Approved by the Board of Trustees

September 18, 2025

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 Board Meeting

 September 18, 2025

## AMEND MULTIYEAR CONTRACT WITH

## DIRECTOR, DIVISION OF INTERCOLLEGIATE ATHLETICS, URBANA

**Action**: Amend Multiyear Contract with Director, Division of Intercollegiate

 Athletics

**Funding**: Non-Appropriated Institutional Funds in the Division of Intercollegiate

 Athletics Operating Budget

 On February 29, 2016, the Board of Trustees Executive Committee approved the appointment of Joshua H. Whitman as director, Division of Intercollegiate Athletics (DIA), University of Illinois Urbana-Champaign. This action was reported to the Board of Trustees on March 16, 2016. The Board approved an initial non-tenured appointment for a five-year term, beginning on March 5, 2016. The Board has since approved various amendments to Mr. Whitman’s employment agreement, including actions in November 2019, May 2022, and November 2023, to extend the term and make other changes. The Board has also approved Mr. Whitman’s anticipated total annual compensation for each year of the term, including base salary compensation, retention incentive compensation, and supplemental compensation for achieving performance goals determined in advance by the chancellor.

 The chancellor, University of Illinois Urbana-Champaign, and vice president, University of Illinois System, now recommends amending Mr. Whitman’s employment agreement to modify provisions related to termination and adjust limitations related to Mr. Whitman’s performance incentive compensation.

 Pursuant to the Board’s November 2023 action and as reflected in his current employment agreement, Mr. Whitman will pay the university liquidated damages in the event he resigns his employment to accept a competing athletics director or senior executive position in a professional, collegiate, or comparable sports league, conference, association, or similar organization at a time when three or more years remain in the term of the employment agreement. Liquidated damages payable to the university vary depending on the type of subsequent employment he may receive should he leave for a competing position and the time of occurrence within the term of the employment agreement. Currently, Mr. Whitman is required to pay liquidated damages for every year remaining in the term if he accepts a position as director of athletics at another National Collegiate Athletic Association (NCAA) institution. The chancellor recommends amending Mr. Whitman’s employment agreement to restate such “buyout” provision to prohibit Mr. Whitman from accepting employment with any college or university at any time during the entire term of the employment agreement. This approach supports stability and success in the athletics program and is consistent with other employment agreements in DIA, including head coaches for men’s basketball, track and field, men’s tennis, and women’s gymnastics, and is similar to provisions in the employment agreements for head coaches in football, women’s basketball, and women’s soccer, which prohibit successive employment with a college or university member of the Big Ten Conference.

 Also in November 2023, the Board approved limitations regarding Mr. Whitman’s maximum performance incentive compensation based on satisfying performance goals for specified competitive, financial, and academic achievements set forth in advance by the chancellor. Pursuant to that action, Mr. Whitman’s current maximum performance incentive compensation is $350,000. Effective July 1, 2028, and through the remainder of the term, his maximum performance incentive compensation will not exceed $400,000. The chancellor recommends adjusting the annual cap on Mr. Whitman’s annual performance compensation to $500,000 per year, applicable to Academic Year 2024-2025 and through the remainder of the term. This action does not increase Mr. Whitman’s annual base compensation or eligibility for retention incentive compensation payments if he remains continuously employed as director of athletics as of specific dates during the term, nor does the action increase the amount that would be payable to Mr. Whitman upon termination of the employment agreement without cause. Mr. Whitman’s current employment agreement expires on June 30, 2033.

 Other significant terms and conditions of Mr. Whitman’s original employment agreement remain in effect and unchanged, including conduct expectations and instances in which he may be terminated for cause with no further payment obligations.

 Funding is provided from non-appropriated institutional funds in the DIA operating budget.

 The Board action recommended in this item complies in all material respects with applicable State and federal laws, University of Illinois *Statutes*, *The General Rules Concerning University Organization and Procedure*, and Board of Trustees policies and directives.

 The president of the University of Illinois System concurs.