Office of General Counsel
ANNUAL REPORT 2015-16

Vision:
To be our client’s first call to collaborate in developing creative solutions in response to challenges or barriers. To be recognized and utilized by those we serve as valued counselors in formulating, evaluating, and dispensing sound situational judgment and preventative legal and risk advice.

Mission:
We are a dedicated legal team committed to facilitating creative, effective and collaborative solutions for our clients. Our passion is service; our standard is excellence.

Office of General Counsel, Strategic Goals

- Cultivating Organizational Excellence
- Structuring Strategic Partnerships
- Facilitating Client-Centered Legal Solutions
- Representing our Clients Zealously
- Being our Clients’ Trusted Counselors

Key Accomplishments (at least the ones we can disclose)

University leadership sought OGC’s advice for the implementation strategies supporting the successful Connect NC Bond Referendum which will provide $160 million to support two major projects on NC State’s Centennial Campus: The Engineering Oval and the Plant Sciences Initiative.
The University’s Compliance and Integrity Program was further enhanced with OGC’s leadership efforts. Chancellor Woodson established a new position in our office, University Compliance Manager. We developed the components and framework for the organizational compliance efforts, along with finding a solution to track employee training. The vice chancellors have supported these efforts and have been proactive in collaborating and bringing these efforts to their divisions. Minors on campus, data security and research compliance were areas of focus this year.

New monetization efforts were considered, developed and prioritized with several internal stakeholders and the use of outside consultants for Hofmann Forest, which culminated in a $78 million timber deed on 54,344 acres over 50 years. The deed maintains access for CNR students and faculty to teach and conduct research and requires sustainable forest management. In addition, we resolved the environmental matter with U.S. EPA Region 4 and entered into an Administrative Order on Consent in March 2016, after several years of data collection and negotiations.

We advised on hundreds of business contracts during the year, including the Beyonce – Formation World Tour agreement; agreements for Campus Enterprises to operate the State Club and Event Services at the Roy and Dorothy Park Alumni Center; and ground leases for construction of three new houses in Greek Village.

The Learfield Multi-Media Rights Agreement, which is worth $100 million over ten years, was executed after several years of negotiating. OGC worked closely with Athletics and Campus Enterprises to reach an advantageous deal with Learfield. The Agreement is a new model for athletics’ monetization.
OGC collaborated with Athletics and Campus Enterprises on another revenue deal - the Adidas Sponsorship Agreement for apparel and products. This Agreement will bring over $10 million in the next five years to the University.

Licensing of our trademarks requires collaboration with several clients. OGC worked with CALS, Office of Trademark Licensing, and OTT to develop a plan for the licensing of the Howling Cow trademark and recipes for off-campus production and sales. This proposed partnership is anticipated to move forward in FY17.

A new hotel and conference facility, the StateView, that will operate under the Marriott Autograph Collection franchise is coming to Centennial Campus. The hotel will overlook Lake Raleigh and sit adjacent to the Park Alumni Center. The hotel was refinanced in 2016 and construction is underway and is projected to open in early 2017 with 164 rooms and 9,000 square feet of meeting space.

In January 2016, the Endowment Fund and CBC Flex Lab LLC executed a ground lease for the private development of a new building on the Centennial Biomedical Campus, as well as a space lease for NC State’s occupation within the private building. The Biomedical Partnership Center will have 45,000 square feet of office and lab space. OGC completed this work along with the Finance and Administration Division after the culmination of many years of negotiations, which had started before the Great Recession. This represents the first private developer building on this part of campus and is anticipated to spur future development. The Center for Technology and Innovation lease was executed and construction has started on this 77,500 square foot building that will include the Nonwoven Pilot Production Facility and 41,000 square feet of office space on Centennial Campus adjacent to the College of Textiles.
The **Wake Stem Early College High School** Second Memorandum of Agreement was negotiated and approved by the Board of Trustees after an extensive internal review to determine the value of the partnership with the Wake County School Board. The extension will allow the school to continue operating for another five year term. This collaboration is a key component of NC State’s efforts to support STEM education at the high school level.

We are mindful that supporting the business of our clients is our primary focus. In order to accomplish this goal, we seek to understand the University’s business, its needs, challenges, goals, workflows, processes, pressures, people and the environment in which they operate. We gain this knowledge through our attendance at committee and task force meetings, regularly scheduled meetings with senior management and our own desire to learn about new initiatives on campus, such as self-powered, wearable health devices being developed at ASSIST and the novel, economical personal rapid transit, or ecoPRT for short, being developed at the engineering entrepreneurship program. We also toured the Equine Educational Unit to learn about horse foaling and breeding.

OGC worked closely with the College of Design on operational and compliance efforts for the Prague Institute.
We advised many campus committees and working groups including but not limited to:

- Behavior Assessment Team
- Centennial Campus Task Force
- Professional Sports Counseling Panel
- Council on Athletics
- Engagement Partnership Council
- Human Resources Advisory Council
- IT Strategic Advisory Committee
- Institutional Animal Care and Use Committee
- Institutional Review Board
- Compliance Officials Working Group
- Research Operations Council
- Study Abroad Emergency Response Team
- Title IX Team
- Trademark Advisory Committee

It is important to us to support our colleagues in efforts to educate the campus community on social justice issues. This year, we sponsored various unit activities on campus: the Women’s Center “Take Back the Night” event; the Office for Institutional Equity and Diversity’s “Diversity Education Week” events with a discussion on diversity in student body admissions; and moderated a discussion on sexual violence during Sexual Assault Awareness Month.

OGC advised on the establishment of the **Employee Dependent Tuition Scholarship**, which offers up to $2,000 annually for a maximum of eight semesters for each eligible student. The scholarship was launched with a donation of $1.15 million from Chancellor and Susan Woodson.

Associate General Counsel Judy Curry retired after 26 years of service and was honored with a brick from the Office of Technology Transfer.
OGC continues to provide leadership for the Professional Sports Counseling Panel. This Panel assists and guides student athletes who are interested in having a professional athletic career. We provided educational information and met with student athletes and football parents. We also handled numerous inquiries from agents. We improved the website to provide more information to students, parents and agents at https://sportspanel.wordpress.ncsu.edu/.
OGC by the Numbers

Innovation & Economic Prosperity (Transactions)

- Real Estate & Construction: 25
- Technology Transfer & Sponsored Research: 30
- Global Engagement: 35
- Academic Research & Internship Engagement: 56
- Gift/Affiliated Entities Agreements: 71
- Purchasing & Contracts: 142

Litigation Cases by Type

- Academic: 1
- Contractual: 1
- Envir/Declaratory Judgment: 2
- Athletic: 2
- Tort/Liability: 3
- Civil Rights: 4
### Administrative Proceedings

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### Public Records Requests

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<tr>
<td>2016</td>
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2015-2016 SBI Reporting

- IT/Computer Theft: $5,118
- Property Damage: $26,971
- Theft: $14,503
- Misuse of State Property: $80,325

Grand Total: $126,918

# of Incidents: 79
Recovered: $25,554

Creating a Culture of Continuing Professional Development and Compliance Training (by Participation)

- Clery
- Records
- Title IX
- Compliance
- EEOC
- NACUA Webinars
- New Dept Heads
Improvement in Administrative Processes

- **Revised PRRs**: 27
- **New PRRs**: 9
- **Repealed PRRs**: 3

**9 New PRRs**
1 Policy, 4 Regulations and 4 Rules

**3 PRRs Repealed**
1 Regulations and 2 Rules

**27 PRRs Revised**
1 Policy, 18 Regulations and 8 Rules