

**EAST CAROLINA UNIVERSITY**  
**2017-2018 Faculty Governance Committee**

**MINUTES OF MEETING DATE:** October 11, 2017

**PRESIDING:** Tracy Carpenter-Aeby (chair)

**REGULAR MEMBERS ( X IN ATTENDANCE):**

Tracy Carpenter-Aeby X, Cynthia Deale \_\_\_\_\_, Kylie Dotson-Blake \_\_\_\_\_, Brad Lockerbie X,  
Derek Maher X, Andrew Morehead X, Marianna Walker X, David Wilson-Okamura X

**EX-OFFICIO MEMBERS ( X IN ATTENDANCE):**

Patricia Fazzone, Chancellor's Rep X, Ron Mitchelson, Provost / VCAA X,  
Phyllis Horns, VCHS \_\_\_\_\_, Jay Golden, VCREDE \_\_\_\_\_,  
Jeff Popke, Rep of the Chair of the Faculty X, Rachel Roper, Fac Sen Rep X

**OTHERS IN ATTENDANCE:** Chair of the Faculty John Stiller, Linda Ingalls (for the Office of the Provost), Univ. Counsel and VC for Legal Affairs Donna Gooden-Payne

**I. Call to Order, 3:02 pm, Rawl 142**

**II. Minutes of Sept. 27, 2017 meeting were approved.**

**III. Unfinished business**

- A.** On the proposal to revise Part VIII of the Faculty Manual, Maher reported that the committee's writing group is incorporating feedback from the faculty fora and will distribute a revised text prior to our next meeting.
- B.** Mitchelson reported that the committee's suggestions for post-tenure review were incorporated in the academic council's plan.
- C.** Morehead reported that Stiller, Walker, and he are reviewing changes to the Faculty Appellate Committee structure outlined by Stiller at the previous meeting, and will distribute recommendations for discussion at our next meeting.
- D.** Morehead proposed revisions Tenure and Promotion timeline (Part X of the Faculty Manual).
  - a. Only a few additions are required to coordinate Part X with last year's revisions to Part IX: a decision date on new contracts for fixed-term faculty members, and a recommended meeting date for unit chairs to review PADs with candidates for tenure and promotion.
  - b. Morehead further proposed unifying the tenure and promotion timelines for Health Sciences and Academic Affairs. The committee endorsed this proposal.
  - c. At our previous meeting, it was asked whether we can create more time to review PADs. Morehead outlined two options.
    - i. Option 1: move the deadline for candidates to submit PADs a week earlier. The scheduling for this gets complicated around Thanksgiving and winter break.

- ii. Option 2: end the process of reviewing PADS later, so that the Chancellor submits his or her decision on the first Tuesday in April instead of the third Tuesday in March. The deadline for recommendations from the tenure and promotion committees, unit chairs, deans, and vice-chancellors would be moved back accordingly.
    - 1. How much time do the Chancellor and Trustees need? The schedule for trustee approval needs to accommodate changes or variation in trustee meeting schedule. The Chancellor's recommendation to trustees should come before April 1.
    - 2. This committee would like to explore Option 2. Mitchelson will seek input from the Academic Council, Chancellor, and other affected principals.
  - d. When there are joint appointments, the department designated *primary* votes on personnel actions, but is supposed to confer and share documents with the department designated *secondary*. Morehead asks: should there be a deadline in Part X to share materials for review?
    - i. Instead of an additional deadline, the committee recommends that a reminder be inserted in the timeline.
    - ii. Personnel decisions are supposed to be collaborative, not just at tenure and promotion but also at progress toward tenure.
      - 1. Another place to reinforce this would be in Part VIII (which Maher's writing group is revising), and in existing training sessions at the college level and for personnel committees.
    - iii. Does the university need to formulate foundational guidelines or principles for interdepartmental collaborations, as these become more frequent? Operational agreements are codified episodically in memoranda of understanding, but the spirit of such collaborations – the intention and value – are undefined.
- E. The committee's next meeting will focus on Parts VIII, X, and XII of the Faculty Manual.

#### IV. **New Business**

- A. Two proposals were circulated prior to the meeting for discussion: "Regulation on Sexual and Gender-Based Harassment and Other Forms of Interpersonal Violence" and "Resolving Allegations of Discrimination PRR\_FINAL\_8.15.2017."
  - a. In these proposals, the Office of Equity both conducts an investigation and issues a finding of fact. Should these roles be separate? As written, the policy seems to combine the roles of investigator and judge/jury.
    - i. Mitchelson: they work in the same office, but the officer who issues a finding of facts is not the same person who conducts the investigation.
  - b. Should "preponderance of evidence" be the standard for all cases?
    - i. Rather than set an evidentiary threshold for all cases, could the fact-finders state the strength of evidence in all reports (ranging, for example, from "preponderance" to "clear and convincing" to "beyond reasonable doubt")?
  - c. Does this policy improve the climate or experience for victims?

- d. Should all Office of Equity and Diversity (OED) findings of fact be subject to appeal, or just Title IX findings?
- e. Should the Sexual Harassment document mention the possibility of appeal? (Currently it's only mentioned in an appendix.)
- f. Carpenter-Aeby will invite OED and University Counsel to discuss these documents with us at a future meeting.
  - i. It would be productive to project the text for discussion of particular issues. Maher will distribute PDFs of the two proposals with line numbers.
  - ii. Let's ask OED to walk us through the procedure.
  - iii. Two meetings might be required.
- g. Paine made a suggestion on timing. Having withdrawn the Obama-era guidelines, the U.S. Dept. of Education will probably take at least a year to issue new guidelines in their place. This committee might want to wait until November for possible guidance from UNC Board of Governance.

**IV. Adjourned at 4:43 pm.**

Respectfully submitted, David Wilson-Okamura.

The next meeting of the 2017-2018 Faculty Governance Committee will be held on **Wednesday, October 25, 2017**, at 3:00pm in Rawl Annex 142.