



UNIVERSITY  
of HAWAII  
MĀNOA

April 17, 2015

Mr. David Matlin



Dear David:

I am happy to inform you that the requirement to post your appointment as Director of Athletics (AD) has been complete, and the Board of Regents has officially approved your appointment. As noted previously, the position is classified at an Executive/Managerial level, and as such, is an "at-will" employee within UH Mānoa. This letter serves as your official offer of employment.

Pursuant to BOR policy RP9.212, your initial appointment will be for five (5) years, subject to satisfactory annual performance each year. Termination will be for failure to earn a satisfactory or better evaluation or for cause. The appointment will begin on April 27, 2015, and your annual base salary will be \$290,016 (\$24,168 per month). You will be eligible for any salary adjustments as appropriate in accordance with BOR policies and University guidelines and procedures as may be amended from time to time during the course of your employment.

If terminated, AD will be compensated in accordance with BOR policy, RP9.212, Section III, B.3.b.(4) (b) and 3.b.(5), as amended on April 16, 2015.

In addition, we discussed a number of key points concerning your appointment, and I want to outline them in this letter to you. In addition to the salary, start date, and the period of appointment mentioned above, the following terms apply:

- Supplemental compensation subject to the following conditions: the AD shall not receive supplemental compensation more than described below. Any supplemental compensation earned shall be paid when funds are sufficient to cover the payment of the supplemental compensation, provided that any earned but unpaid supplemental compensation outstanding at the expiration of the appointment period shall be paid in full within six (6) months of expiration or termination of the appointment.
- Subject to the foregoing conditions, the AD may earn supplemental incentive based compensation as set forth below. The following will be annually reviewed each year to set performance goals and metrics to determine the supplemental compensation for the ensuing year:
  - Academic Performance
    - Academic Performance Rating
    - Average GPA among all athletes
  - Athletic Performance
    - NCAA Tournament Appearances
    - Bowl Game
    - NACDA Director's Cup
    - Conference Championships

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- Financial Performance
  - Revenue Growth (encompasses ticket sales, sponsorships, state-funding via HTA or other entities)
  - Fundraising Performance (shared responsibility with UH Foundation – ‘Ahahui Koa Ānuenuē and the various booster clubs)
- Each year of employment that meets all performance goals and metrics as may be established by the Chancellor (in consultation with you), may result in additional incentives, which the Chancellor as the position’s supervisor will make the final determination, and not to exceed the maximum amounts noted below:

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  - Year 1 - \$25,000
  - Year 2 - \$40,000
  - Year 3 - \$40,000
  - Year 4 - \$60,000
  - Year 5 - \$60,000
- The University has no obligation to pay any of the all above-mentioned compensation, whether base salary or incentive based compensation, which has not been accrued or earned. Upon separation or termination of employment, the University shall not be liable for any payments or benefits after the date of termination/separation.
- Eligible for participation in the attached listing of employee benefits (vacation leave, sick leave, medical benefits, retirement, etc).
- The AD’s spouse shall be entitled to accompany the AD up to eight (8) events annually associated with official UH Mānoa Athletic event/appearances, at University expense, subject to the Chancellor’s approval. This could be for neighbor island, mainland, or international events. The spouse shall not be deemed to be an employee or agent of the University.
- Provided ten (10) tickets annually at no cost for each UH Mānoa sport event. Tickets provided shall be for personal use and shall not be sold or exchanged for any type of consideration or remuneration.
- A club membership **may** be included, provided that the costs of the club fees and dues are covered by the University of Hawai‘i Foundation, ‘Ahahui Koa Ānuenuē, or other non-University of Hawai‘i organizations.
- Opportunity to participate in the Athletics Department courtesy car program. if available, in accordance with the following provisions: (1) obtain necessary insurance in accordance with State law and/or wishes of the auto dealers; (2) be personally responsible for the use, care and maintenance of the car; and (3) not endorse any product. It is further understood that the auto

