

EAST CAROLINA UNIVERSITY
2017-2018 Faculty Governance Committee

The next meeting of the 2017-2018 Faculty Governance Committee will be held on **Wednesday, January 24**, at 3:00pm in Rawl 142.

MINUTES OF MEETING DATE: Jan. 10, 2018

PRESIDING: Tracy Carpenter-Aeby

REGULAR MEMBERS (X IN ATTENDANCE):

Tracy Carpenter-Aeby X, Cynthia Deale X, Kylie Dotson-Blake _____, Brad Lockerbie X, Derek Maher _____, 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 _____, Phyllis Horns, VCHS X, 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, Univ. Counsel and VC for Legal Affairs Donna Gooden-Payne, Linda Ingalls for the Office of the Provost

I. Call to Order, 3:05 pm, Rawl 142

II. Minutes of Nov. 29, 2017 meeting were approved.

III. Unfinished business

A. The committee resumed discussion of Faculty Manual, Part XII: Faculty Grievance Policies and Procedures

1. Gooden-Payne brought up several issues:

- a. Under "Descriptions of Grievants and Respondents": the Chancellor should notify participants when deadlines are extended.
- b. Under "Bases for Serious Disciplinary Sanctions or Discharge," the definition of misconduct might be construed as permanent unfitness, even when the sanction falls short of termination. Unfortunately, the language here echoes that of the UNC code; the committee is reluctant to revise it.
- c. We need to clarify that sanctions will be determined on the basis of facts rather than labels (such as *misconduct* or *neglect*).
- d. The first sentence under Notice to Faculty of...Sanctions or Discharge needs revision. Ingalls suggests analogous language from the UNC code.
- e. Do we need to clarify the procedure for an administrator challenging a panelist's fitness for a panel? The committee thought the existing language was adequate.
- f. We need to specify that a university attorney's previous participation in a case must be *substantive* to be disqualifying.
- g. Under "Time and Date of Hearing," panels should notify participants of scheduled hearings *promptly*.

- h. Under “Conduct of Hearing,” we need to delete the sentence that prohibits attorneys or faculty advisors from participating, and specify that advisors and attorneys can present evidence, make closing statements, etc.
 - i. Under “Appeal of the Chancellor’s Decisions,” let’s not require the chancellor to state and explain rejected findings or conclusions, only rejected recommendations.
 - 2. Ingalls raised a couple of issues about terminology.
 - a. Are an appeal and a request for review the same thing? The Board of Governor’s term is review. The committee agreed to use the Board of Governors’ term throughout the document.
 - b. Let’s also use the form *respondent(s)* throughout.
 - 3. Maher was not able to be present, but one of his annotations raised a question about “Initiating the Hearing Process.” The committee adopted Morehead’s suggestion, to make the panel chair responsible to notify the relevant chair or director, dean, and vice-chancellor.
 - 4. Popke suggested, to general agreement, that the beginning of the document should define the four types of panel, drawing on language that occurs later in the document.
 - 5. Morehead suggested, to general agreement, that “timely” be changed to “within 14 calendar days” under “III. Request for a Hearing.”
 - 6. Ingalls asked, concerning “Procedures after the Hearing,” whether a committee might need to adjourn its deliberations for more than two calendar days? For example, what if there is a three-day weekend? Her suggestion to extend the limit for adjournment to three calendar days was adopted.
 - 7. Morehead wondered whether panelists might be reluctant to recommend against an administrator’s previous ruling.
- B.** The committee will resume discussion of Part XII at its next meeting.

IV. Adjourned at 4:56 pm.

Respectfully submitted, David Wilson-Okamura.