBJ:** Academic Council Recommendation of Reorganization Elements

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Academic Council presents the following information for endorsement by the ECU Board of Trustees.

**Background**

In a memorandum shared with campus January 14, 2022, Chancellor Rogers named an initial set of priority recommendations from the Fiscal Sustainability Coordinating Committee's *Summary of Recommendations* (July 2021) for implementation in 2022. Recommendation 2.1.1 from the Consolidation and Reorganization section of the Report described divisional reorganization to the extent that "... all academic programs and functions that directly support academic programs report through a single chief academic officer," and Chancellor Rogers stipulated that any restructuring would be complete by the start of the new academic year. The current Academic Council ("AC") members were appointed to oversee the process to operationalize the reorganization efforts.

To that end, AC utilized a wide array of stakeholders within our traditional shared governance structure to devise and begin to operationalize plans to see the divisions of Health Sciences ("HS") and Research, Economic Development, and Engagement ("REDE") move under the division of Academic Affairs ("AA"). Comprehensive planning processes have taken place within two primary categories, the first being reorganization considerations that are academic in nature, and the second being recommendations from a divisional finance and personnel administration perspective. Undertakings in each area are described in more detail, below.

**Academic**

A Reorganization Proposal Committee was appointed, chaired by the Dean of the College of Nursing, and charged with drafting recommendations to campus, to include necessary revisions to existing unit codes for the HS academic units (Laupus Library, College of Nursing ["CON"], College of Allied Health Sciences ["CAHS"], School of Dental Medicine ["SODM"], and Brody School of Medicine ["BSOM"]). Membership consisted of 15 representatives, most of whom were faculty members elected from these units. The Chair of the ECU Faculty was also appointed to serve on the Reorganization Proposal Committee.

The Reorganization Proposal Committee proposed changes to the unit codes that were required to integrate the academic units. Laupus Library, CON, CAHS, and SODM will move under AA, while the

BSOM dean will report directly to the Chancellor regarding the clinical activities of ECU Health and academic matters in BSOM will be addressed by the provost.

Two campus forums were held March 17 and 21 to solicit broad constituency input on the proposal and unit code revisions. After receiving feedback, the recommendation was finalized and presented to the Faculty Senate Educational Policies and Planning Committee ("EPPC"), which approved during their April 8 meeting. The proposal then moved forward to the full Faculty Senate, which considered and approved during their April 26 meeting (Faculty Senate Resolution ["FSR"] #22-32), and was presented to Chancellor Rogers for his consideration on April 27. Chancellor Rogers approved FSR #22-32 with comment on May 31, noting that the reorganization requires endorsement by the ECU Board of Trustees, which is the purpose of this memorandum.

To integrate REDE into Academic Affairs, the Vice Chancellor for REDE will be replaced by a Chief Research and Engagement Officer that reports to the Provost. An Acting Chief Research and Engagement Officer has been appointed effective July 1.

Though not a part of the very specific approval process detailed above, it is of note that two additional "town hall" style forums open to campus were held on April 13 and 14 to discuss the reorganization and its implications more broadly. Academic Council shared a fiscal sustainability update, to include the draft organizational chart attached to this communication, and received questions and comments from participants in the town halls.

### **Finance / Personnel Administration**

Parallel to the academic process described above, leaders in all affected divisions - those dissolving as divisions (HS, REDE) and those remaining (Administration and Finance, AA) - formed a campus work group who retained a consulting firm, rpk GROUP, and completed a thorough analysis of the divisional finance and personnel administration support functions for related areas to help determine the best model to align resources most effectively. Goals of the desired model included providing enhanced customer service, streamlined and consistent processes and procedures, and overall increased efficiencies. All relevant staff completed time studies to indicate the percentage of time spent on tasks as well as the area of responsibility for each task; the studies were then analyzed to gain understanding of current workloads and responsibilities and to identify opportunities to eliminate duplication of tasks, appropriate consolidation of functions and responsibilities, and new reporting structures.

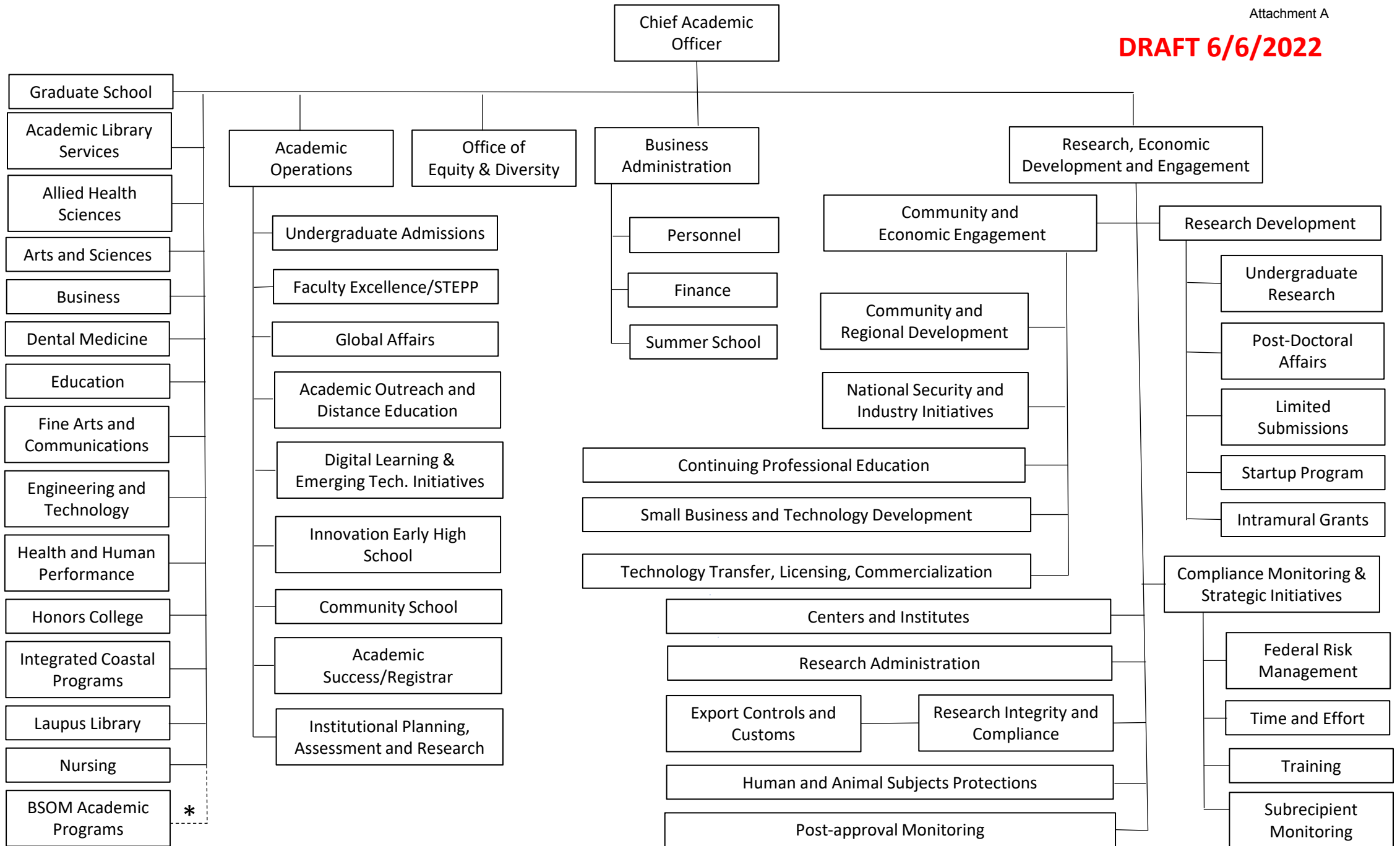
Based on the combined efforts of ECU workgroup members and consultants from rpk GROUP, final recommendations have been made to AC and are reflected in the organizational charts for relevant areas. AC is fully supportive of these outcomes and appreciates the workgroup's expertise.

### **Other HS Divisional Office Transitions**

Two additional transitions of offices formerly in the division of HS have emerged from this collective work but do not fit as well into the categories featured above:

The Office of Prospective Health will move to the Division of Administration and Finance under the Office of Environmental Health and Safety, whose office members have already been involved in collaborative efforts to manage the University response to the pandemic. The Office of Institutional Integrity will move to the Chancellor's Division under the Office of University Counsel, which is a logical fit in terms of compliance oversight.

**DRAFT 6/6/2022**



\*Dean of BSOM reports directly to the Chancellor, and the Executive Dean reports to the Dean. Clinical matters flow directly to the Chancellor through this reporting structure. Academic matters involving faculty governance - such as curriculum, unit codes, and tenure-track, faculty personnel actions – flow through the Provost/Chief Academic Officer.

**Resolution to Amend and Restate Delegated Authority  
from the Board of Trustees of East Carolina University**

WHEREAS, the Board of Trustees of East Carolina University (“Board of Trustees”) has a duty to promote the sound development of East Carolina University within the functions prescribed for it, helping it to serve the people of the state in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every endeavor;

WHEREAS, the Board of Trustees serves as an advisor to the Board of Governors on matters pertaining to East Carolina University and serves as an advisor to the chancellor concerning the management and development of East Carolina University;

WHEREAS, the Board of Trustees’ powers and duties are defined by the Board of Governors through the Board of Governors delegating certain authorities and responsibilities to the Board of Trustees;

WHEREAS, the Board of Governors’ approval of the “Resolution to Amend and Restate Constituent Institution Board of Trustees Delegations” on July 22, 2021, directed each board of trustees of the constituent institutions to identify and restate in one binding resolution all instances in which the board of trustees of the constituent institution has delegated all or some of its delegated authority from whatever source to any committee, person, agency, or entity;

WHEREAS, since the Board of Trustees’ adoption of a Resolution to Amend and Restate Delegated Authority on September 10, 2021 and President Hans’s approval of same on October 12, 2021, the Board of Governors and the University of North Carolina System President have modified the delegations of authority related to salary administration;

WHEREAS, the Board of Trustees wishes to update its delegations in light of the Board of Governors’ and President’s revised delegations with respect to salary administration;

NOW THEREFORE, the Board of Trustees amends and restates the following delegations of authority:

**I. DELEGATIONS CONCERNING THE MEDICAL FACULTY PRACTICE PLAN OF THE BRODY SCHOOL OF MEDICINE**

- Pursuant to [North Carolina General Statute § 116-40.6](#), the Board of Trustees has been delegated the power to adopt and establish policies, procedures, rules, and regulations for the Medical Faculty Practice Plan, a division of the School of Medicine of East Carolina University currently known as “ECU Physicians,” concerning the following:
  - Personnel, including but not limited to schedules of pay and other compensation, annual leave, sick leave, incentive awards programs, grounds for dismissal or discipline, office hours, holidays, and employee disciplinary hearings;
  - Purchases, including but not limited to requests for proposals, competitive bidding, contract negotiations, and contract awards for supplies, materials, equipment, and services;

- Property, including but not limited to acquisition and disposition of property, provisions for development of specifications, advertisement, and negotiations with owners for acquisition by purchase, gift, lease, or rental; and
- Construction, including but not limited to design, construction, and renovation of buildings, utilities, and other property developments for negotiations requiring the expenditure of public money for conducting the fee negotiations for all design contracts and supervising the letting of construction and design contracts, performing the Duties of various state agencies such as the Department of Administration and Office of State Construction, using open-end design agreements, submitting construction documents for review and approval by the Department of Insurance and other agencies, and using standard contracts for design and construction currently in use for State capital improvement projects.

The Board of Trustees delegates all authority of [N.C. Gen. Stat. §116-40.6](#) to the Chancellor as the administrative and executive head of East Carolina University. The Chancellor has the authority to sub-delegate this authority, provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees and any sub-delegations of authority to sign contracts is made in compliance with [Regulation 01.10.01 “Delegation of Authority to Sign Contracts—Interim”](#) as it may be amended

- Pursuant to approval of an Office of Risk Management Professional Liability Insurance Program and Plan in 2014, the Board of Governors delegated its authority from [N.C. Gen. Stat. §116-219](#) to purchase professional liability insurance to the ECU Board of Trustees, and the Board of Trustees delegates this authority to the Chancellor, who may further delegate this authority provided a record of any and all sub-delegations is kept on file in the office of the Assistant Secretary to the Board of Trustees and any sub-delegation of authority to sign contracts is made in compliance with [Regulation 01.10.01 “Delegation of Authority to Sign Contracts—Interim”](#) as it may be amended.

## II. DELEGATIONS FOR HUMAN RESOURCES MATTERS

- Pursuant to [The Code of the Board of Governors of the University of North Carolina, Appendix 1, Section 1](#), the Board of Trustees has been delegated the authority to appoint, promote, and set the compensation for EHRA employees, excluding the Chancellor. The Board of Trustees, pursuant to board action on [March 22, 2002](#), delegated broad authority to the Chancellor, to the extent permissible, pursuant to the [Campus Management Flexibility Plan](#), which is incorporated by reference, to appoint and fix compensation for all senior positions. Any additional authority described herein that was not specifically delegated previously, is hereby specifically delegated to the Chancellor to the extent permissible. The Chancellor may further delegate this authority and change any such sub-delegations, if/as appropriate, provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees and any sub-delegation of authority to sign contracts is made in compliance with [Regulation 01.10.01 “Delegation of Authority to Sign Contracts—Interim”](#) as it may be amended.
- Pursuant to [University of North Carolina Policy Manual 200.6](#) and [University of North Carolina Policy Manual 600.3.4](#), the Board of Trustees has been delegated authority over certain personnel

actions, and the Board of Trustees hereby delegates that authority to the Chancellor to the fullest extent allowed by the delegations and in accordance with applicable UNC Policy Manual provisions and/or Board of Governors directives. [The University of North Carolina Policy Manual 600.3.4 (as amended on 04/07/22 and as may be further amended in the future) enumerates specific authority delegated to the Board of Trustees, and the linked Delegated Authority and Salary Action Thresholds for EHRA Human Resources Classification and Compensation Actions, as revised on 05/11/2022, and as may be further revised in the future, summarizes some of these delegations.] For continuity in operations, if delegations to the Board of Trustees are modified in the future, the Board of Trustees hereby delegates to the Chancellor all such future delegations with respect to salary administration or other personnel matters to the fullest extent allowed by the delegation, provided that the Chancellor informs the Board of Trustees of such new delegations at its next regularly scheduled meeting at which time it may modify the authority delegated to the Chancellor. The Chancellor may further delegate this authority and change any such sub-delegations, if/as appropriate, provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees and any sub-delegation of authority to sign contracts is made in compliance with [Regulation 01.10.01 “Delegation of Authority to Sign Contracts—Interim”](#) as it may be amended.

- Pursuant to [University of North Carolina Policy Manual 300.1.1](#) and [University of North Carolina Policy Manual 300.2.1](#), the Board of Governors delegated authority to make appointments and determine salaries to the Chancellors and the respective Boards of Trustees for Senior Academic and Administrative Officers (SAAO) Tier II appointments, and to the Chancellor for IRIT (formally known as IRPS) appointments. Separations of SAAO Tier II and IRIT (formally known as (IRPS) appointments, including discontinuations with notice, are within the authority of the Chancellor. The Chancellor, pursuant to the [Chancellor’s Delegation of Authority for Personnel Actions Involving Employees Exempt from the State Human Resources Act \(EHRA\) Memo Dated August 31, 2021](#), has delegated that authority to certain specified direct reports.

### III. DELEGATIONS FOR CAPITAL IMPROVEMENT PROJECTS

- Pursuant to [The Code of the Board of Governors of the University of North Carolina, Appendix 1, Section VI](#), and the [University of North Carolina Policy Manual 600.1.1](#), the Board of Trustees has been delegated the authority to approve capital improvement projects that are funded entirely with non-General Fund money that are projected that cost less than \$750,000, and pursuant to [Board of Trustees action on March 17, 2020](#), delegates that authority to the Chancellor.

The Attached Exhibit I: Delegated Authority Table (“Table”) is incorporated herein by reference and all authorities are delegated and sub-delegated as indicated therein, provided that the text of this Resolution shall control in the event of any inconsistency between the Table and the Resolution.

Any authority delegated to the Chancellor in this Resolution or Table may be further delegated provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees and any sub-delegation of authority to sign contracts is made in compliance with [Regulation 01.10.01 “Delegation of Authority to Sign Contracts—Interim”](#) as it may be amended.

Notwithstanding any other provision authorized by the Board of Trustees, all authority that has been delegated to the Board of Trustees and has not been expressly identified and further delegated in this Resolution or Table is hereby vested in the authority of the Board of Trustees.



**Resolution to Amend and Restate Delegated Authority  
from the Board of Trustees of East Carolina University**

WHEREAS, the Board of Trustees of East Carolina University (“Board of Trustees”) has a duty to promote the sound development of East Carolina University within the functions prescribed for it, helping it to serve the people of the state in a way that will complement the activities of the other institutions and aiding it to perform at a high level of excellence in every endeavor;

WHEREAS, the Board of Trustees serves as an advisor to the Board of Governors on matters pertaining to East Carolina University and serves as an advisor to the chancellor concerning the management and development of East Carolina University;

WHEREAS, the Board of Trustees’ powers and duties are defined by the Board of Governors through the Board of Governors delegating certain authorities and responsibilities to the Board of Trustees;

WHEREAS, the Board of Governors’ approval of the “Resolution to Amend and Restate Constituent Institution Board of Trustees Delegations” on July 22, 2021, directed ~~eds~~ each board of trustees of the constituent institutions to identify and restate in one binding resolution all instances in which the board of trustees of the constituent institution has delegated all or some of its delegated authority from whatever source to any committee, person, agency, or entity;

WHEREAS, since the Board of Trustees’ adoption of a Resolution to Amend and Restate Delegated Authority on September 10, 2021 and President Hans’s approval of same on October 12, 2021, the Board of Governors and the University of North Carolina System President have modified the delegations of authority related to salary administration;

WHEREAS, the Board of Trustees wishes to update its delegations in light of the Board of Governors’ and President’s revised delegations with respect to salary administration;

NOW THEREFORE, the Board of Trustees amends and restates the following delegations of authority:

**I. DELEGATIONS CONCERNING THE MEDICAL FACULTY PRACTICE PLAN OF THE BRODY SCHOOL OF MEDICINE**

- Pursuant to [North Carolina General Statute § 116-40.6](#), the Board of Trustees has been delegated the power to adopt and establish policies, procedures, rules, and regulations for the Medical Faculty Practice Plan, a division of the School of Medicine of East Carolina University currently known as “ECU Physicians,” concerning the following:
  - Personnel, including but not limited to schedules of pay and other compensation, annual leave, sick leave, incentive awards programs, grounds for dismissal or discipline, office hours, holidays, and employee disciplinary hearings;
  - Purchases, including but not limited to requests for proposals, competitive bidding, contract negotiations, and contract awards for supplies, materials, equipment, and services;

- Property, including but not limited to acquisition and disposition of property, provisions for development of specifications, advertisement, and negotiations with owners for acquisition by purchase, gift, lease, or rental; and
- Construction, including but not limited to design, construction, and renovation of buildings, utilities, and other property developments for negotiations requiring the expenditure of public money for conducting the fee negotiations for all design contracts and supervising the letting of construction and design contracts, performing the Duties of various state agencies such as the Department of Administration and Office of State Construction, using open-end design agreements, submitting construction documents for review and approval by the Department of Insurance and other agencies, and using standard contracts for design and construction currently in use for State capital improvement projects.

The Board of Trustees delegates all authority of [N.C. Gen. Stat. §116-40.6](#) to the Chancellor as the administrative and executive head of East Carolina University. The Chancellor has the authority to sub-delegate this authority, provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees and any sub-delegations of authority to sign contracts is made in compliance with [Regulation 01.10.01 “Delegation of Authority to Sign Contracts—Interim”](#) as it may be amended

- Pursuant to approval of an Office of Risk Management Professional Liability Insurance Program and Plan in 2014, the Board of Governors delegated its authority from [N.C. Gen. Stat. §116-219](#) to purchase professional liability insurance to the ECU Board of Trustees, and the Board of Trustees delegates this authority to the Chancellor, who may further delegate this authority provided a record of any and all sub-delegations is kept on file in the office of the Assistant Secretary to the Board of Trustees and any sub-delegation of authority to sign contracts is made in compliance with [Regulation 01.10.01 “Delegation of Authority to Sign Contracts—Interim”](#) as it may be amended.

## II. DELEGATIONS FOR HUMAN RESOURCES MATTERS

- Pursuant to [The Code of the Board of Governors of the University of North Carolina, Appendix 1, Section 1](#), the Board of Trustees has been delegated the authority to appoint, promote, and set the compensation for EHRA employees, excluding the Chancellor. The Board of Trustees, pursuant to board action on [March 22, 2002](#), delegated broad authority to the Chancellor, to the extent permissible, pursuant to the [Campus Management Flexibility Plan, which is incorporated by reference](#), to appoint and fix compensation for all senior positions. Any additional authority described herein that was not specifically delegated previously, is [hereby](#) specifically delegated to the Chancellor to the extent permissible. The Chancellor may further delegate this authority and change any such sub-delegations, if/as appropriate, provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees and any sub-delegation of authority to sign contracts is made in compliance with [Regulation 01.10.01 “Delegation of Authority to Sign Contracts—Interim”](#) as it may be amended.
- Pursuant to [University of North Carolina Policy Manual 200.6](#) and [University of North Carolina Policy Manual 600.3.4](#), the Board of Trustees has been delegated authority over certain personnel

actions, and the Board of Trustees hereby delegates that authority to the Chancellor to the fullest extent allowed by the delegations and in accordance with applicable UNC Policy Manual provisions and/or Board of Governors directives, ~~pursuant to board action on September 30, 2016, further delegates that authority to the Chancellor for certain salary actions for Employees Exempt from the State Human Resources Act (EHRA). (Resolution and matrix) [The University of North Carolina Policy Manual 600.3.4 (as amended on 04/07/22 and as may be further amended in the future) enumerates specific authority delegated to the Board of Trustees, and the The linked Delegated Authority and Salary Action Thresholds for EHRA Human Resources Classification and Compensation Actions, as revised on 05/11/2022, and as may be further revised in the future, summarizes some of these delegations are summarized in the linked May 2022 Matrix.]- For continuity in operations, if delegations to the Board of Trustees are modified in the future, the Board of Trustees hereby delegates to the Chancellor all such future delegations with respect to salary administration or other personnel matters to the fullest extent allowed by the delegation, provided that the Chancellor informs the Board of Trustees of such new delegations at its next regularly scheduled meeting at which time it may modify the authority delegated to the Chancellor. The Chancellor may further delegate this authority and change any such sub-delegations, if/as appropriate, provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees and any sub-delegation of authority to sign contracts is made in compliance with Regulation 01.10.01 "Delegation of Authority to Sign Contracts—Interim" as it may be amended.~~

- ~~● Pursuant to University of North Carolina Policy Manual 600.3.4 (Granting of Management Flexibility to Appoint and Fix Compensation), the Board of Trustees has been delegated the power to execute the following personnel actions for faculty and EHRA non-faculty instructional, research, and public service (IRPS) [currently known as IRIT] employees: (1) permanent and temporary appointments and salaries; (2) promotion, including faculty rank changes but excluding tenure; and (3) permanent and temporary salary increases or stipends. The Board of Trustees, pursuant to board action on March 22, 2002, delegated broad authority to the Chancellor, to the extent permissible, pursuant to the Campus Management Flexibility Plan, which is incorporated by reference, to appoint and fix compensation for all senior positions. Any additional authority described herein that was not specifically delegated previously, is hereby specifically delegated to the Chancellor to the extent permissible. The Chancellor may further delegate this authority and change any such sub-delegations, if/as appropriate, provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees.~~

- Pursuant to University of North Carolina Policy Manual 300.1.1 and University of North Carolina Policy Manual 300.2.1, the Board of Governors delegated authority to make appointments and determine salaries to the Chancellors and the respective Boards of Trustees for Senior Academic and Administrative Officers (SAAO) Tier II appointments, and to the Chancellor for IRIT (formally known as IRPS) appointments. Separations of SAAO Tier II and IRIT (formally known as IRPS) appointments, including discontinuations with notice, are within the authority of the Chancellor. The Chancellor, pursuant to the Chancellor's Delegation of Authority for Personnel Actions Involving Employees Exempt from the State Human Resources Act (EHRA) Memo Dated August 31, 2021, has delegated that authority to certain specified direct reports.

- ~~● Pursuant to the UNC Policy Manual 600.3.4, simultaneous with the President's authorization of an institution's management flexibility plan, the Board of Trustees is also delegated the authority for the following personnel actions: 1. Establish faculty salary ranges within different academic disciplines, based on relevant data; 2. Appoint and fix the compensation for faculty awarded the~~

~~designation of Distinguished Professors; and 3. Establish IRPS positions and salary ranges. The Board of Trustees, pursuant to board action on [March 22, 2002](#), delegated broad authority to the Chancellor, to the extent permissible, pursuant to the [Campus Management Flexibility Plan](#), which is incorporated by reference, to appoint and fix compensation for all senior positions. Any additional authority described herein that was not specifically delegated previously, is hereby specifically delegated to the Chancellor. The Chancellor may further delegate this authority and change any such sub-delegations, if/as appropriate, provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees.~~

### III. DELEGATIONS FOR CAPITAL IMPROVEMENT PROJECTS

- Pursuant to [The Code of the Board of Governors of the University of North Carolina, Appendix 1, Section VI](#), and the [University of North Carolina Policy Manual 600.1.1](#), the Board of Trustees has been delegated the authority to approve capital improvement projects that are funded entirely with non-General Fund money that are projected that cost less than \$750,000, and pursuant to [Board of Trustees action on March 17, 2020](#), delegates that authority to the Chancellor.

The Attached Exhibit I: Delegated Authority Table (“Table”) is incorporated herein by reference and all authorities are delegated and sub-delegated as indicated therein, provided that the text of this Resolution shall control in the event of any inconsistency between the Table and the Resolution.

Any authority delegated to the Chancellor in this Resolution or Table may be further delegated provided records of any and all sub-delegations are maintained in the office of the Assistant Secretary to the Board of Trustees and any sub-delegation of authority to sign contracts is made in compliance with [Regulation 01.10.01 “Delegation of Authority to Sign Contracts—Interim”](#) as it may be amended.

Notwithstanding any other provision authorized by the Board of Trustees, all authority that has been delegated to the Board of Trustees and has not been expressly identified and further delegated in this Resolution or Table is hereby vested in the authority of the Board of Trustees.

**EXHIBIT 1: DELEGATED AUTHORITY TABLE**

Source	Authority	Delegation	Source	Sub-Delegation	Source
<b>Powers Delegated by the General Assembly</b>					
<a href="#">N.C. Gen. Stat. § 116-36(a).</a>	The board of trustees of each constituent institution shall establish and maintain, pursuant to such terms and conditions, uniformly applicable to all constituent institutions, as the Board of Governors of the University of North Carolina may from time to time prescribe, an endowment fund for the constituent institution.				
<a href="#">N.C. Gen. Stat. § 116-40.6(b)</a>	With respect to the Medical Faculty Practice Plan, the Board of Trustees of ECU shall adopt the policies, procedures, rules and/or regulations governing employment (including compensation, benefits, hours, due process),	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<a href="#">N.C. Gen. Stat. § 116-40.6(c)</a>	With respect to the Medical Faculty Practice Plan, the Board of Trustees of ECU shall adopt the policies, procedures, rules and/or regulations governing purchasing requirements (including proposals, bidding, contract negotiations, etc.)	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<a href="#">N.C. Gen. Stat. § 116-40.6(d)</a>	With respect to the Medical Faculty Practice Plan, the Board of Trustees of ECU shall adopt the policies, procedures, rules and/or regulations governing property acquisition and disposal	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<a href="#">N.C. Gen. Stat. § 116-40.6€</a>	With respect to the Medical Faculty Practice Plan, the Board of Trustees of ECU shall adopt the policies, procedures, rules and/or regulations governing property construction.	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		

<a href="#">N.C. Gen. Stat. § 116-219</a>	Board of Governors is authorized to purchase contracts of insurance or create self-insurance trusts, or a combination of the two insurance models, to provide individual healthcare providers with coverage against claims of personal tort liability based on conduct within the course and scope of healthcare functions undertaken by such individuals as employees, agents, or offices of ECU as a constituent institution of UNC.	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<a href="#">N.C. Gen. Stat. § 116-40.6</a>	Board of Trustees is given authority over various aspects of Medical Faculty Practice Plan	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<b>Powers Delegated by the Board of Governors or President</b>					
<a href="#">The Code, Appendix 1, Section I</a>	Campuses with Management Flexibility will appoint, promote, and set the compensation for EHRA employees, excluding the Chancellor,	Chancellor	<a href="#">BOT Approved 3/22/02</a> <a href="#">Plan for Management Flexibility to Appoint and Fix Compensation (smaller).pdf (ecu.edu)</a>	Designated Senior Officers	<a href="https://attorney.ecu.edu/wp-content/uploads/sites/158/2019/05/Delegations-of-Contract-Signatory-Authority-from-the-Chancellor.pdf">https://attorney.ecu.edu/wp-content/uploads/sites/158/2019/05/Delegations-of-Contract-Signatory-Authority-from-the-Chancellor.pdf</a>  <a href="#">Delegation of Authority to Sign Contracts – Interim</a>

<a href="#">UNC Policy Manual 200.6</a> and <a href="#">600.3.4</a>	Expanded Authority for certain EHRA Salary Actions	Chancellor	BOT Resolution Approved 6/14/22 the ECU BOT delegated to the Chancellor certain salary actions for Employees Exempt from the State Human Resources Acts (EHRA).  <a href="#">Resolution</a> and May 2022 Delegated Authority and Salary Action Threshold Matrix as may be revised in the future	Designated Senior Officers	BOT Resolution Approved 6/14/22  May 2022 Delegated Authority and Salary Action Threshold Matrix, as may be revised in the future
<a href="#">UNC Policy Manual 300.1.1</a> and <a href="#">300.2.1</a>	Discontinuations of SAO Tier II and IRIT employment	Chancellor	UNC Policy Manual <a href="#">300.1.1</a> and <a href="#">300.2.1</a> (and BOT minutes from September 10, 2021)	Vice Chancellors, Director of Athletics, Chief of Staff	<a href="#">Chancellor's Delegation of Authority for Personnel Actions Involving Employees Exempt from the State Human Resources Act (EHRA) memo dated August 31, 2021</a>
<a href="#">The Code, Appendix 1,</a>	Chancellor Selection				

<a href="#">Section 1.D.</a>					
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<a href="#">The Code, Appendix 1, Section II</a>	<p>The board of trustees shall be responsible for ensuring the institution's compliance with the educational, research, and public service roles assigned to it by the Board of Governors, either by express directive or by promulgated long-range plans of the Board of Governors.</p>				
<a href="#">The Code, Appendix 1, Section III</a>	<p>The board of trustees will determine whether an individual student shall be entitled to receipt of a particular degree.</p>				
<a href="#">The Code, Appendix 1, Section IV.</a>	<p>The board of trustees will be responsible for approving the names of all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by the institution.</p>				
<a href="#">The Code, Appendix 1, Section V.</a>	<p>The board of trustees shall advise the chancellor with respect to budget estimates for the institution and with respect to the execution and administration of the budget of the constituent institution, as approved by the General Assembly and the Board of Governors.</p>				
<a href="#">The Code, Appendix 1, Section VI</a>	<p>The board of trustees has been delegated the authority to prepare and maintain a master plan for the physical development of the institution, consistent with the academic and service mission of the institution as defined and approved by the Board of Governors.</p>				

<p><a href="#">The Code, Appendix 1, Section VI.</a></p> <p><a href="#">The UNC Policy Manual, 600.1.1</a></p>	<p>The board of trustees has been delegated the authority to approve capital improvement projects that are funded entirely with non-General Fund money that are projected to cost less than \$750,000.</p>	<p>Chancellor</p>	<p><a href="#">BOT Minutes March 17, 2020</a></p> <p>BOT delegates to the Chancellor, in consultation with the BOT Finance Committee chair, approval of non-General Fund repair and/or renovation projects whose cost is expected to be less than \$750,000 and report at each Board of Trustees meeting actions taken since the last meeting.</p>		
<p><a href="#">The Code, Appendix 1, Section VI.</a></p> <p><a href="#">The UNC Policy Manual, 600.1.1</a></p>	<p>The board of trustees has been delegated the authority to approve advance planning of capital improvement projects, where the advance planning effort is to be funded entirely with non-General Fund money.</p>				

<p><a href="#">The Code, Appendix 1, Section VI.</a></p> <p><a href="#">UNC Policy Manual 600.1.3</a></p>	<p>The board of trustees have been delegated the power to authorize acquisition or disposition by the institutions of the following interests in real property without obtaining approval of the Board of Governors:</p> <ol style="list-style-type: none"> <li>1. Any interest in real property, other than a leasehold, with a value less than \$500,000; and</li> <li>2. A leasehold interest in real property with an annual value less than \$500,000 and a term of not more than 10 years.</li> </ol>	<p>Chancellor</p>	<p><a href="#">UNC Policy Manual 600.1.3 [R]</a></p> <p>The Chancellor is delegated the authority to authorize for their institutions acquisition or disposition of an interest in real property valued at less than \$50,000 (\$150,000 per management flex) without obtaining the approval of the Board of Trustees or the Board of Governors.</p>	<p>Vice Chancellor for Administration and Finance</p>	<p><a href="https://attorney.ecu.edu/wp-content/uploads/sites/158/2019/05/Delegations-of-Contract-Signatory-Authority-from-the-Chancellor.pdf">https://attorney.ecu.edu/wp-content/uploads/sites/158/2019/05/Delegations-of-Contract-Signatory-Authority-from-the-Chancellor.pdf</a></p> <p><a href="#">Delegation of Authority to Sign Contracts – Interim</a></p>
<p><a href="#">The Code, Appendix, 1, Section IX.</a></p>	<p>The boards of trustees of the constituent institutions shall cause to be collected from each student, at the beginning of each semester, quarter, or term, such tuition, fees, and other amounts necessary to pay other expenses for the term, as have been approved by the Board of Governors. [See G.S. 116-11(7) and G.S. 116-143]</p>				

<p><a href="#"><u>The Code, Appendix 1, Section X.</u></a></p>	<p>All scholarships and other forms of financial aid to students which are limited in their application to or are supported from sources generated by an individual campus shall be administered by the constituent institution pursuant to such regulations as may be prescribed by the board of trustees and subject to the terms of any applicable laws and to policies of the Board of Governors.</p>				
<p><a href="#"><u>The Code, Appendix 1, Section XI.</u></a></p>	<p>Each board of trustees, upon recommendation of the chancellor, shall determine the type, level, and extent of student services (such as health care, athletic programs, and counseling) to be maintained for the benefit of students at the institution, subject to general provisions concerning types and levels of student services as may be prescribed by the Board of Governors.</p>				

Powers Delegated Through Special Responsibility Constituent Institution or Management Flexibility Status					
<p><a href="#">The UNC Policy Manual, 600.3.4</a></p>	<p>Expanded Authority for certain EHRA Salary Actions</p>	<p>Chancellor</p>	<p><a href="#">BOT Approved 3/22/02</a></p> <p><a href="#">Plan for Management Flexibility to Appoint and Fix Compensation (smaller).pdf (ecu.edu)</a></p> <p>BOT Resolution Approved 6/14/22 the ECU BOT delegated to the Chancellor certain salary actions for Employees Exempt from the State Human Resources Acts (EHRA).</p> <p><a href="#">Resolution</a> and May 2022 Delegated Authority and Salary Action Threshold Matrix, as may be revised in the future</p>	<p>Designated Senior Officers</p>	<p>BOT Resolution Approved 6/14/22</p> <p>May 2022 Delegated Authority and Salary Action Threshold Matrix, as may be revised in the future</p>

**EXHIBIT 1: DELEGATED AUTHORITY TABLE**

Source	Authority	Delegation	Source	Sub-Delegation	Source
<b>Powers Delegated by the General Assembly</b>					
<a href="#">N.C. Gen. Stat. § 116-36(a).</a>	The board of trustees of each constituent institution shall establish and maintain, pursuant to such terms and conditions, uniformly applicable to all constituent institutions, as the Board of Governors of the University of North Carolina may from time to time prescribe, an endowment fund for the constituent institution.				
<a href="#">N.C. Gen. Stat. § 116-40.6(b)</a>	With respect to the Medical Faculty Practice Plan, the Board of Trustees of ECU shall adopt the policies, procedures, rules and/or regulations governing employment (including compensation, benefits, hours, due process),	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<a href="#">N.C. Gen. Stat. § 116-40.6(c)</a>	With respect to the Medical Faculty Practice Plan, the Board of Trustees of ECU shall adopt the policies, procedures, rules and/or regulations governing purchasing requirements (including proposals, bidding, contract negotiations, etc.)	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<a href="#">N.C. Gen. Stat. § 116-40.6(d)</a>	With respect to the Medical Faculty Practice Plan, the Board of Trustees of ECU shall adopt the policies, procedures, rules and/or regulations governing property acquisition and disposal	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<a href="#">N.C. Gen. Stat. § 116-40.6€</a>	With respect to the Medical Faculty Practice Plan, the Board of Trustees of ECU shall adopt the policies, procedures, rules and/or regulations governing property construction.	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		

<a href="#">N.C. Gen. Stat. § 116-219</a>	Board of Governors is authorized to purchase contracts of insurance or create self-insurance trusts, or a combination of the two insurance models, to provide individual healthcare providers with coverage against claims of personal tort liability based on conduct within the course and scope of healthcare functions undertaken by such individuals as employees, agents, or offices of ECU as a constituent institution of UNC.	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<a href="#">N.C. Gen. Stat. § 116-40.6</a>	Board of Trustees is given authority over various aspects of Medical Faculty Practice Plan	Chancellor	Resolution Adopted at September 10, 2021 BOT Meeting		
<b>Powers Delegated by the Board of Governors or President</b>					
<a href="#">The Code, Appendix 1, Section I</a>	Campuses with Management Flexibility will appoint, promote, and set the compensation for EHRA employees, excluding the Chancellor,	Chancellor	<a href="#">BOT Approved 3/22/02</a> <a href="#">Plan for Management Flexibility to Appoint and Fix Compensation (smaller).pdf (ecu.edu)</a>	<del>Provost &amp; Vice Chancellors Designated Senior Officers</del>	<a href="https://attorney.ecu.edu/wp-content/uploads/sites/158/2019/05/Delegations-of-Contract-Signatory-Authority-from-the-Chancellor.pdf">https://attorney.ecu.edu/wp-content/uploads/sites/158/2019/05/Delegations-of-Contract-Signatory-Authority-from-the-Chancellor.pdf</a>  <a href="#">Delegation of Authority to Sign Contracts – Interim</a>

<p><a href="#">UNC Policy Manual 200.6</a> and <a href="#">600.3.4</a></p>	<p>Expanded Authority for certain EHRA Salary Actions</p>	<p>Chancellor</p>	<p><a href="#">BOT Resolution Approved 6/14/22 Board of Trustees Minutes Sept. 30, 2016</a>  the ECU BOT delegated to the Chancellor certain salary actions for Employees Exempt from the State Human Resources Acts (EHRA).</p> <p><a href="#">Resolution and May 2022 Delegated Authority and Salary Action Threshold Matrix as may be revised in the future</a>  <a href="#">Resolution and May 2022 Delegated Authority and Salary Action Threshold Matrix Salary Increase Pre-Approval Matrix</a></p>	<p><a href="#">Certain members of the Chancellor's direct reports Designated Senior Officers</a></p>	<p><a href="#">BOT Resolution Approved 6/14/22</a>  <a href="#">May 2022 Delegated Authority and Salary Action Threshold Matrix, as may be revised in the future</a>  <a href="#">Salary Increase Pre-Approval Matrix</a></p>
<p><a href="#">UNC Policy Manual</a></p>	<p>Discontinuations of SAAO Tier II and IRIT employment</p>	<p>Chancellor</p>	<p>UNC Policy Manual <a href="#">300.1.1</a> and <a href="#">300.2.1</a> (and</p>	<p>Vice Chancellors, Director of</p>	<p><a href="#">Chancellor's Delegation of Authority for</a></p>



<a href="#">300.1.1</a> and <a href="#">300.2.1</a>			BOT minutes from September 10, 2021)	Athletics, Chief of Staff	<a href="#">Personnel Actions Involving Employees Exempt from the State Human Resources Act (EHRA) memo dated August 31, 2021</a>
<a href="#">The Code, Appendix 1, Section 1.D.</a>	Chancellor Selection				

<a href="#">The Code, Appendix 1, Section II</a>	<p>The board of trustees shall be responsible for ensuring the institution's compliance with the educational, research, and public service roles assigned to it by the Board of Governors, either by express directive or by promulgated long-range plans of the Board of Governors.</p>				
<a href="#">The Code, Appendix 1, Section III</a>	<p>The board of trustees will determine whether an individual student shall be entitled to receipt of a particular degree.</p>				
<a href="#">The Code, Appendix 1, Section IV.</a>	<p>The board of trustees will be responsible for approving the names of all individuals on whom it is proposed that an honorary degree or other honorary or memorial distinction be conferred by the institution.</p>				
<a href="#">The Code, Appendix 1, Section V.</a>	<p>The board of trustees shall advise the chancellor with respect to budget estimates for the institution and with respect to the execution and administration of the budget of the constituent institution, as approved by the General Assembly and the Board of Governors.</p>				
<a href="#">The Code, Appendix 1, Section VI</a>	<p>The board of trustees has been delegated the authority to prepare and maintain a master plan for the physical development of the institution, consistent with the academic and service mission of the institution as defined and approved by the Board of Governors.</p>				

<p><a href="#">The Code, Appendix 1, Section VI.</a></p> <p><a href="#">The UNC Policy Manual, 600.1.1</a></p>	<p>The board of trustees has been delegated the authority to approve capital improvement projects that are funded entirely with non-General Fund money that are projected to cost less than \$750,000.</p>	<p>Chancellor</p>	<p><a href="#">BOT Minutes March 17, 2020</a></p> <p>BOT delegates to the Chancellor, in consultation with the BOT Finance Committee chair, approval of non-General Fund repair and/or renovation projects whose cost is expected to be less than \$750,000 and report at each Board of Trustees meeting actions taken since the last meeting.</p>		
<p><a href="#">The Code, Appendix 1, Section VI.</a></p> <p><a href="#">The UNC Policy Manual, 600.1.1</a></p>	<p>The board of trustees has been delegated the authority to approve advance planning of capital improvement projects, where the advance planning effort is to be funded entirely with non-General Fund money.</p>				

<p><a href="#">The Code, Appendix 1, Section VI.</a></p> <p><a href="#">UNC Policy Manual 600.1.3</a></p>	<p>The board of trustees have been delegated the power to authorize acquisition or disposition by the institutions of the following interests in real property without obtaining approval of the Board of Governors:</p> <ol style="list-style-type: none"> <li>1. Any interest in real property, other than a leasehold, with a value less than \$500,000; and</li> <li>2. A leasehold interest in real property with an annual value less than \$500,000 and a term of not more than 10 years.</li> </ol>	<p>Chancellor</p>	<p><a href="#">UNC Policy Manual 600.1.3 [R]</a></p> <p>The Chancellor is delegated the authority to authorize for their institutions acquisition or disposition of an interest in real property valued at less than \$50,000 (\$150,000 per management flex) without obtaining the approval of the Board of Trustees or the Board of Governors.</p>	<p>Vice Chancellor for Administration and Finance</p>	<p><a href="https://attorney.ecu.edu/wp-content/uploads/sites/158/2019/05/Delegations-of-Contract-Signatory-Authority-from-the-Chancellor.pdf">https://attorney.ecu.edu/wp-content/uploads/sites/158/2019/05/Delegations-of-Contract-Signatory-Authority-from-the-Chancellor.pdf</a></p> <p><a href="#">Delegation of Authority to Sign Contracts – Interim</a></p>
<p><a href="#">The Code, Appendix, 1, Section IX.</a></p>	<p>The boards of trustees of the constituent institutions shall cause to be collected from each student, at the beginning of each semester, quarter, or term, such tuition, fees, and other amounts necessary to pay other expenses for the term, as have been approved by the Board of Governors. [See G.S. 116-11(7) and G.S. 116-143]</p>				

<p><a href="#"><u>The Code, Appendix 1, Section X.</u></a></p>	<p>All scholarships and other forms of financial aid to students which are limited in their application to or are supported from sources generated by an individual campus shall be administered by the constituent institution pursuant to such regulations as may be prescribed by the board of trustees and subject to the terms of any applicable laws and to policies of the Board of Governors.</p>				
<p><a href="#"><u>The Code, Appendix 1, Section XI.</u></a></p>	<p>Each board of trustees, upon recommendation of the chancellor, shall determine the type, level, and extent of student services (such as health care, athletic programs, and counseling) to be maintained for the benefit of students at the institution, subject to general provisions concerning types and levels of student services as may be prescribed by the Board of Governors.</p>				

Powers Delegated Through Special Responsibility Constituent Institution or Management Flexibility Status					
<p><a href="#">The UNC Policy Manual, 600.3.4</a></p>	<p><u>Expanded Authority for certain EHRA Salary Actions</u>  <del>Simultaneous with the president's authorization of an institution's management flexibility plan, the board of trustees of that institution is also delegated the authority for the following personnel actions, which it may further delegate to the chancellor and may authorize the chancellor to further delegate on a limited basis.</del>  <del>1. Establish faculty salary ranges within different academic disciplines, based on relevant data.</del>  <del>2. Appoint and fix the compensation for faculty awarded the designation of Distinguished Professors.</del>  <del>3. Establish IRPS positions and salary ranges.</del></p>	<p>Chancellor</p>	<p><a href="#">BOT Approved 3/22/02</a></p> <p><a href="#">Plan for Management Flexibility to Appoint and Fix Compensation (smaller).pdf (ecu.edu)</a></p> <p><a href="#">BOT Resolution Approved 6/14/22 the ECU BOT delegated to the Chancellor certain salary actions for Employees Exempt from the State Human Resources Acts (EHRA).</a></p> <p><a href="#">Resolution and May 2022 Delegated Authority and Salary Action Threshold Matrix, as may be revised in the future</a></p>	<p><a href="#">Designated Senior Officers</a></p>	<p><a href="#">BOT Resolution Approved 6/14/22</a></p> <p><a href="#">May 2022 Delegated Authority and Salary Action Threshold Matrix, as may be revised in the future</a></p>

	Position Type	Authority Delegated to All BOTs (may delegate to Chancellor)	Authority Delegated only to BOTs with Management Flexibility	Authority Delegated to the President	Authority Retained by Board of Governors
SAAO TIER I	<ul style="list-style-type: none"> <li>Chancellors</li> <li>CEO, UNC Health</li> <li>CEO, PBS NC</li> </ul>	<ul style="list-style-type: none"> <li>n/a</li> </ul>	<ul style="list-style-type: none"> <li>n/a</li> </ul>	<ul style="list-style-type: none"> <li>n/a</li> </ul>	<ul style="list-style-type: none"> <li><b>All permanent and temporary</b> salary adjustments</li> </ul>
	<ul style="list-style-type: none"> <li>Provosts</li> <li>Vice Chancellors</li> <li>Deans</li> <li>Other SAAO Tier I</li> </ul>	<ul style="list-style-type: none"> <li>n/a</li> </ul>	<ul style="list-style-type: none"> <li><b>All promotional</b> salary increases (cannot be delegated to the chancellor)</li> <li><b>Permanent non-promotional</b> salary actions that do not exceed <u>EITHER</u> 10% of the June 30 salary <u>OR</u> the 75<sup>th</sup> percentile of the range (cannot be delegated to the chancellor)</li> <li><b>Temporary</b> salary adjustments with a duration up to 36 months <u>OR</u> up to \$50,000 annually above June 30 base salary (cannot be delegated to the chancellor)</li> </ul>	<ul style="list-style-type: none"> <li>For institutions <u>WITHOUT</u> management flexibility (actions must have formal endorsement from institution's BOT):               <ul style="list-style-type: none"> <li><b>All promotional</b> salary increases</li> <li><b>Permanent non-promotional</b> salary increases up to both 10% of the June 30 salary <u>AND</u> the 75<sup>th</sup> percentile of the range</li> <li><b>Temporary</b> salary adjustments regardless of duration or amount</li> </ul> </li> <li>For institutions <u>WITH</u> management flexibility (actions must have formal endorsement from institution's BOT):               <ul style="list-style-type: none"> <li><b>Permanent non-promotional</b> salary increases that exceed <u>EITHER</u> 10% of the June 30 salary <u>OR</u> the 75<sup>th</sup> percentile of the range</li> <li><b>Temporary</b> salary adjustments with a duration over 36 months <u>AND/OR</u> over \$50,000 annually above June 30 base salary</li> </ul> </li> <li><b>Emergency retention</b> salary increases in consultation with CUP chair</li> </ul>	<ul style="list-style-type: none"> <li><b>Non-promotional</b> salary increases that exceed 10% of the June 30 base salary <u>AND</u> exceed the 75<sup>th</sup> percentile of the range (must have formal endorsement from institution's BOT)</li> <li><b>All other salary actions</b> not otherwise delegated to BOTs or to the president</li> </ul>
SAAO TIER II	<ul style="list-style-type: none"> <li>Assoc./Asst. Provosts</li> <li>Assoc./Asst. VCs</li> <li>Vice Deans</li> <li>Assoc./Asst. Deans</li> <li>Athletic Directors</li> <li>Other SAAO Tier II</li> </ul>	<ul style="list-style-type: none"> <li><b>All promotional</b> salary increases</li> <li><b>Permanent non-promotional</b> salary increases up to a new base salary of \$125,000 <u>that do not</u> (1) exceed 10% of the June 30 base salary or (2) exceed the 75<sup>th</sup> percentile of the range, or both</li> <li><b>Temporary</b> salary adjustments related to interim, acting, or other time-limited assignments or appointments with a duration of up to 36 months <u>OR</u> up to \$50,000 annually above June 30 base salary</li> </ul>	<ul style="list-style-type: none"> <li>n/a</li> </ul>	<ul style="list-style-type: none"> <li><b>Permanent non-promotional</b> salary increases that <u>both</u> exceed a new base salary of \$125,000 <u>AND EITHER</u> (1) exceed 10% of the June 30 salary or (2) exceed the 75<sup>th</sup> percentile of the range, or both</li> <li><b>Temporary</b> salary adjustments with a duration over 36 months <u>AND</u> \$50,000 annually above June 30 base salary</li> </ul>	

	Position Type	Authority Delegated to All BOTs (may delegate to Chancellor)	Authority Delegated only to BOTs with Management Flexibility	Authority Delegated to the President	Authority Retained by Board of Governors
IRIT	<ul style="list-style-type: none"> <li>Instructional</li> <li>Research</li> <li>Information Technology</li> <li>Other IRIT</li> </ul>	<ul style="list-style-type: none"> <li>All promotional salary increases</li> <li>Permanent non-promotional salary adjustments within established salary ranges</li> <li>Temporary salary adjustments related to interim, acting, or other time-limited assignments or appointments with a duration of up to 36 months OR up to \$50,000 annually above June 30 base salary</li> </ul>	<ul style="list-style-type: none"> <li>n/a</li> </ul>	<ul style="list-style-type: none"> <li>Temporary salary adjustments with a duration over 36 months AND \$50,000 annually above June 30 base salary</li> </ul>	
	<ul style="list-style-type: none"> <li>Head Coaches</li> <li>Assoc./Asst. Coaches</li> </ul>	<ul style="list-style-type: none"> <li>All promotional salary increases</li> <li>Permanent non-promotional salary increases that do not exceed 25% of the June 30 base salary AND do not exceed \$25,000</li> <li>Temporary salary adjustments related to interim, acting, or other time-limited assignments or appointments with a duration of up to 36 months OR up to \$50,000 annually above June 30 base salary</li> </ul>	<ul style="list-style-type: none"> <li>n/a</li> </ul>	<ul style="list-style-type: none"> <li>Temporary salary adjustments with a duration over 36 months AND exceed \$50,000 annually above June 30 base salary</li> </ul>	<ul style="list-style-type: none"> <li>Permanent non-promotional salary increases that exceed 25% of the June 30 salary AND exceed \$25,000</li> </ul>
FACULTY		<ul style="list-style-type: none"> <li>All promotional salary increases</li> <li>Permanent non-promotional salary adjustments within established salary ranges</li> <li>Academic department chair or academic department head increases not greater than \$50,000 annually above June 30 total compensation</li> <li>Clinical department chair, clinical department head, or clinical division head appointments within a School of Medicine or Dentistry increases not greater than \$75,000 annually for the duration of such appointment</li> <li>Temporary salary adjustments with a duration of up to 36 months OR up to \$50,000 annually above June 30 base salary</li> </ul>	<ul style="list-style-type: none"> <li>Permanent salary increases for Distinguished Professorships (may be delegated to chancellor or designees)</li> </ul>	<ul style="list-style-type: none"> <li>Permanent salary increases for Distinguished Professorships (for institutions without Management Flexibility)</li> <li>Academic department chair or academic department head increases greater than \$50,000 annually above June 30 total compensation</li> <li>Clinical department chair, clinical department head, or clinical division head appointments within a School of Medicine or Dentistry increases greater than \$75,000 annually for the duration of such appointment</li> <li>Temporary salary adjustments with a duration over 36 months AND \$50,000 annually above June 30 base salary</li> </ul>	

**NOTES**

- The term “appoint” means the initial appointment, reappointment, or an appointment that constitutes a formal promotion. “Promotion” includes externally and internally posted events with an application pool of 2 or more people; EHRA waivers approved by the campus EEO Officer; and Academic Rank Promotions.
- The term “non-promotional” means salary actions that do not relate to assuming an entirely new position but rather adjusting the salary of the existing position for reasons such as labor market, equity, retention, additional duties, reclassification, and other permitted miscellaneous reasons. This also includes sustained supplemental pay for secondary or administrative assignments (as opposed to temporary, acting, and interim appointments)
- Any listed delegated authority listed above does not permit exceeding the relevant salary range established by the UNC System Office for the position in which an individual is serving in an interim or acting capacity.



The UNC Policy Manual  
 600.3.4  
 Adopted 01/11/02  
 Amended 07/12/02  
 Amended 01/09/04  
 Amended 02/11/05  
 Amended 07/01/07  
 Amended 07/29/16  
 Amended 03/23/18  
 Technical Corrections 09/22/21  
Amended 04/07/22

**Policy on the Delegations of Authority and Granting of Management Flexibility to Appoint and Fix Compensation on Human Resources Matters**

I. Purpose

A. Pursuant to N.C.G.S. 116-11(13) (G.S.), and other North Carolina law as referenced herein, and in an effort to enhance the administrative efficiency of the University, the Board of Governors has delegated to the president the authority to establish a human resources program and to approve management flexibility plans at constituent institutions for faculty and EHRA non-faculty (those employees exempt from various provisions within Chapter 126 of the North Carolina General Statutes).<sup>1</sup>

B. In accordance with this authority, the president may further delegate authority for approving human resources matters ~~within the UNC System Office. Section II of this policy describes authorities that may be delegated by the president for human resources actions to the boards of trustees of all the constituent institutions. Section III delineates such delegations that are reserved solely for institutions with management flexibility (special responsibility constituent institutions as per UNC Policy Manual 600.3.1).~~

~~C. — Also in accordance with this authority, the president hereby further delegates the authority to administer certain human resources actions as described in section II of this policy to the boards of trustees for all constituent institutions.~~

~~D. — Also in accordance with this authority, the president hereby further delegates additional authority to administer certain human resources actions as described in section III of this policy to the boards of trustees for institutions with management flexibility (special responsibility constituent institutions).~~

EC. The authority granted by the Board of Governors through the president is subject to *The Code* of the University of North Carolina (*The Code*), policies of the Board of Governors, and all applicable federal and state laws, policies, regulations, and rules.<sup>2</sup> Along with any other rules and regulations the Board of Governors and/or the president adopt, this policy requires each constituent institution to comply with all rules and regulations concerning equal employment opportunity; to act in recognition of funding availability and constraints within each institution's budget; and to take into account the actions of the Governor, the Office of State Budget and Management, and the North Carolina General Assembly.

II. Authority Delegated to All Constituent Institutions (With or Without Management Flexibility)

A. The president delegates to the ~~board~~boards of trustees for ~~each~~all constituent ~~institution~~institutions the authority to execute the following personnel actions for ~~faculty and EHRA non-faculty instructional, research, and public service (IRPS)-EHRA~~ employees:

1. Permanent and temporary appointments<sup>3</sup> and salaries within the salary ranges established by the UNC System Office, excluding Tier I Senior Academic and Administrative Officers (Tier I SAAOs).

~~2. Promotion, including faculty rank changes but excluding tenure.~~

~~3. Permanent and temporary salary increases or stipends.~~

2. Permanent non-promotional<sup>4</sup> salary adjustments within the salary ranges established by the UNC System Office for all EHRA non-faculty employees excluding Tier I and Tier II SAAOs and head coaches, associate coaches, and assistant coaches for which delegations are otherwise specified herein.

3. Permanent non-promotional salary adjustments within the salary ranges established by the UNC System Office for Tier II SAAOs up to a new base salary of \$125,000 and that do not exceed 10 percent of the June 30 base salary as of the most recent fiscal year or that do not exceed the 75<sup>th</sup> percentile of the salary range regardless of amount of increase.

4. Non-promotional salary increases for head coaches, associate coaches, and assistant coaches that do not exceed 25 percent of the June 30 base salary as of the most recent fiscal year and do not exceed \$25,000.

5. Temporary salary actions for the duration of an appointment as an academic department chair or academic department head not greater than \$50,000 annually above the total compensation in effect at the end of the last fiscal year. For clinical department chair, clinical department head, or clinical division head appointments within a School of Medicine or Dentistry, this delegated authority is not greater than \$75,000 annually for the duration of such appointment.

6. All other temporary salary adjustments related to interim, acting, or other time-limited assignments or appointments with a duration of up to 36 months or up to \$50,000 annually above the base salary in effect at the end of the last fiscal year, excluding such actions for Tier I SAAOs. This delegated authority does not permit exceeding the relevant salary range established by the UNC System Office for the position in which an individual is serving in an interim or acting capacity.

7. Faculty rank promotions but excluding conferral of tenure. All such faculty rank promotions must fall within the established salary range for the role.

B. The president further authorizes the boards of trustees for the constituent institutions to delegate any of these actions to their chancellors, or to specific designees of the chancellor by title, as they deem appropriate, excluding actions for Tier I SAAOs.

C. Notwithstanding the ~~delegations above provisions in sections II.A. and II.B.,~~ the president may ~~establish regulations and guidelines that modify, suspend, or limit delegation for certain actions (for example, salary adjustments) within these categories~~ one or more of the aforementioned delegations of authority at the president's discretion by administrative memorandum or duly authorized regulation.

### III. Delegation of Authority to Boards of Trustees of Institutions with Management Flexibility

A. Simultaneous with the president's authorization of an institution's management flexibility plan, the board of trustees of that institution is delegated the authority to execute the following additional personnel actions in addition to those enumerated in section II.A. of this policy, which it shall not delegate further unless the president or the Board of Governors shall allow/permit.<sup>5</sup>

1. Upon recommendation of the chancellor, appoint all permanent and temporary appointments<sup>6</sup> and fix the salary and non-salary compensation<sup>7</sup> for all vice chancellors and other Tier 1 senior academic and administrative officers (as defined in Section 300.1.1 I.A. of the UNC Policy Manual) Tier I SAAOs, with the exclusion of the chancellor, within the salary ranges established by the UNC System Office.

~~2. Approve appointments and salary changes for SAAO Tier 1 appointments, with the exclusion of the chancellor.~~

~~3. Upon recommendation of the chancellor, establish salary ranges for SAAO Tier 2 positions, consistent with both the salary ranges and the policies established by the Board of Governors and the regulations and guidelines established by the president. The institution may otherwise elect to adopt salary ranges established by the UNC System Office for these positions.~~

4.2. Upon recommendation of the chancellor, and consistent with the approved tenure policies and regulations of each institution, confer permanent tenure.

3. Upon recommendation of the chancellor, all permanent non-promotional salary adjustments for Tier I SAAOs within the salary ranges established by the UNC System Office that do not exceed either 10 percent of the June 30 base salary as of the most recent fiscal year or that do not exceed the 75<sup>th</sup> percentile of the salary range regardless of amount of increase. Any Tier I SAAO actions transmitted for approval by the president and/or Board of Governors must receive prior formal endorsement by the institution's board of trustees.

B. Simultaneous with the president's authorization of an institution's management flexibility plan, the board of trustees of that institution is also delegated the authority for the following personnel actions, which it may further delegate to the chancellor and may authorize the chancellor to further delegate ~~on a limited basis to specific designees of the chancellor by title, as~~ they deem appropriate.<sup>8</sup>

~~1. Establish faculty salary ranges within different academic disciplines, based on relevant data.~~

21. Appoint and fix the compensation for faculty awarded the designation of Distinguished Professors.

32. ~~Establish IRPS positions and salary ranges.~~ When authorized by the president or the president's designee, establish faculty salary ranges within different academic disciplines, based on relevant market data. These salary ranges shall be subject to review and approval by the UNC System Office upon request. Absent such an authorization by the president, the constituent institutions shall utilize faculty salary ranges established by the UNC System Office.

C. ~~Salaries and salary ranges shall be consistent with salary ranges established or authorized by the UNC System Office and consistent with guidelines established by the president. Notwithstanding the delegations above and the provisions of any existing approved management flexibility plan, the Board of Governors and/or in sections III.A. and III.B., the president may establish policies, regulations, or guidelines that modify, suspend, or limit delegation for certain actions (such as establishing mandatory salary ranges or salary adjustments) within the delegations listed in III.A., and III.B. one or more of the aforementioned delegations of authority at his or her discretion by administrative memorandum or duly authorized regulation.~~

#### IV. Responsibility of the Board of Governors and the President

A. The Board of Governors ~~shall~~:

1. ~~Issue~~ Shall issue a resolution each year that ~~(a)~~ interprets legislative action regarding University employee salaries ~~and (b) sets annually or delegates such authority by resolution as it deems appropriate to the president.~~

2. Shall set every other year, or more frequently as it shall decide, the salary range for the president and, in consultation with the president, the salary ranges for the chancellors. These ranges will be based upon relevant available market data.

23. ~~Authorize~~ Shall authorize the president's salary and, based on recommendations from the president, the chancellors' salaries.

34. ~~Authorize~~ Shall authorize appointments and employment contracts for the chancellors, the president, the chief executive officer of the UNC Center for Public Media<sup>9</sup> ~~director~~, and the chief executive officer of the UNC Health Care System as well as authorize certain contract terms and conditions for athletic directors and head coaches at constituent institutions as defined in Section 1100.3 of the UNC Policy Manual.

5. May authorize permanent salary adjustments for the president and chancellors, regardless of amount. The president will continue to consult with the Board on salary adjustments for the president's senior team.

6. May authorize all non-promotional salary increases for head coaches, associate coaches, and assistant coaches that exceed 25 percent of the base salary in effect at the end of the last fiscal year and exceed \$25,000.

7. May authorize all other salary actions for Tier I SAAOs that are not otherwise delegated to the boards of trustees of the constituent institutions or to the president.

B. The president ~~or president's designees shall:~~

1. ~~Establish~~ Will review and approve the establishment of all SAAO Tier 1 and SAAO Tier 2 positions and their salary ranges, with the exclusion of those defined in IV.A., above. In addition, the president will consult with the Board's Committee on University Personnel for appointments and compensation for senior officers who report directly to the president and may approve emergency retention salary adjustments for Tier I SAAOs of the constituent institutions and of the UNC System Office in consultation with the chair of the committee. Any such emergency retention salary adjustments will be reported to the Committee on University Personnel at its next scheduled meeting.

2. ~~The president may~~ May authorize any significant changes in the organizational structure of a constituent institution, such as re-organization resulting in the creation of a new vice chancellor, dean, or equivalent administrative position.

3. ~~Review~~ Will review annually the faculty salaries set by the medical schools at the University of North Carolina at Chapel Hill and East Carolina University to ensure that the salaries are coordinated and are consistent with relevant data in a national medical labor market.

4. ~~Provide~~ Will provide at least annually to the constituent institutions guidelines regarding EHRA appointments and salary actions.

~~5. Provide periodic faculty salary studies based on peer data.~~

5. Will provide faculty salary ranges by rank and discipline to the constituent institutions for their use unless an institution is authorized by the president or president's designee to develop such ranges independently subject to UNC System Office review.

6. ~~Withdraw~~ May withdraw or further limit the delegation of management flexibility from any institution that does not adhere to the policies and procedures set forth in this policy. The president will notify the institution of the discrepancies, and if these are not adequately addressed in the judgment of the president, then the president shall withdraw the delegation. The president may reinstate delegation or remove restrictions to a constituent institution upon further review and following the requirements established in section V., of this policy.

7. Will establish classification categories and salary ranges for EHRA IRIT positions.

8. May approve temporary salary adjustments for EHRA employees that exceed the authority granted to constituent institution boards of trustees and not otherwise retained by the Board of Governors.

9. May authorize Tier I SAAO non-promotional salary increases for institutions with management flexibility that exceed 10 percent of the June 30 base salary as of the most recent fiscal year or the 75<sup>th</sup> percentile of the salary range regardless of amount of

increase. Any Tier I SAAO actions transmitted for approval by the president must receive prior formal endorsement by the institution's board of trustees.

10. May authorize Tier I SAAO non-promotional salary increases for institutions without management flexibility that do not exceed 10 percent of the base salary in effect at the end of the last fiscal year and the 75th percentile of the salary range. Any Tier I SAAO actions transmitted for approval by the president must receive prior formal endorsement by the institution's board of trustees.

11. May authorize all Tier II SAAO non-promotional salary increases not otherwise delegated to the boards of trustees of the constituent institutions.

C. The Board of Governors and/or the president shall:

1. Conduct performance audits on policies, practices, and other matters related to delegation of management flexibility.

2. For institutions without management flexibility, the president and the Board of Governors shall have the same responsibilities and authority as set forth in Section 300.6.1 of the UNC Policy Manual, *Policy on Selection Criteria and Operating Guidelines for Special Responsibility Constituent Institutions*.<sup>10</sup>

V. Submitting Institutional Plans for Management Flexibility for Personnel Appointments. The president has the authority to approve institutional management flexibility plans for personnel appointments. Upon approval, the board of trustees of a special responsibility constituent institution<sup>11</sup> shall have the authority delegated by this policy. An institutional plan shall include the following:

A. Policies and procedures for promotion and tenure of faculty.

1. An institutional policy for promotion and tenure<sup>12</sup> that complies with *The Code of the University of North Carolina System*, complies with current federal and state law, and provides clear requirements for promotion and the conferral of permanent tenure.

2. A schedule and process for periodic review of promotion and tenure policies, including a process for amending promotion and tenure policies subject to review by the president or president's designee.

B. Policies and procedures for salary administration and recruitment and selection of senior academic and administrative officers (SAAO) and EHRA non-faculty.

~~1. Policies and procedures for establishing salary ranges for SAAO Tier 2 and for instructional, research, and public service (IRPS) EHRA non-faculty positions, consistent with the salary ranges and the policies established by the Board of Governors and the regulations and guidelines established by the president. The institution may otherwise elect to adopt salary ranges established by the UNC System Office for these positions.~~

~~2. Policies and procedures for the recruitment and selection of senior academic and administrative officers and other EHRA non-faculty positions.~~

- C. Policies and procedures for compensation policies for faculty and EHRA non-faculty.
1. An institutional policy on non-salary compensation of faculty and EHRA non-faculty, and on compensation from non-state sources such as grants, endowment funds, practice plan funds, etc.
  2. Documentation of comprehensive salary studies that establish salary ranges for tenured faculty within different disciplines based on relevant ~~data and for EHRA non-faculty, including methodology and relevant data~~ market data in the event the constituent institution is delegated authority to establish such ranges by the UNC System Office.<sup>13</sup>
  3. Documentation of EHRA salary-setting guidelines provided to institutional management.
- D. Policies and procedures for audits and accountability.
1. Documentation that the institution has not had audit findings related to personnel practices, salary, or payroll for the previous three years or, if there have been audit findings in this period, documentation supporting that any findings have been remedied.
  2. Documentation of appropriate accountability procedures ~~in the event that if~~ the board of trustees delegates the authority granted pursuant to this policy to the chancellor.
- VI. Implementation of the Delegated Authority under Management Flexibility. The president shall determine the effective date of the delegation authorized by this policy upon approval of the institution's management flexibility plan.
- VII. Other Matters
- A. Effective Date. The requirements of this policy shall be effective on the date of adoption of this policy by the Board of Governors.
  - B. Relation to State Laws. The foregoing policy as adopted by the Board of Governors is meant to supplement, and does not purport to supplant or modify, those statutory enactments which may govern or relate to the subject matter of this policy.
  - C. Regulations and Guidelines. This policy shall be implemented and applied in accordance with such regulations and guidelines as may be adopted from time to time by the president.

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<sup>1</sup>Section 200.6 of the UNC Policy Manual.

<sup>2</sup>See Section 200.6 of the UNC Policy Manual for limitations on the president's delegated authority.

<sup>3</sup>For the purpose of this policy, the term "appoint" means the initial appointment, reappointment, or an appointment that constitutes a formal promotion.

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<sup>4</sup>~~For the purpose of this policy, the term “non-promotional” means salary actions that do not relate to assuming an entirely new position but rather adjusting the salary of the existing position for reasons such as labor market, equity, retention, additional duties, reclassification, and other permitted miscellaneous reasons.~~

<sup>5</sup>The delegation authorized by this policy is in addition to the delegation by the Board of Governors to the boards of trustees contained in the Appendix 1 to *The Code*.

<sup>6</sup>~~For the purpose of this policy, the term “appoint” means the initial appointment, reappointment, or an appointment that constitutes a promotion or a significant change in position responsibilities.~~

<sup>7</sup>Throughout this policy, all actions of a board of trustees of a special responsibility constituent institution to “fix the compensation” of employees are subject to the limitations contained in sections II and III of this policy; the policies of the Board of Governors; guidelines and regulations established by the president; and institutional plans, policies, and procedures.

<sup>8</sup>The chancellor may delegate authority only to the executive vice chancellor, provost, chief financial officer/chief business officer, and/or chief human resources officer, or any other director-level or senior officer with responsibility for campus-wide EHRA human resources actions.

<sup>9</sup>~~Use of “UNC Center for Public Media” in statute refers to PBS North Carolina.~~

<sup>10</sup>See in particular Section 600.3.1.A.2.

<sup>11</sup>In order for an institution to have management flexibility for personnel appointments, the institution must be designated and maintain the status of a special responsibility constituent institution.

<sup>12</sup>As applied to the North Carolina School of the Arts and the North Carolina School of Science and Mathematics, the terms “tenure policy” or “policy for promotion and tenure,” as used herein, refer to the institution’s policy governing the appointment of faculty.

<sup>13</sup>When used in this policy, the phrase “relevant data” indicates that the institution shall draw comparisons to peer institutions as approved by the Board of Governors. Data from peer institutions will be used when available except in instances in which a campus can demonstrate legitimate labor market differences that justify the use of a supplemental or alternative set of peer institutions.



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## MEMORANDUM

To: Dr. Philip Rogers, Chancellor  
From: Joseph A. Newsome, Associate University Attorney  
Date: June 6, 2022  
Re: Contract for Michael Schwartz, Head Men's Basketball Coach  
cc: Paul H. Zigas, General Counsel and Vice Chancellor for Legal Affairs

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The purpose of this Memorandum is to provide a summary of the Employment Agreement (“contract”) for Michael Schwartz, Head Men’s Basketball Coach.

Coach Schwartz has been working at ECU since March 24, 2022, under the terms of a Memorandum of Understanding that was entered into and approved by the Board of Trustees on March 16, 2022. The terms set out in the MOU have been detailed in this long-form contract.

The contract sets the initial term for his employment for five years from March 24, 2022 through March 31, 2027. His base salary is set at \$400,000 per year, with an additional \$500,000 per year in supplemental compensation for his work promoting the sale of season tickets, supporting the Pirate Club, and for the production and marketing of broadcast and internet-based programming. Coach Schwartz will also receive the customary benefits of State employees, along with moving expenses and cell phone and automobile allowances. The contract also contains a customary set of incentive bonuses based on academic and athletic achievements.

The contract contains an automatic extension provision that is triggered by Coach Schwartz meeting specific goals during the first four years of his employment. If the team finishes its season with 20 or more wins or if the team finishes in the top third of the AAC, then the term automatically extends for an additional year. There can only be a single one-year extension.

The contract contains a buyout clause. If Coach Schwartz terminates the contract during the first year, the buyout is \$1,600,000. The buyout then decreases each year by \$400,000 through the end of year 4.

The contract contains the customary terms and conditions requiring compliance with NCAA, AAC, ECU, and UNC System policies, along with a provision for termination with cause upon certain circumstances.

If ECU chooses to terminate the Agreement or Schwartz’s employment without cause prior to the end of the term, ECU’s obligation will be to pay the remaining years of base salary, plus any bonuses accrued up to the time of termination. Schwartz would be required to minimize these payments by seeking other employment and the amounts to be paid would be offset by the total compensation Schwartz would expect to receive in his new position.

STATE OF NORTH CAROLINA

COUNTY OF PITT

**EMPLOYMENT AGREEMENT**

**HEAD MEN'S BASKETBALL COACH**

THIS EMPLOYMENT AGREEMENT is made and entered into on this \_\_\_ day of June, 2022 by and between East Carolina University ("ECU" or "UNIVERSITY"), an educational institution and agency of the State of North Carolina, and Michael Schwartz ("COACH") (the "Agreement"), records the agreement of the University and Coach as to the principal terms and conditions under which the University shall employ Coach, and Coach accepts employment as ECU's Head Men's Basketball Coach. This Agreement constitutes a binding agreement between Coach and the University and cancels and supersedes all prior existing oral and written agreements between the University and Coach. In consideration of the mutual promises contained herein, the parties agree as follows:

**I. TERM OF EMPLOYMENT:**

COACH shall be employed as ECU's Men's Basketball Head Coach from March 24, 2022 through March 31, 2027 ("Term"), with the duties and authority ordinarily associated with a head men's basketball coach at a major university that participates at the NCAA Division I. Each twelve-month period during the Term beginning on April 1 and ending on March 31 shall be referred to herein as a "Contract Year." COACH'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. This Agreement is subject to the possibility of a one-time, one-year extension by operation of Section XI.

**II. COMPENSATION & BENEFITS (ALL SUBJECT TO APPLICABLE STATE AND FEDERAL LAWS; DOLLARS STATED IN GROSS AMOUNTS; ALL PARTIAL MONTHS/YEARS PRORATED):**

The University shall provide COACH with the following compensation and benefits:

- a. Annual salary compensation of \$400,000.00 ("Base Salary"), based on a twelve (12) month employment period. The salary will be paid in semi-monthly installments and COACH will receive a pro-rata amount of the Base Salary for each Contract Year. Such installment payment may be in addition to any pro-rata monthly payment amount accrued of any supplemental compensation or bonus due and payable as described herein, and in accordance with Appendix A.
- b. Annual additional compensation of \$500,000.00 for promoting the sale of season tickets, supporting the Pirate Club, and for marketing of weekly broadcast programs (television, radio, and internet) as set out in Appendix A (Section V "Supplemental Compensation") in the amounts and under the conditions herein, subject to such other contingencies as may be stated in this Agreement and Appendix A.
- c. All benefits and other non-salary compensation (such as vehicle allowance, cell phone allowance, and moving expenses) included and as specified in Appendix A, attached hereto and incorporated by reference, 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 Base Salary.

- d. Annual incentive compensation for athletic and academic achievements as set out in detail in Appendix A, which is incorporated herein by reference.

### **III. EMPLOYMENT TERMS:**

COACH will serve as the Head Men's Basketball Coach of the Team and devote his full time, energy, and abilities for the exclusive benefit of ECU as specifically set forth herein. In addition to the terms and duties outlined in this agreement, the parties agree:

- a. The position of COACH 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. COACH'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 COACH is subject and shall abide are contained in the Code of the UNC Board of Governors and ECU's policies, regulations and rules, as revised from time to time. Such policies may be accessed at: <http://www.ecu.edu/PRR>, and <https://www.northcarolina.edu/apps/policy/index.php#policy-tab>, and are incorporated herein by reference. COACH accepts and shall abide by the Code of the UNC Board of Governors and ECU's policies, regulations and rules.
- b. It is expressly understood and agreed by the parties that this Agreement is not effective until COACH has satisfied ECU's background check requirements and, should COACH not satisfy said requirements, this Agreement is null and void and without legal consequence to the Parties.
- c. COACH agrees that ECU may use, without payment of additional compensation to COACH, COACH'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.
- d. COACH shall report to and be under the immediate supervision of the Director of Athletics. COACH agrees that the failure to discharge any of the duties of Head Men's Basketball Coach constitutes a breach of this Agreement that would allow ECU to terminate COACH for cause pursuant to Section VII of this Agreement.
- e. The Director of Athletics for the UNIVERSITY ("Director" or "Director of Athletics") shall provide a written evaluation of the COACH's performance on an annual basis.
- f. If COACH is found to have committed violations of NCAA rules or regulations, whether while employed by ECU or during prior employment at another NCAA member institution, COACH 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 VII 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 III.f. as a basis for protecting the institutional integrity of ECU, then COACH and ECU will, to the extent possible, engage in good faith negotiations to revise this Section III.f. or to substitute an alternative provision that would allow for a materially similar duty to be

imposed upon the COACH 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.

- g. COACH may earn other compensation from sources outside of ECU while employed by ECU only 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.
- h. Only with prior written approval of the Director of Athletics and in compliance with applicable ECU policy, the COACH will be allowed to accept remuneration for commercial endorsements if they: (i) fall within the guidelines of the NCAA and the AAC; (ii) do not conflict with sponsorship agreements entered into by ECU; and (iii) do not reflect unfavorably upon ECU.
- i. COACH may conduct basketball clinics/camps in/at ECU facilities at the discretion of the Athletic Director provided that COACH and COACH'S operation of any such camp must comply with all applicable laws, NCAA and ECU regulations and policies, including ECU's "ECU Programs Serving Minors" Regulation.
- j. In accordance with ECU policy and NCAA Bylaw 11.3.2, which are incorporated herein by reference, COACH shall report annually on July 1 to the Director of Athletics and 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. Such income shall be reported in a manner as prescribed by the Athletics Department, which may be subject to change. COACH shall ensure that upon request ECU has reasonable and prompt access to all records of COACH to verify this report.
- k. For the duration of this Agreement, the COACH shall not enter into or be a party to any shoe, apparel, or equipment agreement, including any agreement that obligates the COACH to wear, promote, endorse, or consult with a manufacturer or seller concerning the design and/or marketing of shoes, apparel, or equipment. This notwithstanding, ECU may require the COACH to comply and COACH shall cooperate with the terms of any shoe, apparel, and equipment agreements entered into by ECU, including but not limited to, requiring the COACH to wear or use a particular brand of shoe, apparel or equipment while performing his duties as the Head Men's Basketball Coach. ECU is entitled to all revenue and/or proceeds derived from any shoe, apparel, or equipment contract entered into by ECU.

#### **IV. COACH'S DUTIES:**

ECU hereby employs COACH as the Head Men's Basketball Coach of the Team with all the duties, responsibilities, and obligations normally associated with the position of Head Men's Basketball Coach at a major university. Duties include, but are not limited to, those articulated in the Head Coach's Addendum, Appendix B, which is fully incorporated by reference.

#### **V. COACH REPRESENTATION AND WARRANTIES:**

COACH represents and warrants that he has disclosed to ECU: (a) any known previous material breach or alleged material breach by COACH 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 COACH 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 COACH, 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 COACH, 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 COACH, 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 COACH's signature below. COACH 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 COACH. For the purpose of clarity, the term "alleged" as used in this Section V means a claim or assertion of which COACH is aware.

#### **VI. COACH SUBJECT TO REASSIGNMENT:**

Throughout the Term of this Agreement, COACH 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 COACH to other positions, for a period not to exceed sixty (60) days and as agreed upon in good faith by COACH, the Director of Athletics, and the Chancellor, with different duties that ECU deems to be reasonably consistent with COACH's education and experience, with no diminution in Base Salary. ECU's obligation to provide non-salary or deferred compensation under Appendix A, Sections II, III, IV, V, and Section VI (if applicable) will terminate upon reassignment at ECU's sole discretion, except that ECU shall pay, subject to the conditions in Appendix A, Sections VI.e, VI.f, and VI.g, the COACH any bonuses earned under Appendix A, Section VI prior to reassignment and any supplemental compensation earned under Appendix A, Section V on a pro-rata basis up to the date of the reassignment. Upon cessation of Head Men's Basketball Coach duties and responsibilities, COACH 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 COACH and COACH refuses to accept such reassignment, then ECU may terminate this Agreement for cause pursuant to Section VII of this Agreement.

#### **VII. TERMINATION BY ECU FOR CAUSE**

This Agreement may be terminated by ECU for cause as determined in the reasonable and good faith judgment of the University. "Cause" shall include, but is not limited to, the acts, omissions, events and/or conditions set forth and defined in the Head Coaches Addendum, Exhibit B, which is fully incorporated herein by reference. In the event ECU exercises its right to terminate the Agreement with cause, the University shall be obligated to pay COACH one month of his Base Salary and no more. ECU shall not be obligated to pay COACH 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. Any process to terminate COACH for cause shall be conducted in compliance with the Policy and all other applicable policies and regulations, and University may suspend Coach with pay pending an investigation or decision relating to termination for "cause." For any one or more acts, omissions, or events that would be grounds for termination for "cause," the University may take other disciplinary or corrective action against Coach short of termination, including

but not limited to suspension without pay (said suspension not to exceed 90 days). Coach voluntarily waives all rights to a post-termination opportunity to contest a for-cause termination, including but not limited to his rights under the Policy. In the event a termination of this Agreement is ultimately found to be a breach of this Agreement by a court of competent jurisdiction, after any available appeals have been exhausted, then Coach shall be entitled only to the remedies that would be available to him under this Agreement if the University terminated the Agreement without cause, according to the date of termination, in lieu of all other legal remedies or equitable relief.

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

- a. This Agreement may be terminated by ECU at any time without cause. In the event ECU exercises its right to terminate COACH's employment or this Agreement without cause, ECU's sole financial obligation shall be limited to paying COACH the remaining and unpaid amount of Base Salary that would have been due and payable to him under Section II(a) of this Agreement had COACH remained employed by ECU for the remaining Term of the Agreement and, if applicable, any bonuses earned as of the effective date of termination. COACH shall only be entitled to receive Supplemental Compensation set out in Section V of Appendix A pro-rata through the date of termination and no more. The obligation to pay an amount equal to Base Salary shall be reduced by any amount COACH earns or is paid by any third party during the period that the Agreement would have been in effect had it been allowed to expire naturally, without early termination. In the event ECU exercises its right to terminate COACH's employment or the Agreement without cause, ECU shall not be obligated to pay COACH 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.
- b. Payment of the remaining and unpaid amount of Base Salary will be made on a semi-monthly prorated basis up to and including March 31, 2027 if less than twenty-four (24) calendar months remain on the Term or, alternatively, on a semi-monthly prorated basis over twenty-three (23) calendar months from the termination date, if twenty-four (24) calendar months or more remain on the Term. As a precondition for COACH's receipt of the amounts payable under this Section VIII, ECU may, in its sole discretion, require COACH 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 COACH 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 COACH's relationship with ECU.
- c. COACH acknowledges his obligation to minimize the payments due to him under Section VIII and agrees to make every reasonable effort to obtain other employment as long as ECU has the obligation to make payments under Section VIII. ECU's financial obligations under Section VIII to pay an amount equal to Base Salary shall be reduced by any amount COACH earns or is paid by any third party during the period that the Agreement would have been in effect had it been allowed to expire naturally, without early termination. COACH shall immediately, upon acceptance of other employment, notify the Chancellor in writing of such employment and the total compensation to be paid to COACH for the employment. In addition, COACH 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 VIII. If COACH's total expected compensation in the new position exceeds that which COACH would have been paid at ECU as set forth in Section II.a, then ECU's financial obligations under Section VIII shall terminate, and ECU shall have no additional or future financial obligations to COACH.

- d. In the event that ECU provides written notice to COACH of documented evidence that, during COACH's period of employment would have been grounds for termination by ECU with cause pursuant to the Policy or Section VII of this Agreement, ECU's financial obligations under Section VIII shall terminate upon thirty (30) days of such written notice.
- e. COACH acknowledges and agrees that ECU's sole financial obligation in the event that COACH is terminated without cause is governed by Section VIII of this Agreement, and any prior agreements or promises in regard to ECU's payments to COACH due to termination without cause, if any, are null and void.

#### **IX. TERMINATION BY COACH PRIOR TO EXPIRATION**

- a. COACH agrees that the promise to work for ECU for the entire Term of the Agreement is essential to ECU. The parties agree that the COACH has special, exceptional, and unique knowledge, skill and ability as a COACH, which, in addition to the continuing acquisition of experience at ECU, as well as ECU's special need for continuity in its intercollegiate sports program, render the COACH's services unique. COACH 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 written permission from the Chancellor or Athletics Director, 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. In the event COACH terminates his employment or this Agreement without cause or commits any breach of this Agreement, including but not limited to accepting other employment without first obtaining the permission of the Chancellor, COACH shall pay ECU liquidated damages in lieu of any and all other legal remedies or equitable relief that ECU would be entitled to solely as a direct result of the early termination of this Agreement, equal to the following amounts in each year of this Agreement, respectively:

CONTRACT YEAR	LIQUIDATED DAMAGES OWED
i. Contract Year 1 (March 24, 2022- March 31, 2023)	\$1,600,000.00
ii. Contract Year 2	\$1,200,000.00
iii. Contract Year 3	\$800,000.00
iv. Contract Year 4	\$400,000.00

In the event the Automatic Extension in Section XI below is triggered, the liquidated damages amount for the Contract Year in which the performance goal(s) are met shall be repeated for the next Contract Year and the remaining liquidated damages amounts shall be adjusted to the next Contract Year. For example, if Coach meets a performance goal during Contract Year 3 triggering the Automatic Extension, then the liquidated damages amount for Contract Year 4 shall be \$800,000, Contract Year 5 - \$400,000 and Contract Year 6 - \$0. The payment of liquidated damages to ECU does not prohibit ECU from bringing claims against Coach that are not directly related to the termination of his employment (including, but not limited to, damages attributable to a Title IX issue, etc.).

- c. COACH, or COACH's designee, shall pay the total of any amounts owed to ECU by COACH under Section IX.b within ninety (90) days following termination of COACH's employment or this Agreement. In the event COACH designates a third party to pay ECU on COACH's behalf, COACH shall remain ultimately responsible to ensure that such third-party designee fully satisfy any and all financial obligations as specified herein.
- d. This is an Agreement for personal services. The parties recognize and agree that a termination of this Agreement by COACH prior to its natural expiration could cause ECU to lose its valuable investment in COACH'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. The parties further agree that it is difficult or impossible to determine with certainty the damages that may result from such termination by COACH and that the liquidated damages provisions of this paragraph are not to be construed as a penalty, but as an attempt by COACH and ECU to establish adequate and reasonable compensation to the University in the event COACH terminates this Agreement. Notwithstanding the foregoing, nothing in this Section IX shall be construed to, in any way, limit or preclude any claim or legal remedy which ECU may have against COACH that is the result of any other action, inaction or malfeasance of COACH, including any breach of this Agreement not related to COACH's early termination.

**X. AUTOMATIC TERMINATION UPON DEATH OR DISABILITY OF COACH**

- a. This Agreement shall terminate automatically upon the death of COACH. If this Agreement is terminated pursuant to this section because of death, the COACH's Base Salary and all other benefits shall terminate as of the end of the calendar month in which death occurs, except that COACH's personal representative or other designated beneficiary shall be paid any bonuses earned under Appendix A, prior to death, any supplemental compensation earned under Appendix A, Section V on a pro-rata basis prior to death, and all such death benefits, if any, as may be contained in any benefit plan and due to COACH as an EHRA non-faculty employee.
- b. This Agreement shall terminate automatically upon the permanent disability of COACH. For purposes of this provision, COACH shall be deemed permanently disabled if, due to a mental or physical impairment, COACH 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 Base Salary as set forth in Section II(a) due to COACH as of the date of termination, disability benefits to which COACH may be entitled to under any disability program in which COACH is enrolled through ECU, any bonuses earned under Appendix A, prior to permanent disability, and any supplemental compensation earned under Appendix A, Section V on a pro-rata basis up to the date of permanent disability.

**XI. AUTOMATIC EXTENSION:**

This Agreement shall automatically be extended upon completion of certain performance goals by COACH. In the event that the Team finishes with twenty (20) or more wins during any one of the initial four seasons of the Term, this Agreement shall automatically be extended upon all terms and conditions, by mutual agreement of the parties, for one (1) year. Alternatively, in the event that Team finishes in the top-third of the American Athletic Conference (or any other conference the Team is a member of) final standings during any one of the initial four seasons of the Term, this Agreement shall automatically be extended upon



all terms and conditions, by mutual agreement of the parties, for one (1) year. **The automatic extensions contemplated herein are non-cumulative.** For purposes of clarity, only a single one-year extension can be triggered by this section. Under no circumstances does the meeting of these performance goals, and the subsequent automatic extension of this Agreement, prohibit the renegotiation of this Agreement's terms and conditions, including but not limited to, the extension of this Agreement beyond that required by the terms of this Section.

**XII. COMPENSATION CONDITIONAL:**

The payment of all forms of compensation set forth in this Agreement is subject to and contingent upon the approval of the annual operating budget by ECU, its Board of Trustees, 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

**XIII. 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.

**XIV. 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.

**XV. 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 COACH, to the address or facsimile of his attorney of record if COACH has provided such in writing to the Chancellor.

ECU:

Chancellor

105 Spilman Building

East Carolina University

Greenville, NC 27858

COACH:

Michael Schwartz

Ward Sports Medicine Building

East Carolina University

Greenville, NC 27858

**XVI. 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 COACH has satisfied ECU's background check requirements.

**XVII. PUBLIC RECORDS**

COACH 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.

**XVIII. ASSIGNMENT**

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

**XIX. 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.

**XX. 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.

**XXI. 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).

**XXII. 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

COACH

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

\_\_\_\_\_  
Michael Schwartz  
Head Coach

**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 \_\_\_\_\_, 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, SUPPLEMENTAL COMPENSATION AND OTHER NON-SALARY  
COMPENSATION**

- I. STATE BENEFITS As an EHRA Non-Faculty Employee, COACH 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. As an EHRA Non-Faculty Employee, COACH is currently entitled to twenty-four (24) annual leave days per year. COACH 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.
- II. MOVING EXPENSES UNIVERSITY shall reimburse COACH for documented personal moving and temporary housing expenses of up to \$15,000.00 reasonably incurred by COACH within twelve months of the effective date of this Agreement, in accordance with standard procedures and applicable policies of the UNIVERSITY.
- III. AUTOMOBILE ECU shall make arrangements for and provide one (1) courtesy or leased vehicle for the COACH 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 \$9,071.00, which amount may be adjusted annually consistent with UNIVERSITY policy. COACH shall be responsible for providing fuel and maintenance on any vehicle.
- IV. CELL PHONE UNIVERSITY shall pay COACH a cell phone allowance in an amount of \$60/month for a total of \$720 per twelve (12) months.
- V. SUPPLEMENTAL COMPENSATION For promoting sales of season tickets, supporting the Pirate Club, and for the production and marketing of weekly broadcast programs (television, radio, and internet), the ECU will pay COACH the amount of \$500,000.00 annually, in accordance with the terms herein.

ECU and COACH will produce and market weekly broadcast programs (television, radio and Internet programs), including weekly thirty-minute television programs and weekly one-hour radio programs, and Internet programs (collectively, "Broadcast Programs") during the entire competitive intercollegiate men's basketball season, including "regular season" games, any conference tournament games and any national tournament game(s). The COACH shall have no ownership interest in the Broadcast Programs or any part thereof, including but not limited to copyright. ECU will be responsible for payment of expenses incurred in marketing and producing the Broadcast Programs and COACH and ECU will mutually define the role of the COACH in the Broadcast Programs. All rights, title and interests in the Broadcast Programs, whether in whole or any part thereof, and all copies thereof, and all copyrights shall be and remain the sole property of ECU, which may use, assign, convey and otherwise use and dispose of the Broadcast Programs, and any parts thereof, as ECU determines appropriate in its sole discretion and without further consent or participation of the COACH, including, but not limited to, revising, editing, reproducing, broadcasting and transmitting as often and whenever ECU desires. COACH shall be entitled to no consideration for his participation in or contribution to any aspect of production, broadcast, rebroadcast, or reproduction of the Broadcast Programs, in whole or part, other than the amount of consideration provided under this Section. Notwithstanding the foregoing, ECU may, in its sole discretion, reduce the frequency of

or eliminate entirely production and/or marketing of any or all of the Broadcast Programs at any time and, in such event, ECU's sole obligation to the COACH shall be to pay COACH, while he remains employed as Head Men's Basketball Coach, the compensation that COACH would have earned under this Section had production and marketing continued and had the COACH participated cooperatively with ECU in said production and marketing. ECU's obligation to pay COACH any compensation under this Section shall terminate immediately in the event that COACH is no longer employed by ECU as and with the duties of Head Men's Basketball Coach.

UNIVERSITY's obligation under this Section shall be paid in semimonthly payments to COACH beginning on April 15, 2022; provided however, in the event COACH's employment is terminated pursuant to the Policy or Sections VII, VIII, IX, or X of this Agreement, then COACH will be deemed to have earned only the pro-rata Supplemental Compensation due through the date of termination of COACH's employment. Any such earned and unpaid pro-rata Supplemental Compensation shall be paid to COACH within 30 days of the termination of his employment.

**VI. INCENTIVE BONUSES** For so long as COACH is employed as Head Men's Basketball Coach, COACH shall be eligible for additional incentive bonuses, in the amounts and under the conditions as follows, subject to such other contingencies as may be stated in this Agreement:

a. Ticket Sales Incentive.

*Either*

i. Bonus for increased sales of Men's Basketball season tickets as follows:

<u>Increase in Men's Basketball Season Tickets Sold Over Immediately Preceding Year Where Full Slate of Games Were Played and Full Attendance Permitted</u>	<u>Men's Basketball Season Ticket Sales Increase Incentive Payment</u>
250-499	\$10,000.00
500-749	\$15,000.00
750-999	\$20,000.00
1000-1249	\$25,000.00

; or

ii. Bonus for total season ticket Sales of 4700 or more. If sales of Men's Basketball Season Tickets Sold is equal to 4,700 tickets or more, COACH shall receive a one-time payment of \$30,000.00 in lieu of any bonus for increased Men's Basketball Season Tickets Sold as described in the above chart.

b. Academic Performance Incentives.

i. APR. With regard to the single-year Academic Performance Rate ("APR") for the Men's Basketball Team, beginning with the 2022-23 school year released in the Spring of 2024:

1. An APR equal to 985 or greater will entitle COACH to \$15,000.00

- ii. GPA. With regard to the Grade Point Average ("GPA") for the Men's Basketball Team, beginning with the 2022-23 school year:
  - 1. A GPA of 3.00-3.24 will entitle COACH to receive \$2,500.00;
  - 2. A GPA of 3.25-3.49 will entitle COACH to receive \$5,000.00; or
  - 3. A GPA of 3.50 or above will entitle COACH to receive \$10,000.00 (the three potential GPA bonuses are not cumulative).
- iii. GSR. For a Men's Basketball Team single-year Graduation Success Rate ("GSR") equal to or greater than 80% beginning with the 2022-23 school year, COACH will receive \$15,000.00
- iv. Conference Academic Award. If the Men's Basketball Team earns the Conference Academic Award for the academic year, COACH will receive \$5,000.00.

These bonuses are cumulative.

c. Team Performance Incentives.

- i. For each regular season in which the Men's Basketball team wins twenty (20) or more regular season games, COACH will receive \$10,000.00.
- ii. For each regular season in which the Men's Basketball team wins fifty percent (50%) or more of its American Athletic Conference ("AAC") games, COACH will receive \$25,000.00.
- iii. For each regular season in which the Men's Basketball team is the regular season champion of the AAC, COACH will receive \$50,000.00. COACH will receive this amount where the men's basketball team is a co-champion with one or more other AAC teams.

These bonuses are cumulative.

- iv. AAC Tournament (or any conference to which ECU subsequently belongs)
  - 1. For each regular season in which the Men's Basketball team makes an appearance in the final game of the Men's Basketball tournament of the AAC, COACH will receive \$10,000.00.
  - 2. For each regular season in which the Men's Basketball team wins the Men's Basketball tournament of the AAC, COACH will receive \$15,000.00.

These bonuses (c.iv.1.-2.) are not cumulative.

v. NCAA Tournament.

- 1. If the Men's Basketball team participates by playing in the NCAA Division I Tournament, COACH will receive \$25,000.00

2. If the Men's Basketball team advances to the Regional Semifinals (earns Sweet 16 appearance) of the NCAA Division I Tournament, COACH will receive \$30,000.00.
3. If the Men's Basketball team advances to the Final Four by winning a Regional Championship of the NCAA Division I Tournament, COACH will receive \$40,000.00.
4. If the Men's Basketball team plays in the NCAA Division I Tournament Championship Game, COACH will receive \$50,000.00.
5. If the Men's Basketball team wins the NCAA Division I Tournament Championship Game, COACH will receive \$100,000.00.

These bonuses are cumulative.

vi. National Ranking and Recognition.

1. Final AP Poll. In each year where the Men's Basketball team is ranked as one of the top 25 teams in the nation in the Final Associated Press (AP) Poll, COACH will receive \$50,000.00.
  2. National Coach of the Year. If COACH is named "National Coach of the Year" in NCAA Division I Basketball by the Associated Press, COACH will receive \$50,000.00.
  3. Conference Coach of the Year. If COACH is named as "Men's Basketball Coach of the Year" in the AAC, as tallied by the AAC, or of any conference to which UNIVERSITY subsequently belongs, COACH will receive \$25,000.00.
- d. All Incentive Bonuses are immediately earned and vested when the prerequisite performance condition is satisfied. At the discretion of ECU, Incentive Bonuses will be unavailable in any season during which (a) the Basketball Program under COACH's supervision, including, but not limited to, a member of the men's basketball Coaching staff, a player, or any other person affiliated with the basketball program who reports directly or indirectly to COACH, is under investigation, on probation, or has been sanctioned by the NCAA or the AAC, for conduct occurring while COACH is head coach for ECU; or (b) for COACH being under investigation, probation, or sanctioned for conduct occurring while he is at ECU or when he worked previously at another university. In the event payment is delayed because of an investigation, if the investigation clears COACH of the alleged violation within 24 months of the bonus being earned, he will be paid the bonus.
- e. COACH agrees that in addition to the salary provided under this Agreement, some benefits and non-salary compensation he receives incident to his employment relationship with ECU may give rise to taxable income. COACH agrees to be responsible for the payment of any taxes (including federal, state and local taxes) due on such income. COACH also acknowledges that ECU shall withhold tax, including FICA withholding, on amounts paid or due to COACH and the value of benefits of other non-salary compensation provided to COACH, to the extent ECU determines it is required by applicable law and regulation. In no event shall the payment of any Bonus be considered part of Base Salary.

- f. In the event any future or amended state or federal law, rule, or regulation, or NCAA or AAC rule or regulation should prohibit payment of any bonus listed herein, render any bonus illegal or ineffectual, or subject ECU to a penalty or assessment or violation of law if such bonus were to be paid, ECU will make a good faith effort to revise such bonus or substitute an alternative incentive payment that would allow for a similar economic benefit to be provided to COACH while preserving for ECU as much of the bargained for institutional benefit as reasonably possible.
- g. The payment of the bonuses and other compensation described in this Appendix A is subject to the availability of non-State appropriated funds in the Department's budget and contingent upon a satisfactory performance review of the COACH by the Athletic Director. 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 Men's Basketball Program; and
  - iii. provided further, on the date specified in (i) or (ii), where:
    - (a) the Men's Basketball Program is in compliance with all NCAA, Conference, and UNC and ECU policies, regulations, bylaws, and constitutional provisions;
    - (b) the COACH is actively employed as Head Men's Basketball Coach at ECU; and
    - (c) there are no pending or active NCAA or Conference or ECU investigations of violations relating to the Men's Basketball Program.

No bonus will be deemed earned where a condition specified in this subsection g is not satisfied.

**VII.** SIGNING BONUS COACH shall be entitled to a one-time bonus upon execution of the Head Men's Basketball Coach Employment Agreement in accordance with the following milestones:

- a. \$5,000.00 if the Head Men's Basketball Coach Employment Agreement is fully executed by the Parties on or before June 15, 2022; or
- b. \$2,500.00 if the Head Men's Basketball Coach Employment Agreement is fully executed by the Parties on or before July 15, 2022.

The bonuses in this Section VII are not cumulative and will be paid within sixty (60) days of achievement of the applicable milestone.



**APPENDIX B**

**HEAD COACHES ADDENDUM**

**Duties and Cause for Termination**

**I. HEAD COACH DUTIES:**

- A. ECU hereby employs COACH as the Head Men's Basketball Coach of the Team with all the duties, responsibilities, and obligations normally associated with the position of Head Men's Basketball Coach at a major university. Duties include, but are not limited to:
- B. COACH will serve as the Head Men's Basketball Coach of the Team and devote his/her full time, energy, and abilities for the exclusive benefit of ECU as specifically set forth herein. COACH will be responsible for performing all the duties, responsibilities, and obligations normally associated with the position of Head Men's Basketball Coach at a major university;
- C. The COACH shall perform all duties specified herein in strict compliance with the constitution, by-laws, rules, and regulations of the NCAA, and the American Athletic Conference (the "AAC") and any other association, conference, or like organization approved by the NCAA with which ECU is or may become affiliated (the "Conference"), including recruiting rules, and with the policies of East Carolina University and its Athletics Department and of the Board of Governors of The University of North Carolina (the "BOG") and any applicable State or federal law, rule or regulation, as, collectively, the same are now constituted or as any of the same may be amended during the Term;
- D. The Men's Basketball Program under the direction of the COACH must comply with all policies, rules, and regulations of ECU and the BOG and the constitutions, bylaws, policies, rules and regulations of the NCAA and the Conference. Each time "Athletic Program Personnel" or "Men's Basketball Program Personnel" is used throughout this Agreement, the phrase shall refer to all assistant Men's Basketball coaches and other ECU employees, contractors, student athletes and volunteers under the supervisory responsibility, both direct and indirect, of the COACH, as well as all functions and responsibilities assigned to persons in those positions. The COACH shall be responsible for instructing, supervising, and monitoring the conduct of Men's Basketball Program Personnel with the goal of assuring full compliance with the constitution, by-laws, rules, and regulations of the NCAA and the Conference, including recruiting rules, and with the policies of East Carolina University and its Athletics Department and of the BOG and any applicable State or federal law, rule or regulation, as, collectively, the same are now constituted or as any of the same may be amended during the Term. In the event the Coach becomes aware of or has reasonable cause to believe that any violation of the constitution, bylaws, rules or regulations of the NCAA or the Conference or other applicable policies or laws may have taken place, he shall report the same promptly to the Director of Athletics or the Chancellor;
- E. The COACH shall make all reasonable efforts to promote and encourage sportsmanship in his coaches, players, and fans in attendance at intercollegiate Men's Basketball contests;
- F. Devote his best efforts full time in leadership, supervision, and promotion of ECU's Team and Men's Basketball Program that supports said Team, including, but not limited to, with regard to using best efforts to ensure compliance with applicable laws, rules, and requirements, and the promotion of the mission of ECU and its intercollegiate athletics program, ECU's high standard of academic excellence, and the general health and welfare of student-athletes;
- G. The parties agree that the policies regarding the athletic program at ECU shall be determined by ECU; however, the implementation of the daily routine and administration as they pertain to the Men's Basketball Program shall be the primary responsibility of the COACH in compliance with all policies, rules, and regulations of the NCAA, Conference, ECU, and the BOG;

- H. Use best efforts to ensure that the Men's Basketball Program is and/or operates in compliance with the Constitution and Bylaws of 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;
- I. 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 use best efforts to 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 under the supervisory responsibility of COACH, both direct and indirect, as well as the Men's Basketball Program and all functions and responsibilities assigned to those persons;
- J. Use best efforts to foster academic values, maintain program integrity, and encourage and contribute to the academic progress of all Team members under his supervision and to use best efforts to ensure that all academic standards, requirements, and policies of ECU are observed including those in connection with the recruiting and eligibility of prospective and current student athletes, and specifically with regard to the recruiting of student athletes who are academically qualified;
- K. Use best efforts to ensure the safety and welfare of student-athletes under COACH's supervision; use best efforts to ensure that coaching and administrative staff actively support the Men's Basketball Program and ECU's joint commitment to academic achievement for each student-athlete under COACH's supervision, 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;
- L. Interview, screen, and recommend to the Director of Athletics for employment all assistant Men's Basketball coaches. The hiring of assistants and all personnel within the Men's Basketball Program shall comply with all applicable ECU policies and regulations. The COACH shall recommend to the Director of Athletics the salaries of the assistant coaches and each year shall provide written annual evaluations of their performances to the Director. The COACH shall recommend to the Athletic Director that an assistant coach be terminated if the assistant's services are not satisfactory to the COACH;
- M. Maintain and enforce any and all disciplinary policies and drug/alcohol policies of ECU;
- N. Maintain effective relations with governing boards, associations, conferences, committees, alumni, students, faculty, and staff;
- O. Each Contract Year make appearances/speeches at Pirate Club fundraising socials and events. COACH agrees to make reasonable efforts to accommodate any such requests based upon his other outstanding commitments. Only those appearances made at the request of ECU shall count toward satisfaction of the obligations of COACH under this paragraph;
- P. Promptly advise the Director of Athletics if the COACH 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;
- Q. Promptly advise the Chancellor, Director of Athletics, and the Senior Associate Athletic Director for Compliance if the COACH has any reason to believe that ECU's Men's Basketball Program

- 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;
- R. Perform such other duties as assigned from time to time by the Director of Athletics;
  - S. The COACH shall not attempt to raise money to support the Men's Basketball budget without the prior written approval of the Director of Athletics. All requests of financial support from the Pirate Club for the Men's Basketball program will be channeled through the Director of Athletics to the Executive Committee of the Pirate Club;
  - T. The COACH shall not instruct or knowingly permit his assistants to do anything that this Agreement prohibits COACH from doing; and
  - U. If COACH is found to have committed violations of NCAA rules or regulations, whether while employed by ECU or during prior employment at another NCAA member institution, COACH 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, but is not limited to, suspension without pay or termination for cause.

## **II. CAUSE for Termination**

- A. As provided in Section VII of the Employment Agreement, COACH may be terminated by ECU for cause.
  - a. "Cause" shall include, but not be limited to, the following:
    - i. Failure to satisfactorily carry out the duties of COACH as defined in Section I of Appendix B, Head Coaches Addendum, of this Agreement 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 Director of Athletics;
    - ii. A major or willful violation or multiple minor or secondary violations by COACH, or knowing participation by COACH in a violation by an assistant/associate COACH or coach or other staff member of which COACH had reason to know, or should have known through the exercise of reasonable diligence or which COACH 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;
    - iii. Any act or omission that constitutes a violation by COACH 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 Section VII, 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.);
    - iv. Failure of COACH to appropriately monitor and report any compliance or NCAA eligibility issues of which COACH is aware, or with the appropriate and reasonable monitoring of ECU's Men's Basketball Program, COACH should have been aware;

- v. Failure of the COACH to appropriately monitor, manage, and report to the Director of Athletics, the Chancellor and other appropriate ECU personnel, any issues or conditions within the COACH's purview that adversely affect the safety and welfare of student athletes, including, but not limited to, failing to ensure that coaching staff of the Men's Basketball Program 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;
  - vi. 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;
  - vii. Misconduct of the COACH, (or misconduct of any assistant or associate coach or of a coach or of his staff of which the COACH knew, had reason to know, or should have known through the exercise of reasonable diligence, and which COACH condoned or otherwise failed to inform and appropriately address with the Director of Athletics), 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 COACH or that, as determined in the sole discretion of the Chancellor, would render COACH unfit to serve in the position of Head Men's Basketball Coach;
  - viii. Prolonged absence from duty without the consent of the Chancellor;
  - ix. Failure by COACH to use best efforts to support and contribute to the academic progress of academically qualified student athletes in a defined degree program;
  - x. Refusal of COACH to carry out reasonable directives from the Director of Athletics and/or the Chancellor;
  - xi. Seeking, interviewing for or negotiating terms for, whether directly or through any agent or representative (acting with or without COACH's knowledge), employment with another sports-related business or program without the express written approval of the Director of Athletics or the Chancellor, which approval shall not be unreasonably withheld;
  - xii. A breach of any representation and/or warranty made by COACH in Section V or any other act, whether occurring prior to or during the Term, which brings serious discredit to the Men's Basketball Program or would be likely to cause prospective student-athletes to elect not to attend ECU; or
  - xiii. 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.
- b. Any process to terminate COACH for cause shall be conducted in compliance with the Policy and all other applicable policies and regulations.