



East Carolina University | Board of Trustees
Finance & Facilities | In Person & Virtual/Main Campus Student Center 253 | February 2, 2023
Highlights

The minutes from November 4, 2022, were *approved*.

Ms. Coleman provided the metrics data as of December 31, 2023.

Ms. Coleman provided financial highlights from the 2022 university's financial statements. ECU received an unqualified opinion for its 2022 audit. There were no findings and no material weaknesses identified in internal controls over financial reporting. Ms. Coleman highlighted that the university's net position increased by \$169 million from fiscal year 2021. Additional highlights noted by Ms. Coleman included total revenues exceeded \$1 Billion in fiscal year 2022 with the three largest revenue streams being state appropriations, patient services and tuition and fees; Expenses totaled \$911 million with the largest expenses contributing to personnel, supplies and services. Ms. Coleman also shared the outstanding principal of long-term debt. Ms. Coleman shared four financial metrics that can be used to understand the financial health of the institution. Since fiscal year 2020, ECU has improved on all them and is within the recommended ranges. Ms. Coleman provided the differences between the financial statements and the all funds budget and how they are both used to monitor the fiscal health of the university. Ms. Coleman shared the all fund budget timeline and template to prepare the Committee for the April meeting where the All Funds Budget will be presented requiring board action.

Other informational items were provided in materials.

That concludes my report.

East Carolina University Board of Trustees
University Affairs Committee
Thursday, February 2, 2023 || 2:15 - 3:15PM
Main Campus Student Center 249

The University Affairs Committee met yesterday in regular session. Before we jumped into the agenda, we had the opportunity to meet and introduce Dr. Brandon Frye, who officially began his role as the Vice Chancellor for Student Affairs on Wednesday, February 1.

Our committee reviewed and approved the Dental Medicine Support Services Policy. That item was included on the consent agenda this morning.

Provost Coger provided an update on the tenure process and the board's responsibility in that process. We were also provided the Intercollegiate Athletics Report for review. Provost Coger stated there were no irregularities in the report and it's ready for final sign off by the Chancellor.

The best part of this committee was the student panel, which had a theme of Powered by Persistence. This session highlighted for the board the student journey through degree persistence, and demonstrated ECU programs that supports students through their experiences at ECU. The committee heard from students who had experiences with the Pirate Academic Success Center, Pirate Promise, the Purple Pantry and the Student Treasure Chest. A common thread during the student discussion of these different programs/services are mention of the people who make ECU great. Students were given an opportunity to let board members and administrators know what was important to them as students who access these programs.

To highlight a rural education initiative, our committee heard from Dr. Loni Crumb (Assistant Professor, Counselor Education). Dr. Crumb shared her research about the power of connections between educators and students, her philosophies that guide her research, talked about several projects/initiatives which demonstrate the importance of research and work in this space which benefit our students and the areas across the region where they live and serve.

Our committee approved two items in closed session which were both approved as part of the consent agenda this morning - a tenure recommendation from the School of Dental Medicine for Dr. Aukhill and nonsalary compensation for the ECU Tuscany program.

Mr. Chairman, that concludes my report.

Report of the Audit, Risk Management, Compliance, and Ethics Committee for February 2, 2023

Operational Metrics Review

The committee reviewed the operational metrics related to Internal Audit and Compliance. The metrics are generally on track for the year to date. Auditor productivity is slightly below the benchmark, but that is typical for this point in the year, due to the holiday break in December.

Action Items

The committee had no action items for this meeting.

Informational Items

Enterprise Risk Management – Ms. Stephanie Coleman

Vice Chancellor Coleman shared the matrix of top risks and briefed us on the recent activities of the ERM Committee. Ms. Coleman specifically shared information related to workforce challenges and flexible work options. She reported that the ERM Committee will be reviewing the University's risk register and providing the updated copy to senior management, the Board, and the UNC System Office later in the spring.

University Policy Process Update – Mr. Wayne Poole

Mr. Poole updated the committee on the previous recommendations to streamline the University's policy development process and bring it in line with the UNC Code. A small workgroup has begun work on draft process revisions and will share the proposals with a larger group of stakeholders soon.

External Audit Update – Mr. Wayne Poole

Mr. Poole briefed the committee that the University's annual financial statement audit and the external audits of the affiliated entities have all been completed and all audit reports are clean with no findings. Mr. Poole also told us that the annual NCAA Agreed Upon Procedures Audit was completed by an external firm and that there were no findings.

Internal Audit Update – Mr. Wayne Poole

Mr. Poole briefed the committee on upcoming changes to the international audit standards, which are expected to take effect in July 2024.

Mr. Poole also briefed us on several new requirements from the North Carolina Council of Internal Audit, which oversees the Internal Audit functions at all 39 state agencies and Universities. The new requirements include the reporting of new performance metrics, Chancellor and Chief Audit Officer quarterly attestations, and a review of all state agencies' risk assessment and audit planning processes. Mr. Poole stated that ECU Internal Audit was out in front of these requirements and has processes in place to comply with them.

Recent Internal Audits – Mr. Wayne Poole

Mr. Poole briefed the committee on several recent internal audit engagements. Some of the engagements were related to top institutional risks; others were selected for the briefing due to external interest from the UNC System Office.

Mr. Chairman, that concludes my report.

Committee Report
Athletics & Advancement Committee
February 2, 2023

University Advancement update

Vice Chancellor Chris Dyba provided a university advancement update. We are six months into the 2023 fiscal year and \$34.5 million has been raised by the university. The metrics show an increase in the funds raised by Medical and Health Sciences Foundation and that is due to a yet to be announced gift on the medical campus. Pirate Nation Gives is March 22, 2023 and to-date, the campaign has raised \$437 million towards the \$500 million goal.

VC Dyba gave a brief update on the ECU Health Foundation and Alumni Association. The Alumni Association board voted to alter the structure of the association and apply for a separate 501c3 while integrating the operational side into University Advancement. There will be no changes to the outward operation of the ECU Alumni Association.

Athletics update

Jon Gilbert provided an update on the Pirate Unite campaign. \$15.2 million in donations have been generated in 8 months of the 60 million dollar campaign. In total, Pirate Club members donated 342 separate gifts. 58 of those gifts were considered major gifts and 5 of those gifts were \$1 million or more. In 2022, the Pirate Club added 1,000 new members and the Student Pirate Club added 1200 members. Academically, the athletic department has an overall 3.19 GPA and 14 of 16 teams have produced a 3.0 or better team average.

In 2022, there were 15,835 football season tickets sold and 2023 football season tickets went on sale this week with a goal of 16,000 season tickets. Baseball season tickets for the 2023 season are sold out and individual game tickets will go on sale soon. During the month of February, Black History Month will be celebrated at all athletic events. Rosie Thompson, former student athlete, coach, and longtime administrator was recently selected for induction in the North Carolina Sports Hall of Fame later this month.

Our committee approved 4 namings from University Advancement that were included this morning on the consent agenda, as well as the establishment of the Innovation Foundation Associated Entity, also approved on the consent agenda.

Mr. Chairman, I have one item for board consideration during closed session, but for now, that concludes my report.

Committee on Strategy and Innovation
February 2, 2022
Committee Report

The Committee on Strategy and Innovation is truly an opportunity for this board to think strategically and engage on a different level. And this meeting was no different.

Our committee heard an update about our Strategic Plan from Dr. Sharon Paynter about the work thus far. As a reminder, this is a strategic plan “refresh,” as ECU remains committed to our mission of student success and regional transformation. This plan refresh really will allow us to dive even deeper to outline our vision and priorities for the next five years. I particularly liked the draft vision statement: Future Focused – Innovation Driven. We’ll hear more about the plan at our meeting in April.

The Strategic Plan update was a great introduction to the highlight of our meeting, which was a panel of regional industry leaders who talked about their experiences in bringing a problem to the university and having a solution emerge where ECU was able to help address challenges. Panelists included leaders from ECU Health, flyExclusive and Mr. Beast. We talked about the importance of being faster, nimble, and flexible to meet industry demands and the importance of these partnerships to meet a key component of our mission – regional transformation. This topic really excites me and I hope we can continue this discussion in the future.

Finally, our committee spent time on the topic of freedom of expression, which *is certainly a national topic that is front and center on university campuses around the country. The UNC System has prioritized this topic for all of its constituent institutions as well. The Board of Trustees just completed a two-part series on civil discourse and freedom of expression, which included education and information about ways ECU promotes and supports civil discourse across campus, as well as heard from two current students and two young alumni who talked about their experiences exercising their freedoms of expression.*

As a next step, the Committee on Strategy and Innovation approved a resolution reaffirming this Board’s commitment to academic freedom and freedom of expression. At this time Mr. Chairman, I’d like to read this resolution in the form of a motion.

READ THE RESOLUTION (attached)

Scott will ask for a vote on the resolution.

Mr. Chairman, that concludes my report.

DRAFT

Resolution on the Affirmation of Academic Freedom and Freedom of Speech

WHEREAS, Chapter VI, Section 600(1) of the Code of the Board of Governors of the University of North Carolina (*the Code*) establishes that the University of North Carolina System is “dedicated to the transmission and advancement of knowledge and understanding” and that “Academic Freedom is essential to the achievement of these purposes”; and

WHEREAS, Section 600(1) of *the Code* further establishes that the University of North Carolina “supports and encourages freedom of inquiry for faculty members and students, to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavor”; and

WHEREAS, Section 600(2) of *the Code* requires the University of North Carolina and its constituent institutions to “protect faculty and students in their responsible exercise of the freedom to teach, to learn, and otherwise to seek and speak the truth”; and

WHEREAS, Section 600(3) of *the Code* acknowledges that faculty and students “share in the responsibility for maintaining an environment in which academic freedom flourishes and in which the rights of each member of the academic community are respected”; and

WHEREAS, the University of Chicago’s July 2014 Report of the Committee on Freedom of Expression (the Chicago Principles) acknowledges a commitment to free and open inquiry on all matters, and acknowledges guarantees to all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn except insofar as limitations on that freedom are necessary to the functioning of the University;

WHEREAS, the University of Chicago’s Kalven Committee Report on the University’s Role in Political and Social Action (the “Report”) recognizes that the neutrality of the University as an Institution on social and political issues “arises out of respect for free inquiry and the obligation to cherish a diversity of viewpoints” and further acknowledges “a heavy presumption against the university taking collective action or expressing opinions on the political and social issues of the day,” while, at the same time, acknowledging that in extraordinary circumstances the University has a duty to speak to defend the very mission of the University;

THEREFORE BE IT RESOLVED: The East Carolina University Board of Trustees reaffirms its commitment to academic freedom and freedom of expression as embodied in *the Code*, the Kalven Committee Report on the University’s Role in Political and Social Action, which is attached hereto as Attachment A, and the Chicago Principles, which is attached hereto as Attachment B.

Approved by the East Carolina University Board of Trustees on February 3, 2023

Scott Shook
Chairman, ECU Board of Trustees

Megan Ayers
Assistant Secretary, ECU Board of Trustees

Kalven Committee:
Report on the University's Role in Political and Social Action

Report of a faculty committee, under the chairmanship of Harry Kalven, Jr. Committee appointed by President George W. Beadle. Report published in the Record, Vol. I, No. 1, November 11, 1967.

The Committee was appointed in February 1967 by President George W. Beadle and requested to prepare "a statement on the University's role in political and social action." The Committee conceives its function as principally that of providing a point of departure for discussion in the University community of this important question.

The Committee has reviewed the experience of the University in such matters as its participation in neighborhood redevelopment, its defense of academic freedom in the Broyles Bill inquiry of the 1940s and again in the Jenner Committee hearings of the early 1950s, its opposition to the Disclaimer Affidavit in the National Defense Education Act of 1958, its reappraisal of the criteria by which it rents the off-campus housing it owns, and its position on furnishing the rank of male students to Selective Service. In its own discussions, the Committee has found a deep consensus on the appropriate role of the university in political and social action. It senses some popular misconceptions about that role and wishes, therefore, simply to reaffirm a few old truths and a cherished tradition.

A university has a great and unique role to play in fostering the development of social and political values in a society. The role is defined by the distinctive mission of the university and defined too by the distinctive characteristics of the university as a community. It is a role for the long term.

The mission of the university is the discovery, improvement, and dissemination of knowledge. Its domain of inquiry and scrutiny includes all aspects and all values of society. A university faithful to its mission will provide enduring challenges to social values, policies, practices, and institutions. By design and by effect, it is the institution which creates discontent with the existing social arrangements and proposes new ones. In brief, a good university, like Socrates, will be upsetting.

The instrument of dissent and criticism is the individual faculty member or the individual student. The university is the home and sponsor of critics; it is not itself the critic. It is, to go back once again to the classic phrase, a community of scholars. To perform its mission in the society, a university must sustain an extraordinary environment of freedom of inquiry and maintain an independence from political fashions, passions, and pressures. A university, if it is to be true to its faith in intellectual inquiry, must embrace, be hospitable to, and encourage the widest diversity of views within its own community. It is a community but only for the limited, albeit great, purposes of teaching and research. It is not a club, it is not a trade association, it is not a lobby.

Since the university is a community only for these limited and distinctive purposes, it is a community which cannot take collective action on the issues of the day without endangering the conditions for its existence and effectiveness. There is no mechanism by which it can reach a collective position without inhibiting that full freedom of dissent on which it thrives. It cannot insist that all of its members favor a given view of social policy; if it takes collective action, therefore, it does so at the price of censuring any minority who do not agree with the view adopted. In brief, it is a community which cannot resort to majority vote to reach positions on public issues.

The neutrality of the university as an institution arises then not from a lack of courage nor out of indifference and insensitivity. It arises out of respect for free inquiry and the obligation to cherish a diversity of viewpoints. And this neutrality as an institution has its complement in the fullest freedom for its faculty and students as individuals to participate in political action and social protest. It finds its complement, too, in the obligation of the university to provide a forum for the most searching and candid discussion of public issues.

Moreover, the sources of power of a great university should not be misconceived. Its prestige and influence are based on integrity and intellectual competence; they are not based on the circumstance that it may be wealthy, may have political contacts, and may have influential friends.

From time to time instances will arise in which the society, or segments of it, threaten the very mission of the university and its values of free inquiry. In such a crisis, it becomes the obligation of the university as an institution to oppose such measures and actively to defend its interests and its values. There is another context in which questions as to the appropriate role of the university may possibly arise, situations involving university ownership of property, its receipt of funds, its awarding of honors, its membership in other organizations. Here, of necessity, the university, however it acts, must act as an institution in its corporate capacity. In the exceptional instance, these corporate activities of the university may appear so incompatible with paramount social values as to require careful assessment of the consequences.

These extraordinary instances apart, there emerges, as we see it, a heavy presumption against the university taking collective action or expressing opinions on the political and social issues of the day, or modifying its corporate activities to foster social or political values, however compelling and appealing they may be.

These are admittedly matters of large principle, and the application of principle to an individual case will not be easy.

It must always be appropriate, therefore, for faculty or students or administration to question, through existing channels such as the Committee of the Council or the Council, whether in light of these principles the University in particular circumstances is playing its proper role.

Our basic conviction is that a great university can perform greatly for the betterment of society. It should not, therefore, permit itself to be diverted from its mission into playing the role of a second-rate political force or influence.

Harry Kalven, Jr., *Chairman*

John Hope Franklin

Gwin J. Kolb

George Stigler

Jacob Getzels

Julian Goldsmith

Gilbert F. White

Special Comment by Mr. Stigler:

I agree with the report as drafted, except for the statements in the fifth paragraph from the end as to the role of the university when it is acting in its corporate capacity. As to this matter, I would prefer the statement in the following form:

The university when it acts in its corporate capacity as employer and property owner should, of course, conduct its affairs with honor. The university should not use these corporate activities to foster any moral or political values because such use of its facilities will impair its integrity as the home of intellectual freedom.

Report of the Committee on Freedom of Expression

The Committee on Freedom of Expression at the University of Chicago was appointed in July 2014 by President Robert J. Zimmer and Provost Eric D. Isaacs “in light of recent events nationwide that have tested institutional commitments to free and open discourse.” The Committee’s charge was to draft a statement “articulating the University’s overarching commitment to free, robust, and uninhibited debate and deliberation among all members of the University’s community.”

The Committee has carefully reviewed the University’s history, examined events at other institutions, and consulted a broad range of individuals both inside and outside the University. This statement reflects the long-standing and distinctive values of the University of Chicago and affirms the importance of maintaining and, indeed, celebrating those values for the future.

From its very founding, the University of Chicago has dedicated itself to the preservation and celebration of the freedom of expression as an essential element of the University’s culture. In 1902, in his address marking the University’s decennial, President William Rainey Harper declared that “the principle of complete freedom of speech on all subjects has from the beginning been regarded as fundamental in the University of Chicago” and that “this principle can neither now nor at any future time be called in question.”

Thirty years later, a student organization invited William Z. Foster, the Communist Party’s candidate for President, to lecture on campus. This triggered a storm of protest from critics both on and off campus. To those who condemned the University for allowing the event, President Robert M. Hutchins responded that “our students . . . should have freedom to discuss any problem that presents itself.” He insisted that the “cure” for ideas we oppose “lies through open discussion rather than through inhibition.” On a later occasion, Hutchins added that “free inquiry is indispensable to the good life, that universities exist for the sake of such inquiry, [and] that without it they cease to be universities.”

In 1968, at another time of great turmoil in universities, President Edward H. Levi, in his inaugural address, celebrated “those virtues which from the beginning and until now have characterized our institution.” Central to the values of the University of Chicago, Levi explained, is a profound commitment to “freedom of inquiry.” This freedom, he proclaimed, “is our inheritance.”

More recently, President Hanna Holborn Gray observed that “education should not be intended to make people comfortable, it is meant to make them think. Universities should be expected to provide the conditions within which hard thought, and therefore strong disagreement, independent judgment, and the questioning of stubborn assumptions, can flourish in an environment of the greatest freedom.”

The words of Harper, Hutchins, Levi, and Gray capture both the spirit and the promise of the University of Chicago. Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of the University, the University of Chicago fully respects and supports the freedom of all members of the University community “to discuss any problem that presents itself.”

Of course, the ideas of different members of the University community will often and quite naturally conflict. But it is not the proper role of the University to attempt to shield individuals from ideas and opinions they find unwelcome, disagreeable, or even deeply offensive. Although the University greatly values civility, and although all members of the University community share in the responsibility for maintaining a climate of mutual respect, concerns about civility and mutual respect can never be used as a justification for closing off discussion of ideas, however offensive or disagreeable those ideas may be to some members of our community.

The freedom to debate and discuss the merits of competing ideas does not, of course, mean that individuals may say whatever they wish, wherever they wish. The University may restrict expression that violates the law, that falsely defames a specific individual, that constitutes a genuine threat or harassment, that unjustifiably invades substantial privacy or confidentiality interests, or that is otherwise directly incompatible with the functioning of the University. In addition, the University may reasonably regulate the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of the University. But these are narrow exceptions to the general principle of freedom of expression, and it is vitally important that these exceptions never be used in a manner that is inconsistent with the University’s commitment to a completely free and open discussion of ideas.

In a word, the University’s fundamental commitment is to the principle that debate or deliberation may not be suppressed because the ideas put forth are thought by some or even by most members of the University community to be offensive, unwise, immoral, or wrong-headed. It is for the individual members of the University community, not for the University as an institution, to make those judgments for themselves, and to act on those judgments not by seeking to suppress speech, but by openly and vigorously contesting the ideas that they oppose. Indeed, fostering the ability of members of the University community to engage in such debate and deliberation in an effective and responsible manner is an essential part of the University’s educational mission.

As a corollary to the University’s commitment to protect and promote free expression, members of the University community must also act in conformity with the principle of free expression. Although members of the University community are free to criticize and contest the views expressed on campus, and to criticize and contest

speakers who are invited to express their views on campus, they may not obstruct or otherwise interfere with the freedom of others to express views they reject or even loathe. To this end, the University has a solemn responsibility not only to promote a lively and fearless freedom of debate and deliberation, but also to protect that freedom when others attempt to restrict it.

As Robert M. Hutchins observed, without a vibrant commitment to free and open inquiry, a university ceases to be a university. The University of Chicago's long-standing commitment to this principle lies at the very core of our University's greatness. That is our inheritance, and it is our promise to the future.

Geoffrey R. Stone, Edward H. Levi Distinguished Service Professor of Law,
Chair

Marianne Bertrand, Chris P. Dialynas Distinguished Service Professor of
Economics, Booth School of Business

Angela Olinto, Homer J. Livingston Professor, Department of Astronomy and
Astrophysics, Enrico Fermi Institute, and the College

Mark Siegler, Lindy Bergman Distinguished Service Professor of Medicine and
Surgery

David A. Strauss, Gerald Ratner Distinguished Service Professor of Law

Kenneth W. Warren, Fairfax M. Cone Distinguished Service Professor,
Department of English and the College

Amanda Woodward, William S. Gray Professor, Department of Psychology
and the College