
**EMPLOYMENT OF HEAD COACHES
THE UNIVERSITY OF NORTH CAROLINA AT GREENSBORO**

<http://provost.uncg.edu/documents/personnel/coaches.pdf>

(Adopted by the Board of Trustees, April 11, 1991)

(Amended November 18, 1993)

(Updated October 2, 1997, October 24, 2007, and February 19, 2009)

SECTION I. CONSISTENCY WITH UNIVERSITY'S MISSION

A. Educational Purpose

University head coaches (henceforth "coaches") shall understand that, while their employment is sports related, the primary purpose of the University is education. Thus, the educational purposes of the University shall have priority in the various provisions of this Policy.

B. University's Authority to Define Eligibility

The University reserves its full authority over the program of intercollegiate athletics, including the right to define eligibility of student athletes to engage in competition.

C. Compliance with University, Conference, and NCAA Policies

Any failure to comply with University policies by coaches may be deemed a violation of the provisions of the "Personnel Policies for Designated Employment Exempt from the State Personnel Act (EPA)" (henceforth designated as "Personnel Policies"). Similarly, violation of the policies of any athletic conference of which UNCG is a member may also be deemed a violation of this policy. In accordance with the NCAA Constitution, "a coach who is found in violation of NCAA regulations shall be subject to disciplinary or corrective action as set forth in the provisions of the NCAA enforcement procedure." The discipline to be imposed for violations of these policies may include any corrective action up to and including dismissal from employment at the discretion of UNCG.

SECTION II. POSITION

A. Category of Employment

Coaches and other employees of the University and the State of North Carolina whose employment is exempt from the State Personnel Act are fully subject to "Personnel Policies" and all future revisions to that document. The employment designation is that of "EPA Non-Faculty." It does not carry tenure or the possibility of tenure.

B. General Responsibilities

Coaches shall be loyal employees of the University. Coaches shall devote their best efforts full time to the performance of duties for the University, to give proper time and attention to furthering responsibilities to the University and to comply with all rules, regulations, policies, and decisions established or issued by the University. Coaches must recognize that their statements about the University and its administrators are often publicized and must use their best efforts to protect the University's best interests in this regard. Coaches shall, notwithstanding the provisions of Section IV of this policy, during the term of appointment, not engage, directly or indirectly, in any business which would detract from their ability to apply their best efforts to the performance of all duties.

C. Specific Employment Duties

Some of the specific duties and responsibilities that will be assigned to coaches in connection with their positions are set forth below. Other specific duties may be assigned as the need arises. This list of specific duties and responsibilities supplements and is not exclusive of the other general duties and responsibilities provided for elsewhere in the Policy. Coaches shall perform duties of their positions faithfully and diligently. Failure to discharge any of these duties constitutes a breach of Policy that would allow the University to discharge coaches for cause pursuant to Section IV.D of the "Personnel Policies."

1. To be directly accountable for these general responsibilities relating to their programs: budget, scheduling, and the recruiting, training, supervision, evaluation and performance of student- athletes and coaching staff.
2. To recruit and retain only those student-athletes who have ability to succeed academically and athletically.
3. To support and encourage the educational pursuits of student-athletes and to make every effort, working in cooperation with and support of the University's faculty and administrative officials, to ensure that all student-athletes meet their academic requirements.
4. To monitor student-athletes' performances in meeting academic and intercollegiate eligibility criteria.
5. To assist student-athletes in progressing toward a degree in a defined academic program.
6. To be thoroughly knowledgeable of the rules, regulations, guidelines and policies of the Department of Intercollegiate Athletics, of the University, of any athletic conference of which UNCG is a member and of the NCAA and to conform their work and behavior accordingly.
7. To have complete knowledge of the rules and regulations governing intercollegiate athletic competition and to ensure that their programs maintain strict compliance.
8. To maintain effective relationships with student-athletes, peers, administrators, media representatives, and the general public.
9. To participate in fund raising events.
10. To participate in UNCG operated summer sports camps at the option of UNCG.

D. Academic Progress Rate (APR) (Applies to 2009-2010 and after)

In furtherance of its educational mission, commencing in the academic year 2009-2010, and for all academic years thereafter, annual and multi-year Academic Progress Rates (APR) (as defined and calculated by NCAA rules) shall be an important measure of coaching performance.

The University provides coaches with the following chart, which helps to illustrate the University's expectations with regard to the acceptable range of annual APR for student athletes:

1000 – 985	Above Range
984 – 950	In Range
949 – 935	Caution (see below)
934 – 925	Below Range
924 and below	Unacceptable

In addition, coaches whose student athletes achieve an annual APR below 950 in two consecutive years shall receive from the Director of Athletics a written warning indicating that the coach, and/or his/her program, should expect discipline, including, but not limited to, dismissal from employment, if the annual APR remains

below 950 for a third consecutive year. In determining the appropriate action(s), if any, the Director of Athletics shall exercise his/her discretion, and shall consider individual circumstances, including, but not limited to, whether any annual APR during the three year period would have been above 950 but for factors outside the reasonable control of the coach, and/or whether the annual APR is trending up or down when viewing the annual APR for the most recent 2 or 3 years.

The guidelines in the preceding paragraph do not limit the discretion of the Director of Athletics to take disciplinary action, including, but not limited to, dismissal from employment, based, partially or wholly, on annual and/or multiple year APR over a period shorter than three years, if deemed to be in the best interests of the University or the program.

E. Scheduling

Coaches shall be involved to the greatest extent possible in arranging each season's schedule or any rescheduling for their programs. The Director of Athletics will have final authority and responsibility with regard to the schedules, including all financial arrangements. The Director shall use his best effort to ensure that schedules allow programs to meet and maintain the University's objectives.

F. Reporting Relationship

Coaches shall report to the Director of Athletics or to such other person as may be designated.

SECTION III. COMPENSATION

Coaches shall be entitled to the following forms of compensation: base salary payments, the possibility of merit increases in base salary, and fringe benefits. These forms of compensation are the only ones for which the University is responsible under this Policy. All forms of compensation are subject to the compensation policies adopted by the Board of Governors of The University of North Carolina and by the Board of Trustees of The University of North Carolina at Greensboro.

A. Base Salary

A base salary is paid annually by the University for services and satisfactory performance of the terms and conditions of appointment.

B. Merit Increases Based on Periodic Evaluations

Performance of job duties and responsibilities, and not merely win-loss record, will be evaluated annually by the Director of Athletics on the same basis as performance evaluations are done for other employees within the University whose employment is exempt from the State Personnel Act. If justified by the periodic evaluations, coaches shall be eligible for merit pay increases as are other employees in the same category of employment.

C. University Fringe Benefits

Coaches shall be entitled to the standard fringe benefits provided to all University employees whose employment is exempt from the State Personnel Act. Annual leave, sick leave, and other forms of leave are described in "Personnel Policies".

SECTION IV. EXTERNAL PROFESSIONAL ACTIVITIES FOR PAY

Coaches may engage in external professional activities for pay while employed by the University but only upon the following terms and conditions:

A. University Obligations Are Primary

Such outside activities shall not interfere with the full and complete performance by coaches of duties and obligations as a University employee. Coaches must recognize continuously that their primary obligations lie with the University and its students.

B. Policy on External Professional Activities of Faculty and Other Professional Staff and Other State and Federal Law

Before engaging in any professional activity resulting in income additional to base salary, coaches must submit to the Director of Athletics a "Notice of Intent to Engage in External Professional Activity for Pay" and receive the approval of the Director. These procedures are described in the Board of Governor's policy 300.2.2.1 (R), ["Regulations on External Professional Activities for Pay by Faculty and Non-Faculty EPA Employees."](#)

C. NCAA Rules Control

In no event shall coaches accept or receive, directly, or indirectly, any monies, benefit, or any other gratuity, whatsoever, from any person, corporation, University booster club, alumni association, or other benefactor if such action would violate any legislation, constitution, bylaws, rules, regulations, or interpretations of the NCAA or of any conference to which the University may belong. Changes of such legislation, constitution, bylaws, rules and regulations or interpretations shall automatically apply to this Policy without the necessity of a written modification.

D. Annual Reporting of Income

In accordance with the NCAA Constitution, coaches are required to receive, annually, prior written approval from the Chancellor for all athletically related income and benefits from sources outside the institution. Such income shall include, but is not limited to, income from annuities, sports camps, housing benefits (including preferential housing arrangements), country club memberships, complimentary ticket sales, television and radio programs, and endorsement or consultation contracts with athletics shoe, apparel or equipment manufacturers, and all other athletically related income from whatever outside source. The University shall have reasonable and prompt access to all records of coaches to verify reports in accord with NCAA regulations.

E. University is Not Liable

Coaches external professional activities for pay are independent of their University employment in the sense that the University shall have no responsibility or liability for any claims arising therefrom.

F. Commercial Endorsements Except Endorsement of Athletic Equipment and Apparel including Shoes

Before undertaking any commercial endorsement of products and services in which coaches identify themselves as a Head Coach of The University of North Carolina at Greensboro, each coach must request and secure approval for such endorsement from the Chancellor through the Director of Athletics. Such endorsement must not otherwise associate the University's name, trademark, insignia or wordmark with the product or service.

G. Speeches/Appearances and Written Materials

Subject to all other provisions of this Policy, coaches shall be entitled to deliver, make and grant public speeches, public appearances and media interviews and to write and release books and magazine and newspaper articles or columns in connection with their positions as coaches at The University of North Carolina at Greensboro. Coaches shall represent the University professionally in all such matters.

H. Revenues

Except for the limitations on such outside compensation as established by University policies, and in the constitution, bylaws, rules and regulations and interpretations of the NCAA, and any conference to which the

University may belong, coaches shall be entitled to retain all revenue generated by such external professional activities.

SECTION V. ENDORSEMENTS AND ATHLETIC EQUIPMENT, INCLUDING SHOES

The University exercises control of its name, trademark, wordmark and insignia in connection with the endorsement of athletic apparel, including shoes, and of athletic equipment. Coaches shall not undertake to endorse products or services related to these items without prior written permission. Such requests for permission shall be transmitted through the Director of Athletics to the Chancellor, who will grant or deny such requests. In making such an endorsement, coaches operate as the University's agent. All income generated through such endorsements will flow to the University. The University will return a percentage of the net income to coaches. The remaining percentage will go to the University for support of intercollegiate athletic programs.

SECTION VI. SPORTS CAMPS

A. Ownership

The University has the exclusive right to operate summer camps on its campus using University facilities and to offer to coaches opportunities to participate in such summer camps. The University makes no commitment to offer opportunities to participate in summer sports camps.

B. Compensation to Coaches

If coaches participate in the University's summer sports camps, compensation shall be in addition to base salary. The University makes no guarantee of compensation from the operation of sports camps.

C. Right of Coaches to Participate in Other Sports Camps

To the extent allowed by rules of the NCAA, coaches have the right to operate their summer sports camp off campus or to participate in other sports camps, provided, however, that such other camps are not held during the same weeks as related University summer sports camps. The exercise of rights in this section will be regarded as coaches' personal endeavors for which they will take annual leave.

SECTION VII. UNIVERSITY RECORDS

All materials or articles of information including, without limitation, personnel records, recruiting records, team information, films, statistics or any other material or data furnished to coaches by the University, developed by coaches on behalf of the University or at the University's direction or for the University's use or otherwise in connection with coaches' employment are and shall remain the sole and confidential property of the University. The University may request access/or the return of such materials at any time during, at, or after the termination of appointment. Coaches shall immediately deliver same to the University.

SECTION VIII. REASSIGNMENT

A. University's Right to Reassign Coaches

The University retains the right to assign coaches to other positions with different duties during the term of their appointments without explanation or a showing of cause. In no event, however, will coaches be assigned to positions which are not consistent with their education and experience as assessed by the University. If the University reassigns coaches, the University will continue to pay all due compensation throughout the remainder of the term of appointment.

B. Failure to Accept Reassignment

Coaches' failure to accept reassignment will constitute grounds for discharge for cause as provided in Section IV.D of the "Personnel Policies." In the event of such discharge for cause, the University's obligation to pay salary and other compensation will end at the point of discharge or at the conclusion of any resulting appeal.

SECTION IX. TERMINATION PRIOR TO STATED TERM

A. Termination for Cause

In accord with Section IV.D of "Personnel Policies" coaches' appointments may be terminated on the basis of cause. The causes will also be understood to include, but are not limited to the following:

1. A serious or intentional violation by coaches or by members of coaches' staff or any other person under coaches' supervision and direction, including student-athletes, of any law, rule, regulation, or constitutional provision, or of any conference to which the University may belong, which may, in the sole judgment of the University, reflect adversely upon the University or its athletic program. This includes any violation which may have occurred during prior employment at another NCAA member institution of which the University had no actual or constructive knowledge at the time of appointment.
2. Failure to accept reassignment, as cited in Section VIII.B of this Policy Statement.
3. Conduct of coaches which is seriously prejudicial to the best interest of the University or its athletic program or which violates the University's mission.
4. Failure to maintain satisfactorily Academic Progress Rates (APR) for student athletes, as specified in Section II.D of this policy.

In the event of termination, the University is not liable to coaches for any benefits from collateral business opportunities associated with their University positions, including any anticipated external professional activities for pay for which they have received approval from the Director of Athletics.

B. Termination Upon Mutual Agreement

An appointment may be terminated at any time upon mutual agreement of the University and coaches.

SECTION X. UNIVERSITY APPROVAL REQUIRED PRIOR TO NEGOTIATIONS FOR OTHER EMPLOYMENT OPPORTUNITIES

Should another coaching opportunity be presented or should any coach be interested in another coaching position during the term of appointment, he or she must notify the Director of Athletics of such opportunity or interest. Written permission must be given to coaches by the Director before any discussions can be held.